



OREGON
WATERSHED
ENHANCEMENT BOARD

Virtual Board Meeting
January 28-29, 2025



Oregon Watershed Enhancement Board Meeting Agenda January 28-29, 2025

The public is welcome to listen to the virtual meeting through the following methods:

- ❖ **YouTube Streaming/Recording:** https://www.youtube.com/channel/UC0dl-TOWlt4Sp--i1KEa_OA. There may be a slight delay when streaming the meeting content.
- ❖ **Zoom/Phone:**
 - **Jan 28:** Dial 1 669 900 6833, ID number: 837 6384 9035 and passcode: 111291
<https://us02web.zoom.us/j/83763849035?pwd=EvXIS3BlkiO2GCb41iBPXfJbxx1rdK.1>
 - **Jan 29:** Dial 1 669 900 6833, ID number: 816 9304 7071 and passcode: 515372
<https://us02web.zoom.us/j/81693047071?pwd=yayR42oRPFRxvbN6QalbHKDSVnQGFA.1>

The meeting materials are available at: <https://www.oregon.gov/oweb/about-us/Pages/board/2025-Jan.aspx>

For each agenda item, the time listed is approximate. Anyone interested in a particular agenda item is encouraged to give ample time and listen in to the meeting at least 30 minutes before the approximate agenda item time.

Public comment

OWEB welcomes written or verbal public comment on any agenda item that is not marked with an asterisk. Agenda items with an asterisk (*) are not open for public comment because they were the subject of a formal public hearing that included a comment period. Comments submitted for these items will not be considered.

All written comments and requests to make verbal comments to the board should be submitted using [OWEB's Public Comment Form](#). The deadline for submitting written comments and requests to make verbal comments is **5:00 pm Thursday, January 23, 2025**.

Written comments will be provided to the board before the meeting. Verbal comments are limited to three minutes and will be heard in the public comment periods (Agenda Items C and K).

For additional information on providing public comment, please refer to our website <https://www.oregon.gov/oweb/about-us/Pages/board/meetings.aspx>

Tuesday, January 28

Business Meeting – 8:30 am

A. Board Member Comments (8:35 am)

Board representatives from state and federal agencies will provide updates on issues related to the natural resource agency they represent. This is also an opportunity for public and tribal board members to report on their recent activities and share information and comments on a variety of watershed enhancement and community conservation-related topics. *Information item.*

B. Review and Approval of Minutes (10:20 am)

The minutes of the October 2024 meeting will be presented for board approval. *Action item.*

C. Public Comment (10:25 am)

This time is reserved for the board to hear public comments and review the written public comment submitted for the meeting. *Information item.*

D. Director's Updates (10:40 am)

Executive Director Sara O'Brien and staff will update the board on agency business. *Information item.*

E. Spending Plan Discussion (11:10 am)

Executive Director Sara O'Brien will seek feedback from the board regarding priorities for the 2025-2027 spending plan. *Information item*

F. Lostine Collaborative Telling the Restoration Story (1:00 pm)

Conservation Outcomes Coordinator Audrey Hatch will update the board on the coordinated monitoring efforts taking place at the Lostine River basin in Wallowa County. *Information item.*

G. Telling the Restoration Story Request of Funds (1:30 pm)

Conservation Outcomes Coordinator Audrey Hatch and Monitoring and Reporting Program Manager Courtney Shaff will request funding allocation in support of Telling the Restoration Story grants. *Action item.*

H. 2024 Tribal Report (1:50 pm)

Tribal Liaison Ken Fetcho will present the agency's 2024 Annual Tribal Report. *Information item*

I. Committee Updates (2:15 pm)

Representatives from board committees will provide updates on committee topics to the full board. *Information item.*

J. Committee Structure Discussion (2:35 pm)

Executive Director Sara O'Brien will describe the board's current committee structure and seek feedback and action from the board on future committee structure options. *Action Item.*

Wednesday, January 29

Business Meeting – 8:30 am

K. Public Comment (8:35 am)

This time is reserved for the board to hear public comments and review the written public comment submitted for the meeting. *Information item.*

L. Land Acquisition Update (8:50 am)

Land Acquisitions Coordinator Miriam Forney and Acquisitions and Special Programs Manager Renee Davis will update the board about a proposed change to the conservation easement for the Willamette Confluence Project grant (Grant No. 208-3090-8358), in preparation for board consideration of the request at the April 2025 meeting and discuss other recent developments in the Land Acquisition grant program. *Information Item.*

M. Oregon Agricultural Heritage Program 2024 Grant Awards (9:30 am)

Oregon Agricultural Heritage Program (OAHP) Coordinator Taylor Larson, Conservation Easement Specialist Robin Meacher, and Acquisitions and Special Programs Manager Renee Davis will provide an overview of the 2024 OAHP grant offerings and funding recommendations. *Action item.*

N. Oregon Agricultural Heritage Commission Appointments (10:15 am)

Oregon Agricultural Heritage Program Coordinator Taylor Larson and Acquisitions and Special Programs Manager Renee Davis will provide an overview of the Oregon Agricultural Heritage Commission, the nomination process for the three vacant seats, present the nominated candidates, and request the OWEB Board appoint candidates to fill the vacancies. *Action item.*

O. Rule Revisions: Oregon Agricultural Heritage Program (10:40 am)*

Senior Policy Coordinator Eric Hartstein, Oregon Agricultural Heritage Program (OAHP) Coordinator Taylor Larson, Conservation Easement Specialist Robin Meacher, and Acquisitions and Special Programs Manager Renee Davis will provide an overview of proposed revisions to OWEB's OAHP administrative rules and seek board approval of the revised rules. *Action Item.* There was a formal public comment period for this item that closed January 3, 2025. OWEB will not review or consider comments received after this deadline.

P. Rule Revisions: Engagement Grants and Monitoring Grants (11:25 am)*

Senior Policy Coordinator Eric Hartstein and Monitoring and Reporting Program Manager Courtney Shaff will provide an overview of proposed revisions to OWEB's Engagement Grants and Monitoring Grants administrative rules and seek board approval of the revised rules. *Action Item.*

There was a formal public comment period for this item that closed January 3, 2025. OWEB will not review or consider comments received after this deadline.

Q. [Focused Investment Partnerships – Cohort 3 Reports \(12:45 pm\)](#)

Senior Policy Coordinator Eric Hartstein, Partnerships Coordinator Denise Hoffert, Partnerships Coordinator Jillian McCarthy, Conservation Outcomes Coordinator Audrey Hatch, and Restoration Grants Manager Eric Williams will introduce Progress Tracking Reports for each of the FIP Cohort 2 and 3 partnerships and partners from Cohort 3 will present on their initiative progress. *Information Item.*

R. [Rule Revisions: Focused Investment Partnership \(2:55 pm\)*](#)

Senior Policy Coordinator Eric Hartstein, Partnerships Coordinator Denise Hoffert, Partnerships Coordinator Jillian McCarthy, and Restoration Grants Manager Eric Williams will provide an overview of proposed revisions to OWEB's Focused Investment Partnership administrative rules and seek board approval of the revised rules. *Action Item.*

There was a formal public comment period for this item that closed January 3, 2025. OWEB will not review or consider comments received after this deadline.

S. [Other Business \(3:40 pm\)](#)

This item is reserved for other matters that may come before the board. *Possible action item.*

Meeting Rules and Procedures

Meeting Procedures

Generally, agenda items will be taken in the order shown. However, in certain circumstances, the board may elect to take an item out of order. To accommodate the scheduling needs of interested parties and the public, the board may also designate a specific time at which an item will be heard. Any such times are indicated on the agenda.

Please be aware that topics not listed on the agenda may be introduced during the meeting.

Oregon's Public Meetings Law requires disclosure that board members may meet for meals when OWEB meetings convene.

Voting Rules

The OWEB Board has 18 members. Of these, 11 are voting members and 7 are non-voting advisory members. For purposes of conducting business, OWEB's voting requirements are divided into 2 categories – general business and action on grant awards.

Action on General Business

For general business, a quorum is **6 voting members**. General business requires a majority of **all** voting members to pass a resolution (not just those present), so general business resolutions require affirmative votes of **at least 6 voting members**. Typical resolutions include adopting, amending, or appealing a rule, providing staff direction, etc. These resolutions cannot include a funding decision.

Action on Funding Decisions

Per ORS 541.360(4), special requirements apply when OWEB considers action on funding decisions such as grant awards. This includes a special **quorum of at least 8 voting members** present to act on grant awards, and affirmative votes of at least six voting members. Regardless

of the number of members present, **if 3 or more voting members** object to an award of funds, the proposal will be rejected.

Executive Session

The board may also convene in a confidential executive session where, by law, only press members and OWEB staff may attend. Others will be asked to leave the room during these discussions, which usually deal with current or potential litigation. Before convening such a session, the presiding board member will make a public announcement and explain necessary procedures.

More Information

If you have any questions about this agenda or the board's procedures, please contact Nicole Bettinardi, OWEB Board Liaison, at 503-428-1804 or Nicole.BETTINARDI@OWEB.oregon.gov.

If physical, auditory, language, or other accommodations are needed for this meeting, please contact Nicole Bettinardi as soon as possible, and at least 48 hours before the meeting.

Oregon Watershed Enhancement Board Membership

Voting Members

Elizabeth Agpaoa, *Board of Forestry*
Barbara Boyer, *Board Co-Chair, Board of Agriculture*
Bruce Buckmaster, *Public*
Kelly Coates, *Board Co-Chair, Public, Tribal Representative*
Russ Hoeflich, *Public*
Mark Labhart, *Fish and Wildlife Commission*
Liza Jane McAlister, *Public*
Lindsay McClary, *Public*
Jamie McLeod-Skinner, *Public*
Mark Webb, *Environmental Quality Commission*
Woody Wolfe, *Water Resources Commission*

Non-voting Members

Chris Allen, *U.S. Fish and Wildlife Service*
Dan Brown, *U.S. Environmental Protection Agency*
Aaron Curtis, *U.S. Bureau of Land Management*
Jessi Kershner, *Oregon State University Extension Service*
Eric Murray, *National Marine Fisheries Service*
Brian Staab, *U.S. Forest Service*
Claire Tachella, *U.S.D.A. Natural Resources Conservation Service*

Contact Information

Oregon Watershed Enhancement Board
775 Summer Street NE, Suite 360
Salem, Oregon 97301-1290
Tel: 503-428-1804
Fax: 503-986-0199

www.oregon.gov/OWEB

OWEB Executive Director – Sara O’Brien

Sara.E.O'BRIEN@OWEB.oregon.gov

OWEB Board Liaison and Executive Assistant– Nicole Bettinardi

Nicole.BETTINARDI@OWEB.oregon.gov

2025 Board Meeting Schedule

January 28-29 – Virtual

April 22-23 – Independence

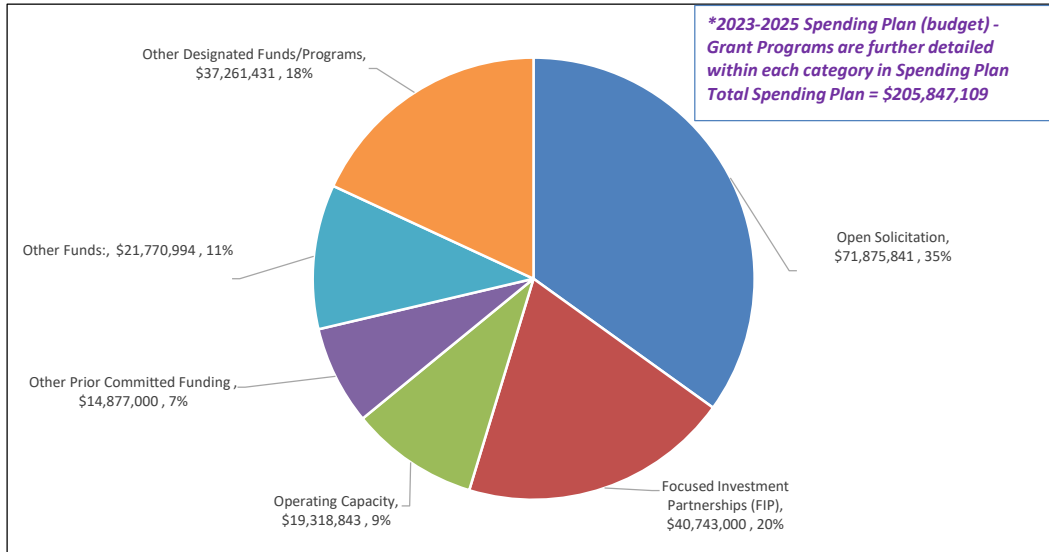
July 22-23 – Pendleton

Oct 28-29 – TBD

For online access to staff reports and other OWEB publications, visit our website:

www.oregon.gov/OWEB.

OWEB 2023-2025 GRANT FUNDS SPENDING PLAN
January 2025 Board Meeting



	GRANTS	2023-2025 Spending Plan (As of October 2024)	Proposed Additions January 2025	2023-2025 Spending Plan Total	Awarded to Date	January 2025 Proposed Awards	TOTAL Awards To-Date & Proposed Awards	Anticipated Remaining Spending Plan after Awards
1	Open Solicitation:							
2	Restoration	37,491,933	-	37,491,933	27,193,807		27,193,807	10,298,126
3	Technical Assistance			-				
4	Restoration TA	6,800,000	-	6,800,000	4,972,362		4,972,362	1,827,638
5	CREP TA	1,525,841	-	1,525,841	1,525,841		1,525,841	-
6	Cultural Resources	1,000,000	-	1,000,000	-		-	1,000,000
7	Engagement	2,000,000	-	2,000,000	1,414,823		1,414,823	585,177
8	Monitoring grants	4,508,067	-	4,508,067	4,508,067		4,508,067	-
9	Land and Water Acquisition	8,500,000	-	8,500,000	2,280,584		2,280,584	6,219,416
10	Weed Grants	3,250,000	-	3,250,000	3,250,000		3,250,000	-
11	Small Grants	2,800,000	-	2,800,000	2,800,000		2,800,000	-
12	Quantifying Outputs and Outcomes	1,000,000	-	1,000,000	336,031	250,000	586,031	413,969
13	Tribal Project Development	1,000,000	-	1,000,000	1,000,000		1,000,000	-
14	2024 Immediate Fire Response Grants	2,000,000	-	2,000,000	2,000,000		2,000,000	-
15	TOTAL	71,875,841	-	71,875,841	51,281,515	250,000	51,531,515	20,344,326
16	% of Total Core Programs			48.95%				
17	% of OWEB Spending Plan total			42.64%				
18	Focused Investments:							
19	John Day Partnership	4,000,000	-	4,000,000	4,000,000		4,000,000	-
20	Baker Sage Grouse	2,348,000	-	2,348,000	2,348,000		2,348,000	-
21	Warner Aquatic Habitat	1,857,000	-	1,857,000	1,857,000		1,857,000	-
22	Rogue Forest Rest. Partnership	1,800,000	-	1,800,000	1,800,000		1,800,000	-
23	Clackamas Partnership	2,309,000	-	2,309,000	2,309,000		2,309,000	-
24	Klamath Siskiyou Oak Network	2,715,000	-	2,715,000	2,715,000		2,715,000	-
25	East Cascades Oak & Fire Partnership	2,433,000	-	2,433,000	2,433,000		2,433,000	-
26	Siuslaw Coho Partnership	4,000,000	-	4,000,000	4,000,000		4,000,000	-
27	Coos Basin Coho Partnership	3,859,000	-	3,859,000	3,859,000		3,859,000	-
28	Oregon Central Coast Estuary Collaborative	3,922,000	-	3,922,000	3,922,000		3,922,000	-
29	Hood River Basin Partnership	2,933,414	-	2,933,414	2,933,414		2,933,414	-
30	Klamath Lake Forest Health Partnership	4,000,000	-	4,000,000	4,000,000		4,000,000	-
31	Oregon Sage-Grouse Partnership	2,004,839	-	2,004,839	2,004,839		2,004,839	-
32	Harney Basin Wetlands Collaborative	510,610	-	510,610	510,610		510,610	-
33	New FIP Solicitation	1,551,137	-	1,551,137	-		-	1,551,137
34	FI Effectiveness Monitoring	500,000	-	500,000	320,000		320,000	180,000
35	TOTAL	40,743,000	-	40,743,000	39,011,863	-	39,011,863	1,731,137
36	% of Total Core Programs			27.75%				
37	% of OWEB Spending Plan total			24.17%				

	GRANTS	2023-2025 Spending Plan (As of October 2024)	Proposed Additions January 2025	2023-2025 Spending Plan Total	Awarded to Date	January 2025 Proposed Awards	TOTAL Awards To-Date & Proposed Awards	Anticipated Remaining Spending Plan after Awards
38	Operating Capacity:							
39	Capacity grants - Watershed Councils (WC)	9,486,708	-	9,486,708	9,353,795		9,353,795	132,913
40	Capacity grants - Soil & Water Conservation Dist (SWCD)	8,307,135	-	8,307,135	8,307,135		8,307,135	-
41	Statewide org partnership support	525,000	-	525,000	525,000		525,000	-
42	Organizational Collaboration	-	-	-	-		-	-
43	Partnership Technical Assistance	1,000,000	-	1,000,000	672,439		672,439	327,561
44	TOTAL	19,318,843	-	19,318,843	18,858,369	-	18,858,369	460,474
45	% of Total Core Programs			13.16%				
46	% of OWEB Spending Plan total			11.46%				
47	Other-Prior Committed Funding:							
48	CREP Costshare	750,000	-	750,000	750,000		750,000	-
49	Governor's Priorities	1,000,000	-	1,000,000	1,000,000		1,000,000	-
50	Lower Columbia Estuary Partnership	330,000	-	330,000	330,000		330,000	-
51	Strategic Implementation Areas	1,500,000	-	1,500,000	1,500,000		1,500,000	-
52	Sage Grouse Conservation Partnership	350,000	-	350,000	350,000		350,000	-
53	Klamath Post Dam Removal Watershed Restoration/KRRC-Contingency	10,947,000	-	10,947,000	10,947,000		10,947,000	-
54	TOTAL	14,877,000	-	14,877,000	14,877,000	-	14,877,000	-
55	% of Total Core Programs			10.13%				
56	% of OWEB Spending Plan total			8.82%				
57	TOTAL Core Programs	146,814,684	-	146,814,684	124,028,747	250,000	124,278,747	22,535,937
58	Other Funds:							
59	Water Acquisitions	9,439,958	-	9,439,958	959,701		959,701	8,480,257
60	Watershed Natural Climate Solutions (NCS) Fund (From Natural & Working Lands Fund)							
61	Funding for NCS projects in Open Solicitation (OS)	1,500,000	-	1,500,000	-		-	1,500,000
62	Funding for NCS projects in OAHP	750,000	-	750,000	-		-	750,000
63	Oregon Agricultural Heritage Program (OAHP)	5,081,036	-	5,081,036	-	5,081,036	5,081,036	-
64	Drinking Water Source Protection Grants							-
65	DWSP-General Fund	1,000,000	-	1,000,000			-	1,000,000
66	DWSP-Lottery Bond Funds	4,000,000	-	4,000,000			-	4,000,000
67	TOTAL	21,770,994	-	21,770,994	959,701	5,081,036	6,040,737	15,730,257
68	% of OWEB Spending Plan total			12.91%				
69	TOTAL OWEB Spending Plan	168,585,678	-	168,585,678	124,988,448	5,331,036	130,319,484	38,266,194
70	Other Designated Funds/Programs							
71	Or Dept of Fish & Wildlife-PCSRF (Federal Funds)	13,984,821	-	13,984,821	13,984,821		13,984,821	-
72	Or Dept of Forestry-Forest Collaborative (Other Funds)	500,000	-	500,000	500,000		500,000	-
73	Pacific States Marine Fisheries Commission- Intensively Monitored Watersheds (Other Funds)	600,000	-	600,000	600,000		600,000	-
74	Bureau of Land Management - Good Neighbor Authority (Federal Funds)	15,000,000	-	15,000,000	15,000,000		15,000,000	-
75	Natural Resource Conservation Service - Farm Bill Technical Support (Federal Funds)	743,110	-	743,110	743,110		743,110	-
76	PacifiCorp Interim Measure 11 (IM11) (Other Funds)	6,433,500	-	6,433,500	6,433,500		6,433,500	-
77	TOTAL	37,261,431	-	37,261,431	37,261,431	-	37,261,431	-
78	OWEB Spending Plan and Other Designated Funds/Programs	205,847,109	-	205,847,109	162,249,879	5,331,036	167,580,915	38,266,194

The Approach We Take

We believe that every endeavor is guided by a set of commitments not just about the “why” and the “what,” but also the “how.” These are the ways we are committed to engaging in our work. This is our approach. These principles modify everything we do.

Our work is characterized by...

Involving stakeholders broadly and in partnership

- Involving the community members at all levels
- Promoting community ownership of watershed health
- Collaborating and authentically communicating
- Bringing together diverse interests
- Building and mobilizing partnerships

Using best available science supported by local knowledge

- Basing approaches on the best available science
- Advancing efficient, science driven operations
- Addressing root sources and causes
- Incorporating local knowledge, experience, and culture
- Catalyzing local energy and investment

Investing collaboratively with long-term outcomes in mind

- Aligning investments with current and potential funding partners
- Maintaining progress into the future
- Stewarding for the long term
- Taking the long view on projects and interventions

Demonstrating impact through meaningful monitoring and evaluation

- Providing evidence of watershed change
- Measuring and communicating community impact
- Increasing appropriate accountability
- Incorporating flexibility, adaptive management – when we see something that’s not working, we do something about it

Reaching and involving underrepresented populations

- Seeking to include the voice and perspectives that are not typically at the table
- Specific, targeted engagement
- Ensuring information is available and accessible to diverse audiences



OWEB Staff Culture Statement

We are dedicated to OWEB’s mission and take great pride that our programs support watershed health and empower local communities. Our work is deeply rewarding and we are passionate about what we do. Our team is nimble, adaptable, and forward-thinking, while remaining grounded in the grassroots history of watershed work in Oregon. With a strong understanding of our past, we are strategic about our future. We believe in working hard while keeping our work environment innovative, productive, and fun. We are collaborative, both with each other and with outside partners and organizations, and place great value in continually improving what we do and how we do it.



The Oregon Watershed Enhancement Board (OWEB) provides grants to help protect and restore healthy watersheds and natural habitats that support thriving communities and strong economies.

Eligible applicants include not-for-profit organizations, Soil and Water Conservation Districts, Tribes, Watershed Councils, political subdivisions of the state that are not state agencies, schools, community colleges, Oregon State institutions of higher education, and independent not-for-profit institutions of higher education. State and federal agencies are not eligible grantees but are often partners on OWEB-funded projects. In addition to those listed below, OWEB may offer grant types based on legislative priorities.



Land Acquisition



Coho Habitat Restoration



Aquatic Habitat for Native Fish (FIP)

Water Acquisition

Projects that acquire interests in water from willing sellers. Acquisitions result in legally or contractually protected instream flow to maintain or restore streamflows for the benefit of watersheds and habitats for native fish or wildlife. Eligible applicants are entities qualified to develop valid water rights transactions and oversee the desired outcomes.

Focused Investment Partnerships (FIPs)

Landscape-scale restoration investments that address board-identified Focused Investment Priorities of significance to the state. Successful FIPs achieve clear and measurable ecological outcomes; use integrated, results-oriented approaches as identified through a strategic action plan; and are implemented by a high-performing partnership. Funding supports partnerships with up to \$12 million over 6 years. Initiatives must support limiting factors outlined in a federal recovery and/or state conservation plan(s). Funds are awarded through project-level grants in restoration, technical assistance, engagement, monitoring, and land and water acquisitions.

Land Acquisition

Projects involving the purchase of interests in land from willing sellers. Projects must maintain or restore watersheds and habitat for native fish or wildlife. Interests in land include fee simple title and conservation easements.

Monitoring

Projects that monitor, gather, analyze, and share watershed data with the public. May describe current watershed conditions, establish trends about watershed conditions, or evaluate specific before-and-after effects of a restoration or acquisition project.

Restoration

Projects that protect or restore watershed functions for instream, riparian, upland, and wetland or estuarine habitat.

Engagement

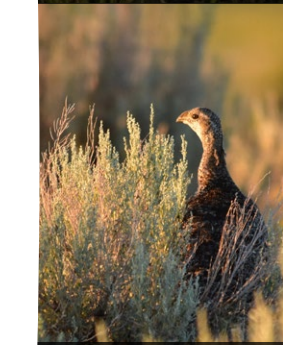
Projects that communicate and engage with landowners, organizations, and the community about the need for, feasibility, and benefits of a specific eligible restoration, acquisition, or resource assessment/planning project(s) within an identified geography. Education projects are not eligible.

Technical Assistance

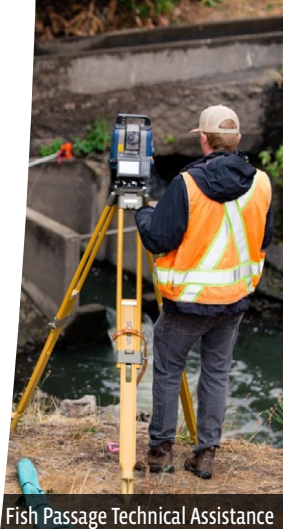
Projects that develop a technical design or implementation plan for restoration, including consideration for compliance with the National Historic Preservation Act.



Seine Net Monitoring



Sage Grouse Conservation Engagement



Fish Passage Technical Assistance

Small Grants

Easy-to-engage-in, competitive grant program. Awards up to \$15,000 for restoration practices principally carried out on private lands.

Who may apply*: Watershed Councils, Soil & Water Conservation Districts, or Tribes may apply for a small grant on behalf of any of the following entities: Landowner, not-for-profit institution, private, state, or independent institution of education, or local, state, or federal agency.

Forest Collaboratives

Projects that increase restoration efforts on federal forests statewide by enhancing and strengthening the effectiveness of local collaboratives. This grant program was developed by OWEB and the Oregon Department of Forestry.

Who may apply*: local collaborative groups engaged in forest restoration and/or stewardship on federal forests in Oregon (forests managed by the US Forest Service or Bureau of Land Management). Eligible grantees must have 501(c)3 status or a signed agreement with an eligible fiscal sponsor. This can be a non-profit community-based organization, unit of local government or Tribal government.

Weed Board Grants

(Oregon Department of Agriculture)

On-the-ground projects to control weeds and state-listed noxious weeds. Projects may include survey, outreach, monitoring, or research if required to complete the control portion of the project.

Coastal Wetlands

These federal grant funds are awarded to OWEB to use in local grant investments for restoration partners to acquire, restore, and enhance coastal wetlands. All projects must have long-term protection in place to ensure conservation (such as a termed easement).



Small Grant Restoration



Forest Collaborative



District & Council Outreach

Council Capacity

Grants that help support the operations of effective watershed councils that engage people and communities in their watershed to participate in collaborative, voluntary restoration and protection of native fish or wildlife habitat and natural watershed functions to improve water quality or stream flows.

Who may apply*: Watershed councils that meet OWEB's eligibility criteria (OAR 695-040-0030)

District Capacity

Grants that support Oregon's 45 soil and water conservation districts to work with landowners in their communities to conserve natural resources and lend support to the Oregon Department of Agriculture's Agricultural Water Quality Management Program.

Who may apply*: Oregon's 45 soil and water conservation districts.

Partnership Technical Assistance

Grant investments that help support existing partnerships to create or enhance and existing strategic action plans, to elevate the partnership's current level of performance, and to support partnership capacity.

Conservation Reserve Enhancement Program Technical Assistance (CREP TA)

Grants that help local partners deliver the Conservation Reserve Enhancement Program, a federal-state partnership that restores streamside areas on agricultural lands. CREP TA grants support grantee costs for staffing, travel, outreach, technical planning, and project implementation.

***Note:** some grant offerings have different eligibility requirements described here.





OREGON
WATERSHED
ENHANCEMENT BOARD

Agenda Item B

Review and Approval

October 2024 Meeting Minutes

Board Meeting January 28-29, 2025

MINUTES ARE NOT FINAL UNTIL APPROVED BY THE BOARD

Oregon Watershed Enhancement Board (OWEB)

Oct 22-23, 2024, Board Meeting

Hybrid Board Meeting

Recording at: https://www.youtube.com/channel/UC0dl-TOWlt4Sp--i1KEa_OA

OWEB MEMBERS PRESENT

Agpaoa, Elizabeth
Allen, Chris
Boyer, Barbara
Brown, Dan
Buckmaster, Bruce
Coates, Kelly
Curtis, Aaron
Hoeflich, Russ
Kershner, Jessi
Labhart, Mark
McAlister, Liza Jane
McClary, Lindsay
McLeod-Skinner, Jamie
Murray, Eric
Staab, Brian
Tachella, Claire
Webb, Mark

OWEB STAFF PRESENT

Bettinardi, Nicole
Charette, Amy
Ciannella, Greg
Davis, Renee
Duzik, Katie
Grenbemer, Mark
Hartstein, Eric
Hatch, Audrey
Hoffert, Denise
Ingamells, Ellen
Larson, Taylor
Leopold, Kathy
McCarthy, Jillian
Meacher, Robin
Menton, Coby
O'Brien, Sara
Page, Stephanie
Redon, Liz
Repplinger, Linda
Shaff, Courtney
Williams, Eric

OTHERS

Becker, Greg
Black, Rhonda
Bliesner, Kasey
Gilbert, Amanda
Humphreys, Jessica
Huntington, Geoff
Kendrick, Karsyn
Kreiner, Andrea
Lutz, Haley
McCollister, Mark
Newton, Cassi
Osborne, Lauren
Sower, Caley
Tattam, Ian
Tidwell, Stephanie
Walz, Kristen

Tuesday, October 22

The meeting was called to order at 8:30 a.m. by Kelly Coates: [Recording](#)

A. Review and Approval of Minutes (Timestamp = 00:08:49)

The minutes of the July 22-24, 2024, meeting were presented for board approval. *Action item.*

Jamie McLeod-Skinner moved the board approve the meeting minutes as presented. Liz Agpaoa seconded. Motion passed unanimously.

B. Board Member Comments (Timestamp = 00:10:05)

Board representatives from state and federal agencies provided updates on issues related to the natural resource agency they represent. Public and tribal board members also reported on their recent activities, shared information, and commented on various watershed enhancement and community conservation-related topics. *Information item.*

C. Public Comment (Timestamp = 01:58:40)

This time was reserved for the board to hear public comments and review the written public comment submitted for the meeting. Written comments can be found on the OWEB website at [Written Public Comment.pdf \(oregon.gov\)](#). The following people provided verbal comments. *Information item.*

- Andrea Kreiner, Oregon Association of Conservation Districts
- Haley Lutz, Coos Watershed Association
- Stephani Tidwell, Water Climate Trust
- Karsyn Kendrick, Coalition of Oregon Land Trusts

D. Director's Updates (Timestamp = 02:22:18)

Executive Director Sara O'Brien and Governor Kotek's Senior Natural Resources Policy Advisor Geoff Huntington updated the board on agency business. *Information item.*

E. Strategic Plan Update and Adoption*

*This item was moved to the end of the day on Wednesday October 23, 2024. Recording can be found [here](#), timestamp 05:20:28.

Restoration Grants Manager Eric Williams and Conservation Outcomes Coordinator Audrey Hatch provided an update on the OWEB Strategic Plan refresh and requested the board adopt the updated plan. *Action Item.*

Mark Webb moved the board adopt the 2024 Strategic Plan as presented in Attachment A, with substitution of "anchor" instead of "cornerstone" and "land and water acquisition" instead of "protection" [in the mission statement]. Bruce Buckmaster seconded. Liza Jane McAlister voted against. Motion passed.

F. Middle Fork John Day River Intensively Monitored Watershed 2024 Summary Report (Timestamp = 04:10:50)

Effectiveness Monitoring Coordinator and Tribal Liaison Ken Fetcho, Monitoring and Reporting Manager Courtney Shaff, and partners from the Oregon Department of Fish and Wildlife and the Confederated Tribes of Warm Springs presented the results of the Upper Middle Fork John Day River Intensively Monitored Watershed 2024 Summary Report. *Information item.*

G. Intensively Monitored Watershed Supplemental Funding Request (Timestamp = 05:07:18)

Effectiveness Monitoring Coordinator and Tribal Liaison Ken Fetcho and Monitoring and Reporting Manager Courtney Shaff requested the board approve funding to support ongoing monitoring in the Upper Middle Fork John Day River Intensively Monitored Watershed. *Action item.*

Lindsay McClary moved the board award \$31,031 from the Quantifying Conservation Outputs and Outcomes line item in the 2023-2025 spending plan to support the ongoing Intensively Monitored Watershed project, and delegate to the Executive Director the authority to amend the open grant agreement with an award date of October 22, 2024. Mark Webb seconded. Motion passed unanimously.

H. Tribal Project Development Grant Funding Request (Timestamp = 03:14:33)

Reporting Manager Courtney Shaff presented to the board on a new OWEB Tribal Project Development grant offering and requested the board delegate the funding authorization to the Director. *Action item.*

Lindsay McClary moved the board award \$1 million from the Tribal Project Development line item in the 2023-2025 spending plan, and delegate to the Executive Director the authority to distribute funds through the appropriate agreements with an award date of October 22, 2024. Mark Labhart seconded. Motion passed unanimously.

I. Oregon Agricultural Heritage Program (OAHP) – Commission Appointments, Spending Plan Rebalance, and Rulemaking Update (Timestamp = 05:36:00)

OAHP Coordinator Taylor Larson, Conservation Easements Specialist Robin Meacher, and Acquisitions and Special Programs Manager Renee Davis reviewed the submitted applications for the Oregon Agricultural Heritage Commission (OAHC) vacancies and request board appointments, requested the board authorize the recapture of OAHP funds for future reallocation, and updated the board on the OAHP rulemaking currently underway. *Action item.*

Mark Webb moved the board appoint Sara Evans-Peters to the Natural Resources Interest seat on the OAHC and Mark Labhart to represent the OWEB Board as an ex officio, non-voting member on the OAHC. Lindsay McClary seconded. Jamie McLeod-Skinner and Bruce Buckmaster voted against; Mark Labhart abstained. Motion passed.

Liz Agpaoa moved the board approve the addition of \$277,776 to the Oregon Agricultural Heritage Program line item of the Board's 2023-2025 spending plan. Jamie McLeod-Skinner seconded. Motion passed unanimously.

The meeting was adjourned at 2:45 pm by co-chair Kelly Coates.

Wednesday October 23

The meeting was called to order at 8:30 a.m. by Barbara Boyer: [Recording](#)

J. Public Comment (Timestamp = 00:04:58)

This time was reserved for the board to hear public comments. Written comments can be found on the OWEB website at [Written Public Comment.pdf \(oregon.gov\)](#). The following people provided verbal comments. *Information item.*

- Mark McCollister, The Freshwater Trust
- Jessica Humphreys, Trout Unlimited
- Amanda Gilbert, Coast Fork Willamette Watershed Council
- Andrea Kreiner, Oregon Association of Conservation Districts

K. Spring 2024 Open Solicitation Grant Offering Board Awards (Timestamp = 00:24:41)

Restoration Grants Manager Eric Williams, Regional Program Representatives, and Monitoring and Reporting Manager Courtney Shaff reviewed the Spring 2024 Open Solicitation Grant Offering and funding recommendations. *Action Item.*

Jamie McLeod-Skinner moved the board adjust the Open Solicitation amounts to move \$8,067 from Restoration to Monitoring in the 2023-2025 Spending Plan included in the agenda section of the Board book and award funds for the staff-recommended projects listed in Attachment D, with the addition of funding for the Coast Fork Willamette Watershed Council project number 224-3033 titled Increasing Complexity in Mosby Creek's Floodplain Habitat for NW Pond Turtle. Russ Hoeflich seconded. Mark Webb abstained. Motion passed.

L. Spending Plan Update for Drinking Water Source Protection Grant Program (Timestamp = 02:27:06)

Acquisitions and Special Programs Manager Renee Davis requested the board approve adding funds for the Drinking Water Source Protection Grant Program to the 2023-2025 spending plan. *Action item.*

Mark Webb moved the board approve the addition of \$5 million for the Drinking Water Source Protection program to the 2023-2025 spending plan. Kelly Coates seconded. Motion passed unanimously.

M. Committee Updates (Timestamp = 02:48:20)

Representatives from board committees provided updates on committee topics to the full board. *Information item.*

N. Small Grant Program Rulemaking (Timestamp = 02:54:00)

Senior Policy Coordinator Eric Hartstein, Small Grant Coordinator Kathy Leopold, and Restoration Grants Manager Eric Williams provided an overview of proposed revisions to OWEB's Small Grant Program administrative rules (Division 35) and requested board approval of the revised rules. *Action Item.*

Bruce Buckmaster moved the board approve the Small Grant Program administrative rule found in Attachment D with an effective date of July 1, 2025. Liz Agpaoa seconded. Motion passed unanimously.

O. Initiate Rulemaking for OWEB Engagement Grants and Monitoring Grants (Timestamp = 03:13:07)

Senior Policy Coordinator Eric Hartstein and Monitoring and Reporting Manager Courtney Shaff provided an overview of proposed technical changes to the administrative rules for OWEB's Engagement and Monitoring grants and requested authorization to initiate rulemaking for Engagement Grants (Division 15) and Monitoring Grants (Division 25). *Action Item.*

Lindsay McClary moved the board authorize rulemaking for Engagement Grants (Division 15) and Monitoring Grants (Division 25). Barbara Boyer seconded. Motion passed unanimously.

P. Focused Investment Partnership Rulemaking Update (Timestamp = 04:12:04)

Senior Policy Coordinator Eric Hartstein and Restoration Grants Manager Eric Williams provided an update regarding the rulemaking process in the Focused Investment Partnerships Program. *Information item.*

Q. OWEB Board Committee Structure (Timestamp = 07:03:19)

Executive Director Sara O'Brien and the board discussed the current committee structure and decided to continue the conversation on a future structure during the January 2025 board meeting. *Information item.*

R. Other Business (Timestamp = 06:30:57)

Acquisitions and Special Programs Manager Renee Davis, Restoration Grants Manager Eric Williams, and Post-Fire Recovery Program Specialist Rachel Thompson provided an overview of the proposed Immediate Wildfire Response grant offering and requested the board approve up to \$2 million for this purpose. *Action Item.*

Mark Webb moved the board approve up to \$2 million in funding for an Immediate Fire Response Technical Assistance program and delegate to the Executive Director the authority to distribute the funds through appropriate agreements with an award date of October 23, 2024. Jamie McLeod-Skinner seconded. Motion passed unanimously.

The meeting was adjourned at 3:45 pm by co-chair Barbara Boyer.



OREGON
WATERSHED
ENHANCEMENT BOARD

Agenda Items C and K

Public Comment

Board Meeting January 28-29, 2025

Submitted written public comment will be published in a supplemental document after the board meeting and posted on

our website here: <https://www.oregon.gov/oweb/about-us/Pages/board/2025-Jan.aspx>



OREGON
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ENHANCEMENT BOARD

Agenda Item D

Director's Updates

Board Meeting January 28-29, 2025



OREGON
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Hobart Bluff, Al Casey, cc

2025-2028 Strategic Plan

Quarterly Report to the Board | January 2025



Mission: To help protect and restore healthy watersheds and natural habitats that support thriving communities and strong economies.

Each quarterly report describes key accomplishments under Strategies that have been identified for each of the six Strategic Plan priorities. See the last page for the full list of Strategies, and a summary of when accomplishments were reported throughout the calendar year.



Priority 1

Build awareness of the relationship between people and watershed protection and restoration.



Lostine River post-restoration.

Strategy 1.1 The **Lostine Telling the Restoration Story** project produced three products describing the results of several decades of OWEB investment in the Lostine basin.

- A technical report summarizes over ten years of Chinook migration data compiled by the Nez Perce Tribe.
- A StoryMap summarizes the impacts of decades of collaborative effort in the Lostine River basin.
- Additional video including landowner interviews is hosted by Trout Unlimited.

Strategy 1.3 The Oregon Water Resources Department, Oregon Department of Fish and Wildlife, Oregon Health Authority, Oregon Watershed Enhancement Board, Department of Environmental Quality, and Business Oregon have been working collaboratively to identify **Best Practices in engaging communities when supporting water projects**. Proposed rules for these are open to public comment through January 15, 2025. Many of the Best Practices have already been incorporated into the Drinking Water Source Protection Program.

- Grants serve rural communities and lower-income populations.
- Applicants are asked to describe engagement with these communities.



1. Identify disproportionately impacted communities with interest in engaging in water project planning. Although it may be difficult to identify all interested parties, water projects should thoughtfully consider those who may benefit from or may be harmed by the water project, and those who have important perspectives to share based on their connection with the project location, project partners, and community. The identification of disproportionately impacted communities and local demographics using established systems is a critical first step to meaningful community engagement.



2. Define the water project purpose and goals, including what will be done to involve disproportionately impacted communities. Communities may be impacted both positively and negatively by the work and the project. Negative project impacts from the project purposes and goals should be mitigated as much as possible prior to starting the water project.



3. Develop new, or assess current, decision-making frameworks to identify opportunities to enhance access to the decision-making process for disproportionately impacted communities. Engagement should be designed to inform water project processes and outcomes and incorporate communities' perspectives and needs. Frameworks should be scaled to the water project goals.

The draft 10 Best Practices document may be found on the Water Resources Department website.



Priority 2

Engage the diversity of Oregonians in watershed enhancement work.



Field tour of completed stream restoration project funded by OWEB's FIP grant program along the Clackamas River on the Confederated Tribes of Warm Springs Property at Austin Hot Springs.

Strategy 2.2 OWEB, in close coordination with our tribal board members, has developed a **Tribal Project Development grant offering**, which opened on October 25, 2024. Applications have a rolling deadline to provide flexibility for tribes to receive internal approval before applying to OWEB. We have heard from most tribes that they plan to apply by March 2025.

Strategy 2.2 During October and November, OWEB conducted a **public engagement process** around community priorities, needs, and barriers to implement natural climate solutions. Feedback from the survey and listening sessions has been incorporated into the grant offerings, with applications for both funding pathways to open in February 2025 and funding to be allocated no later than July.



OWEB's Water & Climate Coordinator Alexa Schmidt gave a presentation on Natural Working Lands at the Oregon Association of Conservation Districts conference.



Priority 3

Strengthen and leverage people and organizational capacity to achieve healthy watersheds.



The Agricultural Conservation Easement Program-Agricultural Land Easements workshop [presentation](#) may be found on YouTube.



FIP gathering, October 2024.

Strategy 3.2 The Coalition of Oregon Land Trusts (COLT) hosted a **Stewardship Gathering** in November to convene stewardship staff across Oregon and discuss issues, solutions, and provide networking opportunities.

COLT assisted NRCS in providing an Agricultural Conservation Easement Program-Agricultural Land Easements [workshop](#) in October.

Strategy 3.2 OWEB supported growth in the strengths and capacity of Focused Investment Partnerships (FIP) through several avenues:

- Hosted the FIP Gathering, fostering collaboration among FIP Cohorts 2, 3, and 4 and initiating a quarterly FIP Coordinators network for support and knowledge sharing.
- Developed Partnership Technical Assistance governance documents and conducted webinars on partnership roles and communication.
- Presented on restoration grant opportunities at the [Oregon Noxious Weed Symposium](#).
- Created a [training video for National Historic Preservation Act mapping](#) requirements related to watershed restoration projects.
- Offered NOAA PCSRF Metrics office hours to help grantees learn a new online reporting system.



Priority 4

Advance learning about watershed restoration effectiveness through coordinated monitoring.



South Umpqua River (credit J. Stephen Conn).

Strategy 4.1 OWEB continues to support the Strategic Implementation Area (SIA) initiative led by the Oregon Department of Agriculture. OWEB convenes an **inter-agency Monitoring and Assessment Group** to provide collaborative guidance to local partners on their water quality and watershed monitoring efforts funded through the SIAs.

In the last quarter of 2024, the team reviewed three proposals for the South Umpqua, Burnt River and Umatilla SIAs.



Tour of MFJDR's Oxbow Conservation Area, 2024.

Strategy 4.3 Lessons learned from the [Middle Fork John Day River Intensively Monitored Watershed's \(MFJDR\) 2024 Summary Report](#) were presented to a variety of audiences and have been shared with the John Day Basin Partnership.



Priority 5

Increase connection of urban and working lands to watershed health.



The Weaver Creek project will install two heavy-use pads, new troughs, and hook up to the solar pump systems.

Strategy 5.2 Oregon is taking a coordinated management approach to address priority water quality concerns and improve streams for fish and wildlife on working lands. Four state agencies and local partners are coordinating expertise, funding, and resources to improve water quality on agricultural lands through the Strategic Implementation Area (SIA) initiative.

Through this partnership, OWEB funded **7 water quality improvement projects, for a total of \$117,807, on working lands through the SIA Pilot Restoration Grant Program.**

Strategy 5.2 OWEB has supported multiple **tidegate and associated tidal wetland restoration projects** such as the [Coos Watershed Association Tide Gate](#). In addition to improving fish passage, this project improves working lands by increasing the ebb tide drawdown, resulting in quicker draining during a flood event and also supports sediment transfer to help maintain channels. Funding included videography to support future outreach and education around complex projects like this.



Coos Watershed Association video on the [Coaledo Tide Gate Project](#).



Priority 6

Take bold and innovative action toward climate resilience.



Site visit to Lake County All Lands Restoration Initiative.

Strategy 6.1 Several Focused Investment Partnership (FIP) Technical Review Teams (TRT) **piloted an alternative TRT process**, which included a pre-application meeting and site visits with the Partnership. TRT members provided early input on project development that was able to be incorporated into project applications. As a result, the partnerships reported feeling more confident about their application submittals and TRT members felt that their input was more useful. Through this new approach, project evaluations documented fewer concerns and applications required fewer revisions.

CALL TO ACTION

“Oregon water management is at a [critical] tipping point necessitating decisive action and adaptation”



- An appeal to modernize Oregon's water laws from prominent water law experts (2024)

[Representatives Helm and Owens 2025 Water Package Outline Presentation](#)

Strategy 6.2 Rep Helms and Rep Owens from the Legislature, Harmony Burright of the [Water Caucus](#), and Chandra Ferrari of the Governor's Office attended the [Dec. 11 Water and Climate Committee meeting](#). They provided **numerous updates and insights around priority actions to improve Oregon's water resources**, including water quality, recognized OWEB accomplishments as part of recent efforts, and potential OWEB intersections with current water priorities.



Strategies Chart

July 2024 - January 2025

 accomplishments
 highlighted in quarterly update

 January
 April
 July
 October

1 Through our grantmaking, build awareness of the relationship between the people of Oregon and watershed protection and restoration

- | | | |
|-----|---|---|
| 1.1 | Elevate the story of how protection and restoration promote healthy watersheds |  |
| 1.2 | Connect people around watershed work |  |
| 1.3 | Increase use of OWEB's engagement grant offering to support grantees doing community engagement |  |

2 Leverage our position as an anchor funder to engage the diversity of Oregonians in watershed enhancement

- | | | |
|-----|---|---|
| 2.1 | Enhance OWEB presence throughout Oregon |  |
| 2.2 | Increase diversity and inclusion through improving access to our programs |  |
| 2.3 | Engage organizations, entities, and communities that have not traditionally been involved in watershed restoration work |  |

3 Use our funding to strengthen and leverage people and organizational capacity to achieve healthy watersheds

- | | | |
|-----|---|---|
| 3.1 | Support diverse funding opportunities to sustain the capacity of partners |  |
| 3.2 | Expand training for partners |  |



4 Advance learning about watershed restoration effectiveness through coordinated monitoring

- | | | |
|-----|--|---|
| 4.1 | Facilitate learning through monitoring |  |
| 4.2 | Learn, share and support efforts to integrate indigenous knowledge |  |
| 4.3 | Communicate data-driven outcomes to guide restoration investments |  |

5 Increase investment connecting urban and working lands to watershed health

- | | | |
|-----|--|---|
| 5.1 | Promote value of multi benefit watershed projects |  |
| 5.2 | Increase investment connecting of urban and working lands to watershed health |  |
| 5.3 | Support and fund grantees building or expanding partnerships with urban constituencies | |

6 Take bold and innovative action toward funding projects that advance climate resilience

- | | | |
|-----|--|---|
| 6.1 | Increase support for bold and innovative grant making in service to watershed restoration and protection |  |
| 6.2 | Articulate the benefits of watershed protection and restoration for climate resiliency |  |



This report provides the board updates on upcoming OWEB rulemaking efforts.

Background

Grant programs at OWEB are guided by administrative rules. Rules cover topics, such as project eligibility, application requirements, evaluation criteria, technical review processes, and funding decisions for OWEB grant programs/types.

OWEB regularly conducts rulemaking to update existing rules and establish rules for new programs. Generally, rulemaking takes 12 months from board initiation to rule adoption. During those 12 months, OWEB staff recruit a Rulemaking Advisory Committee (RAC) through a process consistent with ORS 183.333 that requires the committee to be made up of entities most likely to be impacted by the rules, develop draft rule language, hold several RAC meetings to discuss rule language, and provide formal tribal and public notification to receive comments on draft rules. The schedule may be abbreviated in instances where a RAC is not involved in rulemaking.

The process begins when staff requests the board initiate rulemaking in an [OWEB rules division](#). At that time, staff will provide a high-level overview of what is intended to be accomplished with rulemaking and describe the draft schedule. For rulemaking efforts that involve a RAC, staff will provide the board, at a second board meeting, a progress update on key emerging themes of the draft rules. At a third board meeting, staff will bring a final draft set of rules for board consideration for adoption.

Rulemaking Schedule

The following table describes current and future OWEB rulemaking. It does not include rulemaking associated with the new Oregon Environmental Restoration Council established in SB 1561 (2024), but it is assumed that OWEB staff will also be involved in the development of rules for those programs as well. The schedule for rulemaking in July 2025 may change depending on workload.

Administrative Rules	Board Initiate Rulemaking	Board Consideration for Adoption - Proposed
Focused Investment Partnership Grant Program	January 2024	January 2025
Oregon Agricultural Heritage Grant Program	April 2024	January 2025
Engagement Grants and Monitoring Grants*	October 2024	January 2025
Water Acquisition Grants	July 2025	July 2026
Capacity Grants	July 2025	July 2026

* Minor technical changes.



This report provides the board updates on the OWEB 2025-2027 budget and the 2025 legislative session.

Background

The Oregon Legislature approves budgets for state agencies on a biennial basis.

- First, each agency submits a requested budget (ARB).
- The Governor then releases a recommended budget (GRB).
- Then, the Oregon Legislature approves a final budget (LAB).

Agencies must specifically request changes to the base budget and justify the need for each addition. The requested changes to an agency's base budget are called Policy Option Packages (POPs).

Throughout 2024, OWEB engaged with the Governor's Office and the Department of Administrative Services in developing and refining agency POPs based on the Governor's priorities and the latest revenue forecasts for Oregon. The board approved submissions of OWEB's POPs at the July 2024 meeting, and these were included in the ARB that was submitted in August 2024. The GRB was released in December 2024. During the legislative session, agencies must support the GRB.

OWEB does not have any agency legislative concepts that would be addressed in bills separate from the agency budget. OWEB will be tracking other concepts that may affect the agency. The 2025 legislative session will begin on January 21, with a target ending date of June 18 (see Attachment A for the full legislative session calendar).

Legislative Budgeting Process

The GRB provides support for OWEB's operations and grant programs. The majority of POPs requested in the ARB are included in the GRB, and a number of important agency priorities for staffing and grant programs are also reflected. Attachment B provides a summary of what is included in the GRB.

OWEB will present the Governor's Recommended Budget for the agency during legislative hearings in the Joint Committee on Ways and Means Subcommittee on Natural Resources—likely between February and April. Staff will update the board as OWEB's budget progresses through the legislative budgeting process.

Policy Legislation

At the time of writing this report, policy bills for the 2025 legislative session have not been formally introduced. As the legislative session unfolds, staff will update the board on any legislation that may affect OWEB.

Attachments

- A. 2025 Oregon Legislative Session Calendar
- B. OWEB 2025-2027 Governor's Recommended Budget Summary

2025 Session Calendar

JANUARY						
S	M	T	W	T	F	S
			1 New Year's Day	2	3	4
5	6	7	8	9 New Member Academy	10 New Member Academy	11
12	13 Org Days; Swearing In	14 Trainings	15 Trainings	16 Trainings	17 LC Draft Request Deadline	18
19	20 MLK Day	21 Session Begins	22	23	24	25
26	27	28	29	30	31	

FEBRUARY						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17 President's Day	18	19	20	21 LC returns drafts	22
23	24	25 Measure Intro Deadline	26 Revenue Forecast	27	28	

MARCH						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10 Begin Daily Floor	11	12	13	14	15
16	17	18	19	20	21 Post Work Session	22
23/30	24/31	25	26	27	28	29

APRIL						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9 First chamber deadline	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

MAY						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9 Post Work Session	10
11	12	13	14 Revenue Forecast	15	16	17
18	19	20	21	22	23 Second Chamber Deadline	24
25	26 Memorial Day	27	28	29	30	31

JUNE						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18 Target Sine Die	19 Juneteenth	20	21
22	23	24	25	26	27	28
29 Constitutional Sine Die	30					

Dates subject to the adoption of CR (2025 Regular Session)

Organizational Day	Member swearing in; organization; and first reading of pre-session filed bills.
Training Days	Member and staff training.
Leg. Counsel Deadlines	Deadlines for bills to be requested, returned by LC, and introduced (after these deadlines, subsequent drafts and intros count against per legislator limits. See SR 13.15(2); HR 12.35.
State Holiday	Holiday.
Important Session Dates	Deadlines for bills to be posted for work sessions, then voted out of policy committees in the first and second chambers. Joint policy committees adhere to the second chamber deadline only. Does not apply to Conduct, Rules, Revenue, or JWM.
Floor Sessions	Senate and House floor sessions will be announced by the Senate President or House Speaker. Daily floor sessions begin on Monday, March 10, 2025.
Revenue Forecast	Revenue forecast.



2025-2027 Governor's Recommended Budget

	2023-2025 Legislatively Adopted Budget (LAB)	2025-2027 Current Service Level (CSL)	2025-2027 Governor's Budget (GRB)
Lottery Fund	\$116,197,727	\$119,644,452	\$119,979,776
Federal Funds	\$56,787,165	\$36,831,423	\$61,591,577
Other Funds	\$45,819,445	\$4,050,459	\$43,533,391
General Fund	\$40,770,232	--	\$8,967,700
Total Funds	\$259,574,569	\$160,526,334	\$234,072,444
Positions	49	33	49
Full-Time Equivalent (FTE)	45.91	33.00	48.50

Recommended Policy Packages - Operations Budget

100 – Acquisition and Special Program Manager: Converts limited duration management position to a permanent position to lead all land and water acquisitions and stewardship work at OWEB. Includes associated services and supplies. New funding recommended: \$509,000 (\$407,7000 GF/\$101,300 LF).

101 – Grant Program Staffing Capacity: Adds one new permanent grant project manager (NRS-4) to support OWEB's core, landscape-scale grant making programs. Includes associated services and supplies. New funding recommended: \$286,813 (LF).

102 - Land Acquisition Stewardship and Compliance: Adds one new permanent position (NRS-3) to coordinate required stewardship and compliance monitoring of investments that involve permanent interests in land. Includes associated services and supplies. Funding recommended: \$0 (Self-funded through reduction in services and supplies within LF).

105 – Oregon Agricultural Heritage Program (OAHP) Staff Continuity: Provides continuity for 12 months for two limited duration program positions, an OAHP Coordinator (OPA-4) and OAHP Easement Specialist (NRS-4). Includes associated services and supplies. Funding recommended: \$455,555 (Funded through previous OF appropriation).

106 - Water Acquisitions Staffing Continuity: Converts one limited duration Water Acquisitions/Capacity Grants Coordinator (OPA-4) position and one limited duration Administrative Specialist (AS-2) position to permanent positions to administer the water acquisitions grant program and other agency needs. Includes associated services and supplies. Funding recommended: \$745,000 (Funded through previous OF appropriation).

107 – Environmental Restoration Council (ERC) Staffing Continuity: Provides continuity for two limited duration positions, ERC Coordinator (OPA-4) for 12 months and ERC Grant Program Specialist (NRS -4) for 24 months, to develop and administer activities associated with the ERC. Includes associated services and supplies. Funding recommended: \$560,000 (Funded through previous OF appropriation).

108 – ERC Staffing Capacity: Adds three positions to develop and administer activities associated with the ERC, limited duration ERC Grant Program Specialist (NRS-4), limited duration ERC Information Systems Specialist (ISS-4), and permanent ERC Accounting Technician. Includes associated services and supplies. Funding recommended: \$750,000 (Funded through previous OF appropriation).

109 – National Historic Preservation Act (NHPA) Compliance Staffing Continuity: Provides continuity, and makes permanent, a Cultural Resources Specialist (NRS-4) position to assure compliance with NHPA requirements associated with Pacific Coastal Salmon Recovery funding. Includes associated services and supplies. Funding recommended: \$351,000 (FF).

110 – Federal Programs Staffing Continuity: Provides continuity for one limited duration Federal Program Specialist (NRS-4) position to administer federal funds from the Bureau of Land Management and the Natural Resources Conservation Service. Includes associated services and supplies. Funding recommended: \$380,000 (FF).

111 - Core Information Technology Staffing Realignment: Provides funding limitation to reclassify two permanent positions to serve internal program needs and improve customer service. Funding recommended: \$29,154 (FF).

Additional DAS CFO Analyst Adjustments Operations Budget – Package 090

- **OAHP Staffing Continuity:** Building off POP 105, provides an additional 12 months of funding for two limited duration program positions, an OAHP Coordinator (OPA-4) and OAHP Easement Specialist (NRS-4). Includes associated services and supplies. New funding recommended: \$565,000 (GF).
- **Drinking Water Source Protection Staffing Continuity:** Provides continuity for one limited duration Drinking Water Source Protection Coordinator (NRS-4) position to administer the grant program. Includes associated services and supplies. New funding recommended: \$570,000 (GF).
- **Natural and Working Lands – Climate Resiliency Staffing Continuity:** Provides continuity for one limited duration Climate Coordinator (OPA 4) position to administer natural and working lands funds allocated to OWEB at the direction of the Oregon Climate Action Commission. Includes associated services and supplies. New funding recommended: \$425,000 (GF).

Statewide Attorney General Adjustment - Operations Budget – Package 092

- **Statewide AG Adjustment:** This package reduces Attorney General rates to all state agencies. Reductions in funding of \$39,897 (LF & OF)

Statewide Adjustment to DAS Charges - Operations Budget – Package 093

- **Statewide Adjustment DAS Charges:** This package reduces the Statewide Government Service Charges and DAS pricelist charges for services. Reduction in funding of \$40,515 (LF)

Recommended Policy Packages - Grants Budget

200/201 - Standard Grant Program Continuity: This package allows OWEB to spend non-lottery fund grants that have been awarded and continue to be active (FF \$24 million, OF \$37 million) as carry-forward.

Additional DAS CFO Analyst Adjustments Grants Budget – Package 090

- **Additional Grant Programs Funding:** This package includes a one-time appropriation of \$5 million to the Natural and Working Lands Fund to be allocated at the direction of the Oregon Climate Action Commission and a one-time appropriation of \$2 million to the Agricultural Heritage Fund. New funding recommended: \$7 million (GF).

Fund Source Key:	LF = Lottery Funds	FF = Federal Funds	GF = General Funds	OF = Other Funds
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Agency Staffing:

2025- 2027 Current Service Level	33.0 FTE (permanent positions/FTE)
2025-2027 Governor's Recommended Budget additions	<u>15.5 FTE</u> (7 permanent FTE, 8.5 limited duration FTE)
2025-2027 Governor's Recommended Budget total	48.5 FTE (40 permanent, 8.5 limited duration)



This report provides the board updates on the 2024 Immediate Wildfire Response TA Program.

Background

The 2024 wildfire season saw a record number of acres burned throughout Oregon. Oregon Department of Forestry (ODF) estimates approximately 1.9 million acres of total land burned this year, which is nearly three times as many acres as the 10-year average. Of this, approximately 721,000 acres are non-federal land impacting private, state, local, and tribal lands. Though north-central and eastern Oregon rangelands were especially impacted, wildfires occurred in 21 counties throughout Oregon including southwest and south-central Oregon. The impacts from the fires are widespread and pose great risk to the health of Oregon watersheds.

In August 2024, OWEB staff first met with the Natural Resources Conservation Service to better understand funding needs and gaps. Additionally, staff spoke with local partners to understand current and near short-term needs as well as lessons learned from previous immediate response and post-fire recovery grant offerings. In October 2024, the OWEB Board approved up to \$2 million in funding to support technical assistance grants in areas impacted during the 2024 wildfire season. These non-competitive grants are supported by state lottery dollars and support technical assistance and engagement activities including post-fire recovery assessments, cultural resource assessments, and landowner and partner engagement.

Status Update

Since the board's approval of funding, OWEB staff developed application and program criteria in preparation for the solicitation announcement. The offering opened to applicants on December 18, 2024, and applications will be accepted on a rolling basis until May 29, 2025. Applicants are encouraged to apply as early as possible, applications will be reviewed upon submission, and award decisions are to be made within approximately 2 weeks following application submission.

Key program considerations include:

- A sliding scale of funding is available for the 29 eligible 2024 fire-impacted areas:
 - \$50,000 maximum available per fire area for the 22 fires impacting 1,600 – 25,000 non-federal acres;
 - \$100,000 maximum available per fire area for the five fires impacting 25,000 – 100,000 non-federal acres;
 - \$200,000 maximum available per fire area for the two fires impacting 100,000+ non-federal acres.
- Eligible activities include technical assistance actions that support and implement planning efforts and collaborative engagement that will lead to long-term restoration in fire-impacted areas. Eligible project activities include:
 - Resource assessment and planning to convene local teams to complete post-fire impact assessments and identify and/or plan prioritized restoration actions to address post-fire impacts; and
 - Engagement to secure landowner commitment and coordinate planning for future post-fire restoration actions.

- This program requires grantees to work in coordination with other local partners including Tribes and entities that are directly involved in post-fire natural resources recovery, including non-traditional partners. The expectation is that applications demonstrate local partner coordination of activities to leverage strengths and to maximize efficiency and effectiveness of technical assistance work that will lead to long-term restoration in the fire impacted areas.
- Each fire area is only eligible for a single allocation and duplicate requests for the same area by different applicants are not eligible. For this reason, it is critical that lead organizations engage with all appropriate partners, including non-traditional partners, before submitting an application for a fire area. Applicants will be required to include written documentation (e.g., letters, emails, etc.) of outreach to and proof of lead status from all other appropriate partners with the application materials.
- Only non-federal land may be included in the application, except in limited instances where taking a landscape-scale/cross-boundary approach requires inclusion of small portions of federal land.
- Restoration implementation activities are not eligible under this funding.
- A progress report will be due on 12/31/25 and another at project completion. Grantees will be required to 1) report on any past restoration or fire resilience treatments that occurred on the project landscape and if and how those past treatments affected fire behavior, and 2) report lessons learned from their experiences with technical assistance and engagement in the project area.

[Program guidance](#) and a [program webpage](#) are available to share information about the offering and application process to prospective applicants. OWEB staff, including the Post-fire Recovery Specialist and Regional Program Representatives, are available to assist applicants with the application process and will be administering the grants once funded. Funding will expire on January 31, 2027.



January 28-29, 2025, OWEB Board Meeting

Executive Director Update D-5: Klamath River Post-Dam Removal Watershed Restoration Update

This report provides the board with an update on the status of OWEB's investment in Klamath River Post-Dam Removal Watershed Restoration costs associated with work by the Klamath River Renewal Corporation (KRRC).

Background

PacifiCorp previously owned four hydroelectric dams on the Klamath River, three in California and one in Oregon (J.C. Boyle dam). PacifiCorp and the Oregon Public Utilities Commission determined that it is in the best interest of the company and its customers to stop operating the dams rather than spending substantial amounts of money on improvements needed to continue generating power. KRRC is a private, independent nonprofit organization formed by signatories of the amended Klamath Hydroelectric Settlement Agreement (KHSa). Signatories of the amended KHSa – including the States of Oregon and California, local governments, Tribal nations, PacifiCorp, irrigators, and several conservation and fishing groups – appointed KRRC to take ownership and oversee the removal of the four Klamath River dams. Funding was committed in the amount of \$450 million for removal and watershed restoration.

The Reservoir Area Management Plan submitted by KRRC to Federal Energy Regulatory Commission describes measures for restoration, monitoring, and adaptive management of the former reservoir areas exposed following dam removal, upland sites, and high-priority tributaries, including actions specifically planned for the former reservoir area upstream of J.C. Boyle dam. The federal review process resulted in the need for the states and PacifiCorp to provide up to \$45 million in additional financial support for the project, divided equally among the three entities, to address contingencies. On October 26, 2022, the OWEB Board committed \$15 million over a period of 3-5 years for Klamath River post-dam removal watershed restoration costs incurred by KRRC.

OWEB is using both state and federal funding sources for this grant commitment. The initial grant award, made and delegated by the board in October 2022, was \$4.053 million. An additional \$8 million was committed and delegated by the board in the 2023-2025 spending plan at the July 2023 board meeting. The remaining \$2.947 million was allocated as part of the OWEB 2023-2025 spending plan rebalance at the July 2024 board meeting. In late 2022, OWEB and KRRC finalized a partnership agreement that affirms the intent of OWEB's investment in Klamath River post-dam removal watershed restoration and describes the framework, scope, tasks, and timeline for the overarching \$15 million in funding. KRRC, working with RES (KRRC's restoration contractor), submitted a grant application to OWEB on May 30, 2024. OWEB executed a grant agreement on September 30, 2024. The scope of this grant mirrors restoration actions for the J.C. Boyle area as outlined in the Reservoir Area Management Plan and minor additional requirements included in the Federal Energy Regulatory Commission's final order.

Status Update

KRRC has been reimbursed \$13.3 million of the allocated \$15 million.

Recent progress related to the broader Klamath Dam removal project:

- The project remains on schedule and dam removal activities are now complete. Following the late September cofferdam breaches that allowed for free-flowing river conditions for the first time in over 100 years, construction crews completed removal of all appurtenant structures

and associated site stabilization at each of the dam sites in early November. The project is now focused on restoration activities.

- RES, KRRC's restoration contractor, is undergoing seedbed preparation, fall and winter seeding and planting activities in the former reservoir lands, and invasive exotic vegetation management. To optimize seed germination and reduce surface runoff, crews aerated the dried reservoir footprints and smoothed the ground surface to create a suitable seedbed. Seeds were sown immediately following seedbed preparation. The fall native seed application in the J.C. Boyle reservoir footprint included the following: Hand seeding -- 2,254 pounds; Native Seed drill – 3,300 pounds; and Ground broadcast – 200 pounds. RES will plant 35,000-40,000 trees and/or shrubs January-March 2025, as weather and frozen ground conditions allow.
- At the previous J.C. Boyle site, RES will continue restoration of the previous reservoir footprint, left bank disposal site area, previous scour hole, and previous power canal for the next several years. The scour hole was seeded and received one application of hydromulch. The power canal is in the process of being seeded and will be hydromulched in the coming weeks.
- RES also placed 20 tree-tops and 33 trees with root wads in Spencer Creek via helicopter to provide immediate, large-scale habitat enhancement. These large wood features serve to slow the water down, form channel features, create cover for fish and wildlife, and provide habitat for insects that provide food for fish.
- KRRC and its partners are pleased to share that fish are continuing to make their way upstream of the previous hydroelectric reach. Oregon Department of Fish and Wildlife tallied over 100 fall run Chinook salmon in Spencer Creek in a single day in November.



Photos: Chinook salmon spawning in Spencer Creek (credit Shane Anderson).

Quarterly reports will be provided to the board at each meeting.



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Agenda Item E

2025-2027 Spending Plan

Board Meeting January 28-29, 2025



Oregon

Tina Kotek, Governor



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Agenda Item E supports all of OWEB's Strategic Plan priorities

MEMORANDUM

TO: Oregon Watershed Enhancement Board
FROM: Sara O'Brien, Executive Director
SUBJECT: Agenda Item E – 2025-2027 Spending Plan
January 28-29, 2025, Board Meeting

I. Introduction

The OWEB Board is responsible to adopt a biennial spending plan, which guides the agency's grantmaking for the biennium and provides critical support for state, federal, and local natural resource priorities. This is a unique responsibility that is consistent with direction in the Oregon Constitution and statute for Measure 76 lottery grant funds.

This report updates the board on the timeline for the upcoming approval of the 2025-2027 spending plan. Staff will request the board provide general direction in terms of major spending plan categories and priorities. Staff will also ask for feedback to determine if there are questions about current spending plan line items or other recommendations for additional spending plan line items to be addressed in April. This is an informational item only.

II. Background

After the Oregon Legislature approves OWEB's next biennial budget, the board will consider and approve a spending plan for the distribution of grant funding. Available funding for the board to distribute in the spending plan includes Measure 76 Lottery, federal, salmon license plate revenues, general funds, and other funds as these are available. The bulk of funding for OWEB's spending plan is from Measure 76 and the federal Pacific Coastal Salmon Recovery Fund (PCSRF), which OWEB applies for annually.

At its July 2023 meeting, the board adopted a 2023-2025 Spending Plan totaling \$149.0 million. At each board meeting since then, the board has amended the plan to accept additional grant funds allocated to OWEB by the Oregon Legislature or other funding partners, or to budget funding to address emerging needs.

The total currently adopted 2023-2025 spending plan amount is \$205.9 million.

III. 2025-2027 Funding Outlook

Based on currently available information, OWEB estimates that the total combination of lottery dollars for grants and Pacific Coast Salmon Recovery dollars for 2025-2027 will be approximately the same as or less than 2023-2025. While there may be a small increase in lottery grant dollars, staff anticipate a reduction in PCSRF revenues compared with 2023-2025 as funding amounts return to pre-Bipartisan Infrastructure Law (BIL) levels.

In the previous two biennia, the board maintained a minimum reserve of 7.5% and increased the reserve in July 2024 to help provide a cushion as BIL funds are expected to decline. This board action is consistent with guidance that OWEB has received from the Legislative Fiscal Office to establish greater reserves. The reserves also provided a source of funding for the immediate wildfire response grants authorized by the board in October 2024.

The spending plan will anticipate lower funding demand in two areas, due to:

1. The board fulfilling its commitment for post-Klamath dam removal restoration costs
2. A proposed change in the timing of FIP application cycle, which would result in cohorts likely being awarded in the 2027-2029 biennium.

Depending on the total amount of lottery and PCSRF funding available for the biennium, this may allow the board to consider increased funding for other priorities.

IV. 2025-2027 Spending Plan Timeline

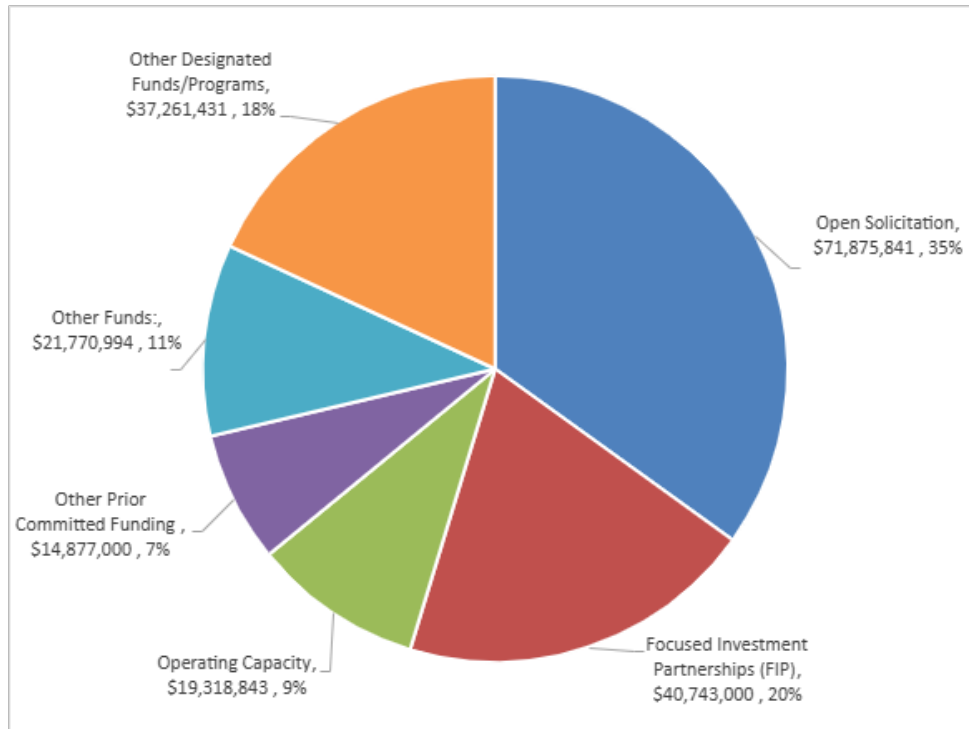
The 2025-2027 Spending Plan will be approved by the board in July 2025. In preparation for that approval, the following steps will occur:

- In January 2025, the board will discuss preferences around the proportion of amounts across spending plan categories and identify any questions they have related to specific spending plan line items that warrant further conversation in April 2025.
- Between the January and April meetings, staff, in consultation with board committees as needed, will discuss funding options for specific grant types within each category.
- In April 2025, staff will present to the board information about the categories of the spending plan and propose an investment amount for each line item. The board will provide feedback on the funding amounts for each grant type.
- In July 2025, staff will present 2025-2027 spending plan recommendations for board approval, using final revenue numbers for the 2025-2027 biennium and OWEB's FFY25 PCSRF award.
- In July 2026, the board will consider additional funds for the spending plan from OWEB FFY26 PCSRF award and recaptured grant funding, similar to the approval at the July 2024 board meeting.
- Throughout the 2025-2027 biennium, the board may consider other additions or adjustments to the spending plan in light of legislative allocations or other new funding sources, similar to what the board has done during the past two biennia.

V. Current Spending Plan Categories

The current spending plan categories and proportions are shown in Figure 1. The pie chart includes all grant fund sources managed by OWEB, including legislatively directed and other state and federal fund sources (“Other Funds” and “Other Designated Funds/Programs” in the pie chart) that cannot be reallocated to other programs. These programs comprise 29% of the spending plan.

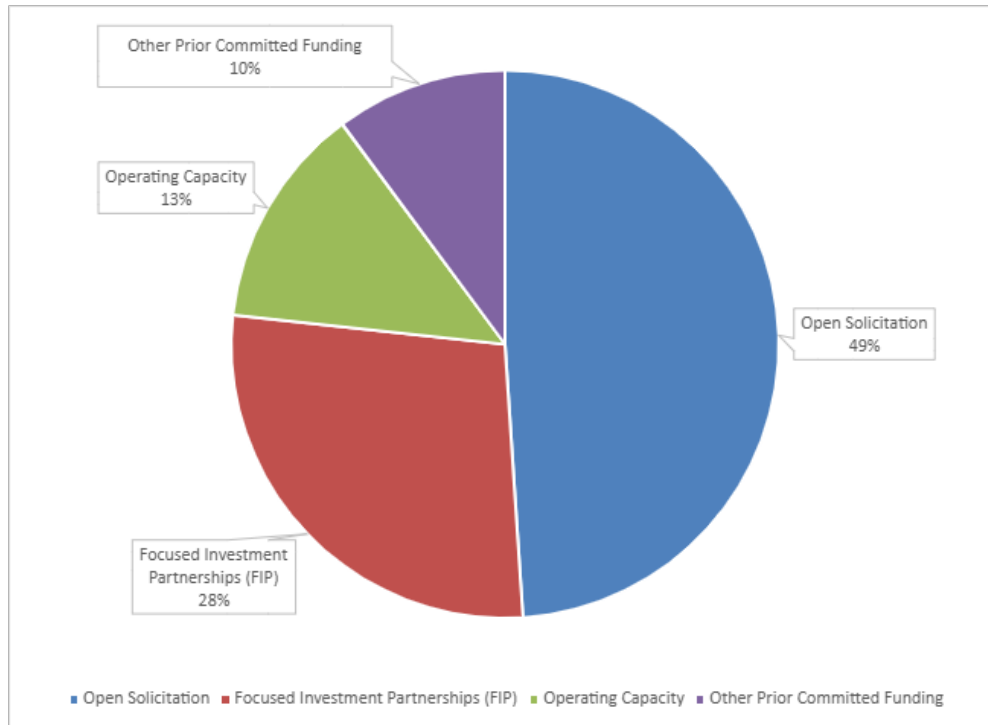
Figure 1- 2023-2025 Spending Plan Categories



The pie chart in Figure 2 shows the proportion of funds for which the board has some flexibility in allocation. Some constraints to be aware of include:

- Pacific Coastal Salmon Recovery Funds can be used in open solicitation and FIP programs only for projects addressing limiting factors in watersheds with anadromous species.
- Per the state’s agreement with the USDA for the Conservation Reserve Enhancement Program, OWEB is responsible to pay the state’s portion of the cost-share and should budget for these cost-share payments.
- The Governor’s Priorities line item is a standing line item in the spending plan.

Figure 2 – 2023-2025 Spending Plan Categories, Board-designated Funds



VI. Spending Plan Categories

The current spending plan is included in the board book for the board to review in considering whether changes are warranted or to highlight questions for staff response at the April board meeting. Attachment A provides a brief description of each board-designated spending plan category.

VII. Recommendation

This is an information item only for the board to provide guidance regarding relative amounts across the spending plan categories in preparation for a detailed spending plan discussion at the April meeting.

Additional discussion questions:

- Are there line items that the board wants to hold at the current level of funding for 2025-2027 regardless of the total amount of estimated funding available?
- Are there line items where the board would like to see additional funding invested, if there is an unexpected, combined increase in lottery and PCSRF grant funds?
- How much does the board want to leave in reserve in preparation for post-BIL PCSRF funding levels and unanticipated immediate needs such as post-wildfire restoration?

VIII. Attachments

A. SPENDING PLAN CATEGORY SUMMARIES

Spending Plan Program Summaries

Introduction

The programs in the OWEB spending plan collectively support watershed health across the state. Regardless of the scale or the focus of the program, projects supported under each program are strategically identified. Each program supports state, federal, and local priorities and OWEB's review process ensures each project funded under these programs is evaluated for connections with those priorities.

This attachment describes the major categories of spending plan programs and lists the individual line items within each category. This summary reflects the current organization of line items into categories in the 2023-2025 spending plan.

Category: Open Solicitation

The majority of Open Solicitation programs are competitive grant programs with multiple application and award cycles each biennium. They support watershed restoration at the individual project level, including projects that engage, plan, design, engineer, implement, and monitor watershed restoration work. Individual projects funded through these programs must be part of a larger local, state, or federal strategy that connects with watershed health, such as fish and wildlife conservation and recovery and water quality assessments and enhancements.

Open Solicitation programs include the following competitive grant programs:

- **Restoration** - OWEB's primary method of delivering support for watershed projects that restore watershed functions. Restoration grants are offered twice per year through a competitive granting program.
- **Technical Assistance** - These grants play a key role in developing future restoration and acquisition grant proposals and increase the capacity of OWEB's local partners to engage in project development, planning, design, coordination and permitting.
 - Open Solicitation technical assistance grants are offered twice per year through a competitive granting program.
 - CREP technical assistance - OWEB provides competitive, statewide CREP Technical Assistance (TA) grants every two years. These grants support costs associated with local CREP implementation including staffing, travel, training, outreach, and planning.
 - Cultural Resources TA grants were developed in the 2023-2025 biennium to help grantees prepare for OWEB's programmatic agreement to ensure compliance with federal requirements.
- **Engagement** - Engagement funds are invested through local grantees to communicate and engage with landowners, organizations, and the community about the need for, feasibility,

and benefits of a specific eligible restoration or acquisition project or program that leads to the development of eligible projects within an identified geography.

- **Monitoring** - Open Solicitation Monitoring Grants are awarded once per year. Grants can be used to assist local partnerships with assessing watershed conditions to determine the quality of the existing environment; identifying causes for changes in trajectory (either up or down) in habitat, fish and wildlife populations and water quality; and developing plans to guide future monitoring efforts.
 - **Land and Water Acquisition** - OWEB-funded interests in land and water may be held by a variety of entities including, but not limited to, local, state and federal agencies, tribes, and not-for-profit conservation organizations and land trusts. OWEB funds several types of land and water acquisitions: the purchase of property in fee simple, conservation easements, water rights leases and transfers, and contractually protected instream flow.
 - **Oregon Department of Agriculture, Oregon State Weed Board Grant Program** - The Oregon Department of Agriculture (ODA) noxious weed control grants are awarded annually through the Oregon State Weed Board (OSWB). Grant projects protect watershed health, native fish, and wildlife habitat from the negative impacts of State Listed noxious weeds. Grants are restricted to projects that restore, enhance or protect fish and wildlife habitat, watershed functions, native salmonid populations, or water quality.
 - **Small Grant Program** - OWEB Small Grant Program funds are allocated biennially to cooperative teams of local partners who recommend projects to OWEB for funding. This is an easy-to-engage in, competitive grant program that awards up to \$15,000 for restoration practices principally carried out on private lands.
 - **Quantifying Conservation Outputs and Outcomes** - This item includes OWEB-led initiatives that evaluate specific types of restoration actions at the project scale as well as larger programmatic scale. Examples include a comprehensive evaluation of floodplain and channel restoration projects funded by OWEB and Telling the Restoration Story grants.
 - **Tribal Project Development Grants** - This offering was developed in 2023-2025 in recognition of the critical work that federally recognized tribes do to advance watershed restoration and land and water acquisition. The grants operate similar to open solicitation TA grants where funds are used to complete necessary assessment, design, and landowner engagement to get projects on the ground.
 - **2024 Immediate Fire Response Grants** – This offering was developed in 2023-2025 to address urgent needs for technical assistance resources to plan post-wildfire watershed restoration projects.
-

Category: Focused Investments

The Focused Investments category differs from other OWEB grant programs in several key ways. The program focuses on high-performing partnerships that consist of a combination of organizations, local governments, tribes, and/or state and federal agencies. The program operates at the landscape-scale, supporting multi-year efforts in the selected partnerships that support board-identified priorities. OWEB commits funding to awarded partnerships for several biennia, with the board voting each biennium on the next biennium's award amount. Once awarded, partnerships plan, apply for, and implement individual grant-funded projects.

In 2025, OWEB staff will lead an engagement process culminating in board adoption of updated ecological priorities.

Focused Investment Partnership – Implementation

Focused Investment Partnership (FIP) – Implementation investments address a board-identified priority of significance to the state; achieve clear and measurable ecological outcomes; use integrated, results-orientated approaches as identified through a strategic action plan; and are implemented by high-performing partnerships. The board selected the following priority areas for focused investments at its April 2015 meeting:

- 1) Sagebrush/Sage-Steppe Habitat
- 2) Oregon Closed Lake Basin Wetland Habitat
- 3) Dry-type Forest Habitat
- 4) Oak Woodland and Prairie Habitat
- 5) Coho Habitat and Populations along the Oregon Coast
- 6) Aquatic Habitat for Native Fish Species
- 7) Coastal Estuaries

The board selects new cohorts of FIP implementation partnerships approximately every 2 ½ years, with the next selection likely to occur during the 2025-2027 biennium. Existing implementation partnerships included in the 23-25 spending plan are:

- | | |
|------------------------------|--------------------------------|
| • John Day | • Siuslaw Coho |
| • Baker Sage Grouse | • Coos Basin Coho |
| • Warner Aquatic Habitat | • Oregon Central Coast Estuary |
| • Rogue Forest Restoration | • Hood River Basin |
| • Clackamas | • Klamath Lake Forest Health |
| • Klamath Siskiyou Oak | • Oregon All Counties CCAA |
| • East Cascades Oak and Fire | • Harney Basin Wetlands |

Focused Investment Effectiveness Monitoring

Focused Investment Effectiveness Monitoring (EM) evaluates FIP funding to help board, staff, and partners to adaptively manage partnership investments in the future. The approach employed by Focused Investment Partnerships (FIPs) provides an opportunity to learn about the progress and outcomes possible under six-year investments.

Category: Operating Capacity

Oregon's approach to watershed restoration depends upon local grassroots partner organizations to develop and maintain relationships in their communities and plan, design, implement, and monitor projects. Grant programs in the Operating Capacity category support local partner organizations, helping them to plan and develop projects that address state, federal, and local priorities.

- **Capacity Grants – Watershed Councils (WC)** - Capacity grants are awarded biennially and help support the operations of effective watershed councils (WCs) that engage people in their communities to participate in collaborative, voluntary restoration of watersheds and conservation of natural resources.
- **Capacity Grants – Soil and Water Conservation Districts (SWCDs)** - Capacity grants are awarded biennially and help support Oregon's 45 soil and water conservation districts to work in their communities to conserve natural resources and lend support to the Oregon Department of Agriculture's Agricultural Water Quality Management Program.
- **Statewide Organizational Partnership Support** - The Conservation Partnership includes The Network of Oregon Watershed Councils (NOWC), Oregon Association of Conservation Districts (OACD), Coalition of Oregon Land Trusts (COLT), and Oregon Conservation Education & Assistance Network (OCEAN). OWEB's funding has supported various deliverables in past biennia, including conferences, trainings, one-on-one work with local organizations, and youth activities.
- **Organizational Collaboration** - Organizational Collaboration grants support new or expanded strategic collaborations in order to build resilient, sustainable, local partners that achieve ecological outcomes and engage local communities.
- **Partnership Technical Assistance** - This grant program helps support existing partnerships to create or enhance and existing strategic action plans, to elevate the partnership's current level of performance, and to support partnership capacity. Some are just forming and might be future applicants to the FIP program or other programs investing in partnerships.

Category: Other Prior Committed Funding

This category includes a variety of state priorities and initiatives that are consistent with OWEB's mission and the Constitutionally and statutorily established sideboards on OWEB's funding. Programs within this category support agricultural water quality improvement efforts, address emerging enterprise needs connected with watershed health, and support regional collaborative efforts to restore habitats and species.

- **Conservation Reserve Enhancement Program Cost-Share Payments** - The Oregon Conservation Reserve Enhancement Program (CREP) is a cooperative venture between the US Department of Agriculture and the State of Oregon, with OWEB covering the state's portion of the program costs. The purpose of this long-standing program is to restore, maintain, and enhance streamside areas along agricultural lands to benefit fish, wildlife, and water quality. As part of the state's commitment to the program, OWEB pays for 25% of restoration costs for lands enrolled in CREP, and the USDA pays 50%, as well as annual rental payments and other program incentives.
- **Governor's Priorities** - The Governor's Priorities spending plan line item supports work within the sideboards of Ballot Measure 76 that furthers priority programs and initiatives related to restoration in Oregon. Typically, these investments address landscape-scale or emerging issues related to restoration needs of importance as identified by the Governor's Office. Grant investments are targeted and catalyze broad-scale, multi- organizational work.
- **Lower Columbia Estuary Partnership** - In 1995, the lower Columbia River was designated as an 'Estuary of National Significance' by the U.S. Environmental Protection Agency (EPA), recognizing the river's important to the Pacific Northwest and the entire United States. The governors of Oregon and Washington, along with the EPA, needed an organization to further study the lower river and coordinate its restoration. They created the Lower Columbia Estuary Partnership (LCEP) to study and care for the lower river, and in 1999 the organization was incorporated as a non-profit organization. Since 2003, Oregon has provided state matching funds via OWEB in support of LCEP.
- **Strategic Implementation Areas** - The Oregon Department of Agriculture (ODA), Agricultural Water Quality Management Program, is leading the "Strategic Implementation Area" (SIA) initiative. Select areas around the state receive focused stakeholder engagement, technical assistance, monitoring, and where necessary, compliance follow-up to address water quality concerns in agriculturally influenced areas. Local partners work with landowners and managers to meet and exceed water quality requirements, and ODA follows up as needed to address compliance concerns.
- **Sage Grouse Conservation Partnership** - The SageCon Partnership is a collaborative partnership focused on the ecological, social, and economic resilience in Oregon's sagebrush country. The partnership's work spans across science, policy, communication, and on-the-ground restoration, addressing

challenges that operate at a landscape scale where no single agency or organization can make a big enough difference alone.

- **Klamath Post Dam Removal Watershed Restoration/KRRC** - On October 26, 2022, the OWEB Board committed \$15 million over a period of 3-5 years for Klamath River post-dam removal restoration watershed restoration costs incurred by Klamath River Renewal Corporation (KRRC). The funding is consistent with OWEB's constitutional and statutory authority to fund projects that address habitat needs for native fish and wildlife, along with water quality.

Category: Other Funds

Programs in this category are funded with dollars legislatively allocated to OWEB for specific purposes. This category represents a growing portion of OWEB's spending plan, reflecting the agency's reputation as an effective grant administrator that can quickly stand up new programs and initiatives.

- **Water Acquisitions** – OWEB received \$10 million for this program in the 2022 regular legislative session, with the understanding that water acquisitions are complex projects that take several years to develop. The funding in this program will support several years worth of projects that help restore streamflows in Oregon.
- **Watershed Natural Climate Solutions** – OWEB received \$2.25 million for this program, which is a result of legislative investments in the 2023 legislative session. The Oregon Climate Action Commission allocated the funds to OWEB for grants to support natural climate solutions on natural and working lands, to be distributed through two programs:
 - Funding for NCS projects in Open Solicitation – this funding will support restoration and technical assistance projects with a climate nexus, with priority given to EJ communities and tribes.
 - Funding for NCS projects in OAHP – this funding will support payment-for-practices and technical assistance projects with a climate nexus, with priority given to EJ communities and tribes.
- **Oregon Agricultural Heritage Program** – this program provides grants for several types of projects that provide dual benefits to farms and ranchlands and to natural resources. Project types include conservation easements and covenants, conservation management plans and payments for practices, technical assistance, and farm transition planning.
- **Drinking Water Source Protection Grants** – this new program came to OWEB as a result of legislation in the 2023 regular legislative session. This program provides grants for drinking water suppliers to acquire land to protect drinking water sources. The legislature provided OWEB two types of initial grant funding for the program:
 - DWSP – General Fund – The program received \$1 million in General Funds for grants during 2023-2025; these funds were deposited into a Treasury Account and became

Other Funds.

- DWSP – Lottery Bond Funds – The program received \$4 million in Lottery Bond Funds, the first lottery bond funds that have come to OWEB. These funds are expected to become available following a bond sale in the spring of 2025.

Category: Other Designated Funds/Programs

OWEB administers the funding for the programs in this category on behalf of other funding partners. OWEB receives funds from these partners, including federal funds and other funds, and sub-awards the funding to grantees, including other agencies in some cases. **Oregon Department of Fish and Wildlife (ODFW) – PCSRF (Federal Funds)** - OWEB is the state's designated applicant for PCSRF funds. A portion of the funds support anadromous fish recovery and monitoring efforts at ODFW.

- **Oregon Department of Forestry – Forest Collaboratives (Other Funds)** - OWEB administers this program through an agreement with the Oregon Department of Forestry. Grants help collaborative groups increase restoration efforts on federal forests statewide by enhancing and strengthening the effectiveness of local collaboratives.
- **Pacific States Marine Fisheries Commission – Intensively Monitored Watersheds (Other Funds)** - OWEB administers funding on behalf of the PSMFC to support long-term monitoring in the Upper Middle Fork John Day River Intensively Monitored Watershed. Funds support collaborative monitoring efforts by ODFW, the Confederated Tribes of Warm Springs, and the North Fork John Day Watershed Council.
- **Bureau of Land Management-Good Neighbor Authority** – OWEB administers Good Neighbor Authority funding on behalf of the BLM, providing grants to local partners. Grants support aquatic restoration, technical assistance, monitoring, and engagement projects distributed across the state.
- **Natural Resources Conservation Service – Farm Bill Technical Support (Federal Funds)** - OWEB administers these funds on behalf of the USDA-NRCS and grants them out to local partners to support Farm Bill program delivery.
- **PacifiCorp Interim Measure 11 (IM11) (Other Funds)** - OWEB administers this program on behalf of PacifiCorp and the State of Oregon to support grants for water quality improvements in the Upper Klamath Basin.



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Agenda Item F

Lostine Collaborative

Telling the Restoration Story

Board Meeting January 28-29, 2025



Oregon

Tina Kotek, Governor



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Agenda Item F supports OWEB's Strategic Plan Priority #1: Broad Awareness and Priority #4: Coordinated Monitoring and Shared Learning

MEMORANDUM

TO: Oregon Watershed Enhancement Board

FROM: Audrey Hatch, Conservation Outcomes Coordinator
Ken Fetcho, Effectiveness Monitoring Coordinator
Courtney Shaff, Monitoring and Reporting Manager

SUBJECT: Agenda Item F –Lostine Collaborative Telling the Restoration Story
[January 28-29, 2025, Board Meeting](#)

I. Background

OWEB's targeted *Telling the Restoration Story* grant offering helps grantees evaluate existing data from watershed restoration projects and produce outreach materials that describe the outcomes. Outreach materials include fact sheets, videos, and online content such as StoryMaps. The audience for these materials includes OWEB staff, board members, and legislators. Each grantee also develops materials that can be used to communicate with landowners, restoration practitioners, and natural resource managers working to restore similar landscapes in Oregon.

Eleven (11) projects have been funded under this offering so far. Presentations have been provided at several board meetings, and all completed products are made available on OWEB's website.

II. Collaborative restoration in the Lostine River basin

This project compiled information on three decades of restoration efforts in the Lostine River basin, under project management provided by Trout Unlimited.

The Lostine River flows out of the Eagle Cap Wilderness in Oregon's Wallowa County and enters the Wallowa River between the towns of Lostine and Wallowa. The river has supplied farms in the region with critical irrigation water for generations. As irrigation pressure increased, salmon populations plummeted. In the 1960s, Coho went extinct from this system, and in the 1990s, Chinook were almost eliminated. In 2004, the Nez Perce Tribe and an environmental non-profit began working with upper Lostine irrigators to come up with a solution to extreme low flow conditions caused by irrigation diversions during a critical time of the year for Chinook

migration and spawning. The result of this collaboration, the Upper Lostine Minimum Flow Agreement, was born in 2005. The program compensates more than 60 farmers and ranchers for working together to maintain a minimum flow of 15 cubic feet per second during August and September. Additionally, the Nez Perce Tribe has been conducting a telemetry study that tracks Chinook movement in the system since 2010. Trout Unlimited also partners with individual landowners on large-scale water conservation projects.

This 'Telling the Restoration Story' effort includes telemetry data compilation and outreach products describing the impact from the flow agreement. The project funded significant data compilation and synthesis, described in a technical report titled 'Monitoring Spring/Summer Chinook Salmon Spawning Migration in the Lostine River, Oregon: Summary Report of Radio Telemetry Tracking from 2008 through 2021' by Shane Vatland and Ryan Rumelhart with the Nez Perce Tribe Department of Fisheries Research Management. A storymap [“Tracing the Lostine River”](#) walks the reader through the history of the river, providing summaries of long-term datasets illustrating the results from decades of collaborative effort in the basin. Additionally, a [14-minute video](#) includes interviews with landowners and restoration professionals, and footage of the Lostine river and surrounding agricultural lands. These outreach materials are integral to Trout Unlimited’s online and social media presence.

III. Recommendation

This is an informational item only.



OREGON
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Agenda Item G

Telling the Restoration Story

Request of Funds

Board Meeting January 28-29, 2025



Oregon

Tina Kotek, Governor



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775 Summer Street NE, Suite 360
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(503) 986-0178

Agenda Item G supports OWEB's Strategic Plan priority # 1: Build awareness of the relationship between people and watershed protection and restoration.

MEMORANDUM

TO: Oregon Watershed Enhancement Board

FROM: Ken Fetcho, Effectiveness Monitoring Coordinator
Audrey Hatch, Conservation Outcomes Coordinator
Courtney Shaff, Monitoring and Reporting Manager

SUBJECT: Agenda Item G – Quantifying Conservation Outputs and Outcomes Funding Request –
Telling the Restoration Story
January 28-29, 2025, Board Meeting

I. Introduction

OWEB's Quantifying Conservation Outputs and Outcomes (Quantifying Outcomes) program provides funding to evaluate specific types of restoration actions within large geographic areas and/or over a longer duration of time, beyond the scale of traditional OWEB monitoring projects. Quantifying Outcomes projects are targeted investments that are identified and developed collaboratively by staff and local watershed restoration partners.

II. Background

Beginning in 2016, the board expressed strong interest in a measurable approach to 'tell the story', describing impacts from the agency's investments. In response, staff analyzed OWEB's restoration investments for geographic and restoration action diversity, considered historical and possible approaches, and then identified relevant data for selected locations. Staff identified areas of 'high potential' for pairing restoration information and monitoring data to tell the restoration story, then explored the need and opportunity to offer targeted funding to help the board and grantees better communicate ecological outcomes that result from actions funded by the agency.

Telling the Restoration Story grants support compilation, analysis, and interpretation of existing data from a watershed restoration project or projects, and the production of outreach materials that describe outcomes from that work. Outreach products typically include fact sheets, videos, and online content such as StoryMaps. The audience for these materials includes OWEB staff, board members, and legislators. Moreover, each grantee also identifies a more specific audience at the time of application, so the outreach materials developed can be used to communicate with landowners, local community members, restoration practitioners, and natural resource managers working to restore similar landscapes in Oregon.

To date, 'Telling the Restoration Story' has focused on Open Solicitation investments, exploring the impacts from Restoration, Land and Water Acquisition, and Monitoring funding. Eleven projects have been completed under this offering so far, the most recent completed project in the Lostine River (agenda Item F, January 2025), and available on [OWEB's website](#). In addition, four 'Telling the Restoration Story' projects are currently funded, and work is ongoing. These projects are actively compiling data and developing outreach products focused on: (1) bull trout restoration in Sun Creek, located in the Klamath Basin; (2) watershed-scale fish recovery improvements in the Sandy River Basin; (3) restoration actions to improve water quality and stream habitat in Bear and Little Butte creeks near Ashland, Talent, and Medford; and (4) the relevance of Traditional Ecological Knowledge and indigenous management to restore biodiverse riparian, prairie, and oak habitat within the Willamette Valley.

III. Overview of the Funding Request

Monitoring and Reporting staff engages with each Regional Program Representative and other grant project managers regularly to identify potential new 'Telling the Restoration Story' projects. Currently, 5 projects are under active exploration with partners to determine the timing of available data and partner roles to advise on the outreach products, with one anticipated to submit a full application in early 2025. Additionally, staff are aware of 3 other potential 'Telling the Restoration Story' projects and plan to initiate conversations with local partners to determine feasibility in the first half of 2025.

Telling the Restoration Story grantees are typically offered up to \$50,000 for project completion. Additional funding is needed to provide the offering to new potential grantees.

IV. Recommendation

Staff recommends the board allocate up to \$250,000 in support of Telling the Restoration Story grants with funds from the Quantifying Conservation Outputs and Outcomes line item of the 2023—2025 spending plan, and delegate to the Executive Director the authority to distribute the funds through appropriate agreements with an award date of January 28, 2025.



OREGON
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Agenda Item H

2024 Tribal Report

Board Meeting January 28-29, 2025



Oregon

Tina Kotek, Governor



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775 Summer Street NE, Suite 360
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MEMORANDUM

TO: Oregon Watershed Enhancement Board
FROM: Ken Fetcho, Tribal Liaison
Sara O'Brien, Executive Director
SUBJECT: Agenda Item G – 2024 Annual Tribal Report
[January 28-29, 2025, Board Meeting](#)

I. Introduction

OWEB's 2024 Annual Tribal Report describes how OWEB engaged and fostered relations with the 9 federally recognized tribes in Oregon and the Nez Perce Tribe. The 2024 Annual Tribal Report has been submitted to the Legislative Commission on Indian Services (LCIS) and the Governor's Office. OWEB staff will deliver a presentation highlighting key information in the agency's 2024 Annual Tribal Report to demonstrate the agency's commitment to including tribes in its decision-making processes.

II. Background

[Oregon Revised Statute \(ORS\) 182.166 \(3\)](#) requires OWEB to submit an annual report by December 15 to the LCIS and the Governor's Tribal Liaison. The statute describes several required elements of the report that OWEB includes in the agency report each year.

III. OWEB Tribal Policy

OWEB first established its Tribal Policy in 2007 and revised it in 2018 by incorporating tribal input. The revisions provide additional clarity on how OWEB will involve and include tribal members and governments in the development and implementation of policies and programs administered by the agency.

OWEB recognizes and respects the sovereign status of the tribes and their respective authorities on reservation, tribal, ceded lands, and established usual and accustomed areas and their co-management authorities over certain resources on non-tribal lands. The goal of this policy is to maximize tribal relations and collaborative efforts and to resolve potential concerns by enhancing exchange of information, ideas, and resources.

This Tribal Policy includes, but is not limited to, the following additional elements.

- The OWEB Board will include a tribal representative and OWEB will assist the Governor to reach out broadly to Tribes to seek interested volunteers to participate on the board.
- OWEB will engage tribes and seek early tribal involvement in policy development and implementation.

- OWEB will provide training to staff to ensure that all staff are aware of the sovereign nature and authorities of tribes to improve their capacity to promote collaboration with tribes.

IV. Annual Tribal Report

The 2024 Annual Tribal Report includes a description of the following:

- Agency overview to identify the key contacts responsible to establish and promote relations with tribes and a description of OWEB;
- Tribal participation in OWEB's Board and grant programs;
- Promotion of communication between OWEB and tribes, and
- Training for staff to learn more about the provisions of legislation detailing Oregon's relationship with tribes.

The annual report also includes a summary of the amount of funding OWEB has provided to tribes and summarizes the amount of funding that tribes have contributed to grants through match. **Since 1998, OWEB has awarded \$13,173,162 in grants to tribal governments.** Across all grant programs, OWEB provided \$980,352 to tribes in 2024.

It is important to note that this summary only includes grants that go directly to tribal governments. Tribes also benefit from OWEB funds from grants to other organizations such as watershed councils and Soil and Water Conservation Districts that then provide funding to tribes via contracts or implement restoration projects on tribal lands. Tribes are critical partners in watershed restoration in Oregon and often contribute vital match funds to grant projects. In 2024, 12 completed grants included tribal contributions. **Across all grant programs, tribes provided \$1,631,680 in cash and \$130,884 of in-kind support to grants that were completed in 2024.**

V. Recommendation

This is an information item only.

VI. Attachments

- A. 2018 Tribal Policy
- B. 2024 Annual Tribal Report



Oregon Watershed Enhancement Board
 OWEB Revised Statement of State-Tribal Relations Policy
 Effective: March 26, 2018
 Approved By: Meta Loftsgaarden
 Meta Loftsgaarden, Executive Director

Purpose

Oregon Revised Statutes (ORS) 182.162 to 182.168 requires state agencies to promote relations with Tribes. State agencies are to develop and implement policies to include Tribes in the development and implementation of state programs that affect Tribes. The Oregon Watershed Enhancement Board (OWEB) first established its Tribal Policy in 2007. This revised policy replaces the original policy and provides additional clarity on how OWEB will involve and include Tribal members and governments in the development and implementation of policies and programs administered by the agency. OWEB recognizes and respects the sovereign status of the Tribes and their respective authorities on reservation, Tribal, ceded lands and established usual and accustomed areas and their co-management authorities over certain resources on non-Tribal lands. The goal of this policy is to maximize Tribal relations and collaborative efforts and to resolve potential concerns by enhancing exchange of information, ideas, and resources.

Definitions

A. Annual Report

The annual report by OWEB to the Governor and to the Legislative Commission on Indian Services on Tribal relations as required by ORS 182.166.

B. Authorities

The Oregon Administrative Rules and Regulations and ORS that govern the actions and responsibilities of OWEB.

C. Legislative Commission on Indian Services (LCIS)

The Commission created by statute in 1975 to improve services to Indians in Oregon. Its 13 members are appointed jointly by the Senate President and the Speaker of the House to a two-year term. LCIS members select their own officers to serve one-year terms of office. LCIS serves as the main forum in which Indian concerns are considered. It serves as a conduit through which concerns are channeled to the appropriate entity, as a point of access for finding out about state government programs and Indian communities, and a catalyst for making reforms when change is needed.

D. Natural Resources Workgroup

The Tribal-State workgroup established during meetings under Governor Kitzhaber's Executive Order 96-30. That Executive Order was later codified by Senate Bill 770 in 2001 as ORS 182.162 to 182.182. The Natural Resource Workgroup was created in order to improve communication between the State of Oregon and Tribes regarding natural resources protection and management. The workgroup consists of key state agency contacts, a representative from each of Oregon's nine federally recognized Tribes, and a representative from the Governor's Office.

E. Tribes

An Oregon Tribal Government, their Tribal Council, Board of Directors, and/or other authorized representatives that are recognized as having a government-to-government relationship with the United States, with the responsibilities, powers, limitations, and obligations attached to that designation. The 9 federally recognized Tribes in Oregon are:

- Burns Paiute Tribe;
- Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians;
- Confederated Tribes of Grand Ronde Community;
- Confederated Tribes of Siletz Indians;
- Confederated Tribes of the Umatilla Indian Reservation;
- Confederated Tribes of the Warm Springs Reservation of Oregon;
- Coquille Indian Tribe;
- Cow Creek Band of Umpqua Tribe of Indians; and
- Klamath Tribes.

OWEB also works with the federally recognized Nez Perce Tribe of Idaho based on that Tribe's ceded lands in Northeast Oregon.

F. Programs

The programs that OWEB implements to execute Oregon Administrative Rules.

G. Tribal Liaison

The OWEB employee who is responsible for facilitating, promoting, and ensuring communication between OWEB's program managers and Tribes.

Statutory Authorities

OWEB is a state agency with statutory authority to administer constitutionally dedicated funds for the purpose of protecting and enhancing Oregon's fish and wildlife habitats. The responsibilities of the agency include:

- Managing a grant program for watershed protection and enhancement;
- Assisting in the development and implementation of watershed scale restoration efforts; and
- Coordinating the efforts of watershed councils throughout the state.

OWEB is led by a policy oversight and decision-making board. Board members represent the interests of the public at large, Tribes, state natural resource agency boards and commissions, Oregon State University Extension Service, and federal land management and natural resource agencies. The Board Tribal Representative is recommended by the governor and approved by the Senate. In advising the governor on the Tribal appointment, OWEB will reach out broadly to Tribes to seek interested volunteers to participate on the Board. The Tribal Representative seat on the Board is not intended to represent all of the Tribes' interests nor is it intended to replace the obligation OWEB has to include Tribes in the decision-making process.

OWEB provides grants and services to citizen groups, organizations, Tribes, and agencies working to restore healthy watersheds in Oregon. OWEB actions support the Oregon Plan for Salmon and Watersheds, created in 1997. Funding comes from the Oregon Lottery as a result of citizen initiatives in 1998 and 2010, sales of salmon license plates since 1997, federal salmon recovery funds, and other sources.

Mission

The mission of OWEB is "To help protect and restore healthy watersheds and natural habitats that support thriving communities and strong economies."

Approach and Priorities

Created in 1999, OWEB has embraced a community-based problem-solving approach to carry out statutory responsibilities. This has occurred in response to the need to maximize the use of available resources and identify ways to achieve environmental gains in the most efficient manner. The agency has four operational programs: Board and Policy, Grant Management, Business Operations, and Technical Services. Each program is headed by a manager responsible for honoring the relationships between OWEB and Tribes.

Tribal Government Participation in OWEB Policy Development and Implementation

It is the policy of OWEB to:

- Involve the appropriate level of Tribal decision-maker in the notification and decision-making process;
- Provide timely, accurate information regarding agency activities to Tribes including legislative, administrative, policy, and technical data and actions; and
- Promote innovations in communication by employing a Tribal Liaison and seeking early Tribal involvement in the design of a policy, program, and/or process implicating Tribal interests;

OWEB will provide to key Tribal contacts notice of policy and planning efforts, and communicate with Tribes in considering and addressing identified issues of concern. Examples of specific involvement by Tribes include, but are not limited to, solicitation of information concerning proposed land or water acquisitions, participation in grant review teams, and adoption of or changes to administrative rules.

Tribal Relations Protocol

The following OWEB commitments describe the approach to be taken to create and maintain strong Tribal relations:

- OWEB will maintain a Tribal Liaison who will be responsible for facilitating Tribal relations with Tribes;
- The OWEB Director, Tribal Liaison, and Board Tribal Representative will meet at least annually to discuss any known issues;
- The OWEB Tribal Liaison will actively participate as a member of the State Agency Tribal Natural Resources Workgroup and other Tribal State Workgroups or Clusters as deemed appropriate;
- OWEB will maintain organization information and contact sources and will provide updates annually to the key Tribal contacts;
- OWEB will support the exchange of relevant information and data collected by its staff or by a Tribal government to maximize relations and collaborative efforts and to resolve potential concerns;
- OWEB will ensure that all staff are aware of the sovereign nature and authorities of Tribes, their consequent self-governing attributes, and the basic organizational structure of Tribal governments;
- OWEB will provide training and other information exchange appropriate for agency staff to improve their capacity to promote collaboration with Tribes and execute the provisions of this Policy;
- OWEB will support and participate in cooperative efforts among the Tribal, federal, state, and local governments as well as non-governmental parties environmental and related concerns that may cross jurisdictional boundaries;
- OWEB will seek representatives from Tribes to participate on advisory committees and review teams; and
- OWEB will consider and utilize advice, guidance and recommendations when appropriate from the LCIS, the Board Tribal Representative, and staff on Tribal government matters, affairs and issues pertaining to them.



OREGON
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2024 Annual Tribal Report



Oregon Watershed Enhancement Board
775 Summer Street NE, Suite 360, Salem, OR 97301-1290



Agency Overview

► Key Contact

Sara O'Brien, *Executive Director*
971-718-2605

sara.e.o'brien@oweb.oregon.gov

► Tribal Liaison

Ken Fetcho, *Effectiveness Monitoring Coordinator*
971-345-7018

ken.fetcho@oweb.oregon.gov

The Oregon Watershed Enhancement Board (OWEB) is a state agency that administers grants to organizations for voluntary conservation actions. OWEB grant programs support healthy watersheds, protect farm and ranchlands, build local partner capacity, protect drinking water, encourage natural climate solutions, foster landscape resiliency, and support environmental restoration. The agency offers a suite of grant and fiscal administration services depending on the fund source and customer needs. OWEB is led by an 18-member policy oversight and decision-making board. Board members represent the public, federally recognized tribes, five state natural resource agency boards and commissions, Oregon State University Extension Service, and six federal land management and natural resource agencies.

OWEB works with the nine (9) federally recognized tribes in Oregon and the Nez Perce Tribe to address watershed-scale restoration needs. OWEB operates grant programs that tribes can apply for to fund a variety of watershed management, protection, and restoration projects. Tribes can leverage those funds to meet their natural and cultural resource restoration goals and objectives.

On May 8, 2024, Oregon Governor Tina Kotek announced that Sara O'Brien was selected to be OWEB's new Executive Director. Director O'Brien began her new role on June 24, 2024. Sara was the Executive Director of Willamette Partnership prior to joining OWEB and served in this role since 2018. In her role leading Willamette Partnership, Sara fostered a highly collaborative environment within the organization and prioritized partnership with and support to tribal government partners and indigenous organizations. Sara is a strong advocate for developing and strengthening relations with the federally recognized tribes in Oregon. Tribal partners can expect a continued emphasis on strong tribal engagement and customer service at OWEB during Sara's leadership.

As described in the following report, OWEB engaged extensively with tribes in 2024 in a variety of ways. OWEB continued implementing recommendations from a report identifying opportunities for improvement in OWEB's grantmaking to tribes, and we have continued awarding grants to tribes and to partnerships that included tribes. OWEB thoughtfully engaged tribes in new program scoping as well as ongoing program improvement in the rulemaking process, while also respecting that tribal capacity does not always allow for this engagement.

In 2024, OWEB received the agency's first federal funding award that supports tribal project development grants and is extremely pleased to be offering this new program specifically offered to tribes. This program was developed in direct response to feedback from tribal staff and with significant tribal input in program design. OWEB also worked

closely with tribes regarding cultural resource protection as OWEB prepares to implement new cultural resource responsibilities.

Tribal Policy

In 2018, OWEB revised its [tribal policy](#) by working with the Legislative Commission on Indian Services (LCIS) and incorporating tribal input. In 2024, OWEB's leadership and tribal liaison continued to work together to communicate the intent of OWEB's Tribal Policy and identify opportunities for staff to work effectively with tribes. Tribal policy and the most recent Annual Tribal Reports may be found on the [Tribal Engagement webpage](#).

Summary of Programs and Process for Involving Tribes

OWEB works closely with tribes and seeks involvement in programs and decision-making processes at all levels of the organization. Examples of specific involvement by tribes include, but are not limited to, solicitation of information concerning proposed land or water acquisitions, participation in grant review teams, participation on Rules Advisory Committees (RACs) and additional opportunities to provide input on changes to administrative rules. The following sections describe the agency's interactions during 2024 with the nine federally recognized tribes in Oregon and the Nez Perce Tribe.

OWEB Board and Grant Programs Tribal Participation

Board Membership

The Governor appoints a tribal representative as a voting member of the OWEB Board. We have been extremely grateful for the tribal representation on the OWEB Board since 2000. The tribal representatives that have participated as Board members since 2000 are listed in the table below. The position is currently occupied by Kelly Coates, Natural Resources Program Director of the Cow Creek Band of the Umpqua Tribe of Indians and has been in this role since November 2021. Kelly was recently elected to serve as Co-chair of the OWEB Board in July, 2024.

Board Member	Tribe	Period of Time Served
Delores Pigsley	Confederated Tribes of Siletz Indians	1.01.2000 – 6.30.2001
Bobby Brunoe	Confederated Tribes of Warm Springs of Oregon	9.10.2001 – 6.30.2005 7.01.2005 – 6.30.2009
Eric Quaempts	Confederated Tribes of Umatilla Indian Reservation	7.01.2009 – 6.30.2013 7.01.2013 – 1.31.2017
Jason Robison	Cow Creek Band of Umpqua Tribe of Indians	3.15.2017 – 7.28.2021
Kelly Coates	Cow Creek Band of Umpqua Tribe of Indians	11.20.2021 – present

▲ *Figure 1. Summary of OWEB Board tribal representatives from 2000 to present.*

Additionally, board member Lindsay McClary serves in a public voting position. Lindsay is the Restoration Ecologist/Fish & Wildlife Policy Analyst for the Confederated Tribes of Grand Ronde, and her term began on March 1, 2022, following Senate confirmation. We are extremely grateful to have these two voting members participating on the OWEB Board. Kelly and Lindsay help identify opportunities for collaboration and ensure the OWEB Board and staff are aware of their responsibilities to involve and consider tribal interests. They also share their practical experiences as OWEB grantees and technical expertise as natural resource professionals.



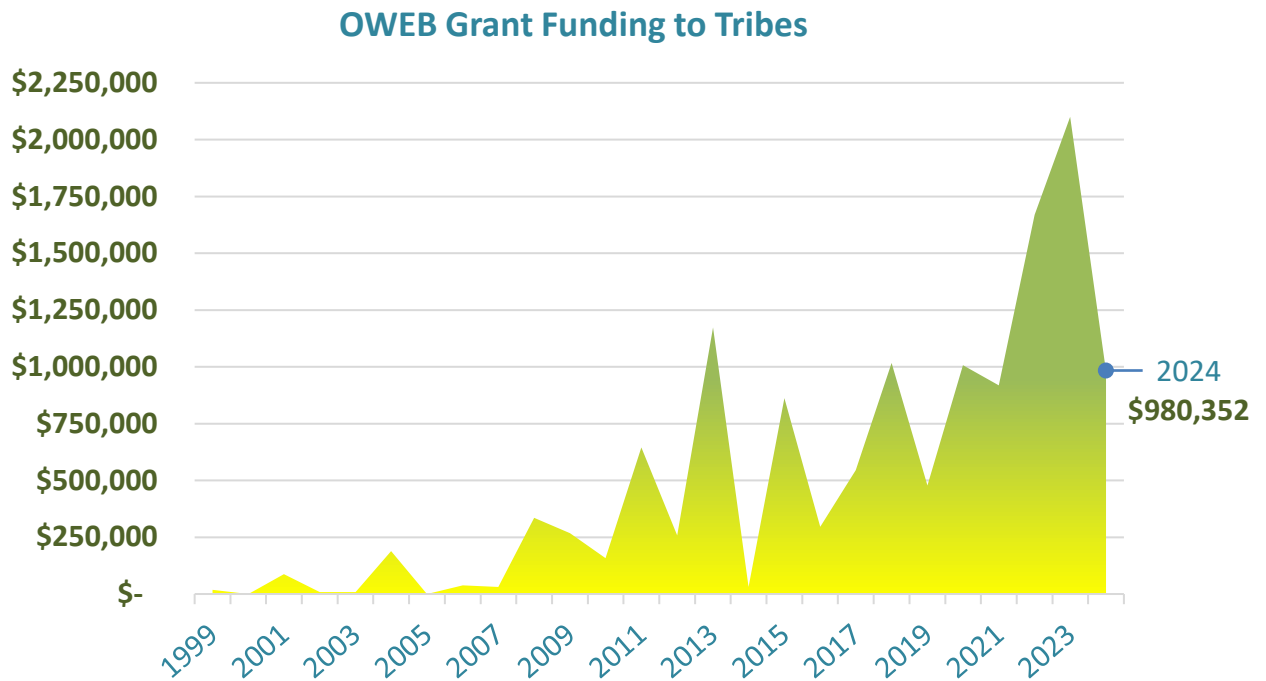
▲ Photo 1 (left to right). Kelly Dirksen, Kyle McLaughlin, Stephanie Page, Lawrence Schwabe, Ken Fetcho, Lindsay McClary, Sara O'Brien, and Liz Redon on a field tour at the Confederated Tribes of Grand Ronde's Takilth Property.

Grant Programs

Grant Applicants

OWEB grants are available to a broad range of entities, including tribes [ORS 541.375(1)]. **Since 1998, OWEB has awarded \$13,173,162 in grants to tribal governments.** Across all grant programs, OWEB provided \$980,352 to tribes in 2024. See the graph below of annual OWEB funding provided to tribes since 1998. It is important to note that this summary only includes grants that go directly to tribal governments. Tribes also receive OWEB funds from

grants to other organizations such as watershed councils and Soil and Water Conservation Districts (SWCDs) that then provide funding to tribes via contracts. The amount of funds that tribes receive as a contractor from an OWEB grant is much harder to consistently calculate over time due to the limitations in our funding database. However, this report will provide a few examples of OWEB grants to other grantees and how they worked with the tribe to implement restoration actions.



▲ *Figure 2. Annual OWEB grant funding provided to tribes from 1998 to 2024.*

In addition to eligibility on their own, tribes are often members of, or partners with, local organizations such as watershed councils. Oregon law describing watershed councils (ORS 541.388) specifically identifies “federally recognized Indian Tribes” as potential members of these local organizations. Tribes are critical partners in watershed restoration in Oregon and often contribute vital match funds to grant projects. In 2024, 12 completed grants included tribal contributions. **Across all grant programs, tribes provided \$1,631,680 in cash and \$130,884 of in-kind support to OWEB grants in 2024.** This significant match contribution demonstrates the critical role in implementing watershed restoration in Oregon as sovereign nations.



▲ *Photo 2. During construction conditions along Fivemile Creek, located upstream of Tahkenitch Lake, Douglas County. Click on the image above to watch a short drone video of this restoration project area.*



▲ *Photo 3. Post-restoration conditions completed in 2023 by the Confederated Tribes of Siletz Indians along Fivemile Creek to increase channel complexity and floodplain connection, additional funds from OWEB were provided in 2024 to complete Phase 2 of this restoration project. Click on the image above to watch a short drone video of this restoration project area.*

Oregon Agricultural Heritage Program (OAHP)

OAHP was established by the Oregon legislature in 2017 to provide voluntary incentives to support practices that maintain or enhance both agriculture and natural resources such as fish, wildlife, and water quality on agricultural lands. The Oregon Agricultural Heritage Commission (Commission) oversees the program and makes funding and policy recommendations to the OWEB Board. The commission consists of 12 members who are appointed by the OWEB Board—including one member selected by the OWEB Board who is a representative of tribal interests. Amanda Lowe was appointed to this position in January of 2024. Amanda is the Soil Conservationist in the Department of Natural Resources for the Confederated Tribes of the Umatilla Indian Reservation, where she has worked for the last seven years to integrate the protection and sustainability of culturally significant First Foods into the management of working lands.

In 2024, the legislature allocated \$4,541,680 to the Oregon Agricultural Heritage Fund to support grantmaking for the second time. In November 2024, the Commission met to consider 10 grant applications to support the purchase of conservation easements on farm and ranch lands throughout the State.

Natural and Working Lands Fund

In 2023, House Bill 3409 allocated \$10 million to four state agencies to incentivize natural climate solutions on Oregon's natural and working lands, while also supporting the social, economic, and health benefits of these solutions for local communities. OWEB received \$2.25 million for grants to support the adoption of natural climate solutions, with a mandate to prioritize projects administered or proposed by tribes and environmental justice communities. These funds are being distributed through two grant offerings:

Open Solicitation: \$1.5 million for Restoration and Technical Assistance grants which combine carbon sequestration or mitigation activities and community co-benefits.

Oregon Agriculture Heritage Program (OAHP): \$750,000 in funding for the development of agricultural Conservation Management Plans and then annual payments for the ecosystem service benefits for the implementation of approved plans.

As part of OWEB's implementation of these grant offerings, the agency committed to conducting a public engagement process, with a focus on Tribal and environmental justice communities. In September 2024, OWEB opened a survey about the priorities, needs, and barriers around these funds. The survey was announced through a presentation at the State/Tribal Natural Resources Working Group, through our Tribal Liaison, and via the GovDelivery listserv. Of the 112 survey responses, 7 were from tribes and 4 were from organizations working with native communities. Responses from these 11 respondents show a high level of interest in riparian restoration, restoring deep-rooted perennial grasses, and improved forest management as well as some interest in agricultural practices. Respondents from tribes and organizations serving Native communities were especially interested in supporting Traditional Ecological Knowledge and cultural burns, restoring first

foods, and providing employment opportunities for tribal members to implement restoration projects.

Additionally, OWEB held three group listening sessions and met individually with people who were interested in providing input but unavailable for a group session. The three listening sessions and the individual conversations have highlighted the prioritization of tribes and environmental justice communities in the legislative intent and made clear the need for OWEB to focus on targeted outreach, inclusive and clear application materials, and ongoing support for applicants.

OWEB will use these results to inform the Natural and Working Lands grant offering, with the Open Solicitation and OAHP applications opening in early 2025.



▲ *Photo 4. Field tour of completed stream restoration project funded by OWEB's FIP grant program along the Clackamas River on the Confederated Tribes of Warm Springs Property at Austin Hot Springs.*

Small Grant Program

In OWEB's Small Grant program (OAR Chapter 695, Division 35), tribes are eligible to be members of Small Grant Teams in each of the state's 28 Small Grant areas. These Small Grant Teams have access to \$100,000 per biennium to recommend grants of up to \$15,000 each for watershed restoration projects. Other team members include watershed councils and SWCDs.

All Small Grant Teams have completed organizing for the 2023-2025 biennium. Tribes with reservation, tribal, ceded lands, or usual and accustomed areas located partially or entirely within the team's area are invited to participate on Small Grant Teams. Representatives

from all nine of the federally recognized tribes in Oregon participate on 20 of the 28 Small Grants Teams. Some tribes sit on several teams and some teams have more than one tribe participating.

Open Solicitation Grant Program

OWEB solicits grant applications twice a year through the Open Solicitation grant program. During 2024, 3 grants totaling \$371,374 were awarded to tribes:

- **Two** grants **totaling \$297,124** to the Confederated Tribes of the Umatilla Indian Reservation
- **One** grant for **\$74,250** was provided to the Nez Perce Tribe



▲ *Photo 5. Pre-restoration conditions on the Lostine River.*



▲ *Photo 6. Post-restoration conditions in the Lostine River. Restoration was implemented with OWEB funds by the Nez Perce Tribe in 2024.*

OWEB's Regional Program Representatives (RPRs) have regular contact with appropriate tribal staff. They meet with interested tribes before grant application submission and throughout the life of each grant to ensure tribes can meet their goals and objectives. Tribes often partner with watershed councils and SWCDs by helping manage the projects and at times receive funding to implement projects as contractors. In addition, tribes may be applicants, provide cash match funds, be landowners, contractors for project implementation, partners, board members of the applicant's organization, or supporters of the applicant (such as writing letters of support). Tribal participation is critical to partner success and crucial in making a meaningful impact on the health of our watersheds and communities in Oregon.

Open Solicitation Grant Program – Regional Review Teams

Applications received through OWEB's Open Solicitation grant program are reviewed by 1 of 6 Regional Review Teams, comprised of state, federal, and tribal natural resource professionals. All 6 Regional Review Teams have at least 1 tribal natural resource professional participating in the review process. In 2024, 7 tribal agency representatives participated in OWEB Regional Review Teams, including representatives from the Nez Perce Tribe, Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of Siletz Indians, Confederated Tribes of Warm Springs, Cow Creek Band of Umpqua Tribe of Indians, and the Confederated Tribes of Grand Ronde.

Land Acquisition Grant Program

OWEB's Land Acquisition grant program provides funding for projects that acquire interests in land from a willing seller to address the conservation needs of priority habitats and species. OWEB notifies all tribes after receiving a land acquisition application to solicit input in the decision-making process. In addition, all tribes are notified when a public hearing date is set to include them in this part of the review process. Finally, OWEB notifies all the tribes once a funding recommendation has been made by OWEB staff allowing tribes to provide additional input before the OWEB Board's funding decision.

In July 2024 OWEB provided \$2,280,584 to the Deschutes Land Trust to acquire a 734-acre parcel that features ponderosa and lodgepole pine forests, wet and dry meadows, wetlands, and 2 miles of Paulina Creek. Project partners include the USFS, the City of La Pine, Deschutes River Conservancy, the Klamath Tribes, and the citizens of La Pine. This project received written and verbal testimony to express support from the Confederated Tribes of Umatilla Indian Reservation and the Confederated Tribes of Warm Springs.

In 2023, OWEB started focused, individual conversations with natural resources staff from the 9 federally recognized tribes in Oregon and the Nez Perce tribe to discuss OWEB's Land Acquisition grant program. This outreach builds on a 2021 external assessment of how OWEB grant practices impact tribes ([Alli Miller 2021](#)). The assessment was completed and presented to the OWEB Board in October 2021. The outreach also builds on work by Jennifer Arnold to complete the [Partnership Learning Project Report 3](#) that was presented to the board in October 2023.

These assessments found existing barriers and misperceptions that impact tribes' abilities to pursue and receive OWEB land acquisition funds. OWEB staff aimed to better understand each tribe's interest in this grant program, discuss any questions or concerns they may have, and help identify barriers and solutions to tribes accessing these funds. OWEB continued to meet individually with all the tribes into the Spring of 2024 to hear from each of them.

In early 2024, OWEB staff briefed interim leadership regarding feedback from focused conversations with each tribe's natural resources staff about OWEB's Land Acquisition grant program. OWEB prioritized the next steps, including providing clarification about tribal access for First Foods harvest and conducting legal research to explore options for granting with tribal sovereigns. OWEB started working on these next steps after the appointment and onboarding of a permanent executive director in July 2024. Staff will work with OWEB's tribal liaison to follow up with each tribe once follow-up information and options are ready for discussion. The intent of this work is to increase tribal engagement with and access to OWEB's Land Acquisition grant program in the future.

Water Acquisition Grant Program

OWEB's Water Acquisition grant program provides funding for programs or projects that acquire an interest in water from a willing seller to increase instream flow. Like the Land Acquisition grant program, OWEB notifies tribes after a water acquisition grant application is received and once a recommendation has been made. This allows multiple opportunities to provide input during the decision-making process. Additionally, staff engaged tribes to recruit a representative on the Water Acquisition grant program review team to help review and recommend projects for funding. Anton Chiono, Habitat Conservation project leader for the Confederated Tribes of the Umatilla Indian Reservation is participating on this review team and brings a wealth of knowledge and expertise to the review process.

Focused Investment Partnership Program

In 2024, tribes continued to participate in the Focused Investment Partnership (FIP) grant program. The program's implementation funding provides opportunities for tribes and others to work collaboratively on long-term, landscape-scale programmatic restoration initiatives. These initiatives create measurable outcomes within priority areas that were identified by the OWEB Board.



▲ *Photo 7. (Left to Right) Elva Manquera, Lindsay McClary, and Jaime Stephens attend a Klamath Siskiyou Oak Network Focused Investment Partnership field tour as part of the project review process.*

OWEB invested in the following four new FIP Initiatives in April 2024:

- **Integrated Wetlands Management in Harney Closed Lakes Basin** includes the Burns Paiute Tribe as a core partner and serves on the technical review team
- **Hood River Basin Aquatic Habitat Restoration Initiative** includes the Confederated Tribes of Warm Springs as a core partner
- Lake County All Lands Restoration Initiative
- **Oregon Sage-Grouse Habitat Initiative** technical review team includes Collin Williams, rangeland ecologist with the Burns Paiute Tribe.

Once FIP initiative funds are awarded to high-performing partnerships, tribes that are part of the partnerships may pursue and receive grant funding from OWEB. **During 2024, two grants totaling \$550,000 were awarded to tribes:**

- One grant was amended to add \$400,000 to an existing grant agreement with the Confederated Tribes of Siletz Indians.
- One grant of \$150,000 was awarded to the Confederated Tribes of Warm Springs.

Below is a summary of 3 FIP grants that have gone to local partners who are working with tribes to implement projects with their expertise on tribal lands or public lands that are important to tribes.

CTWS Side Channel Restoration Implementation

This OWEB restoration grant for \$233,338 leverages \$426,000 in match provided by the Confederated Tribes of Warm Springs. In the summer of 2024, the Clackamas River Basin Council (CRBC), in collaboration with the Confederated Tribes of Warm Springs, implemented a large-scale restoration project on tribally owned land in the upper Clackamas River watershed. The project addressed unauthorized camping and site modification at the hot springs, restored Clackamas River connectivity to two relic side channels, installed large wood to benefit fish habitat, and installed riparian plantings on seven acres. This project benefits salmon, steelhead, bull trout, and Pacific lamprey.



▲ *Photo 8. Screenshot of large wood being placed in side channel of the Clackamas River on the Confederated Tribes of Warm Springs property. Click on the image above to watch a short video produced by the Clackamas River Basin Council to learn more about this collaborative project.*

Brave Buffalo Oak Habitat Restoration Project

This OWEB restoration grant for \$35,000 to Lomakatsi Restoration leverages \$85,000 from the USFS Mt. Hood Indian Youth Service Corp Project. Lomakatsi will implement a project at the Brave Buffalo Memorial Sundance Camp on the Mt. Hood National Forest, an active inter-tribal Native American ceremonial area in the heart of the East Cascades Oak Partnership priority geography in Wasco County. The project will promote oak survival and adaptation on 23 acres and will include ecological thinning of conifers encroaching on Oregon white oaks and culturally burning the materials generated from the thinning.

CTWS Oak Prescribed Burn and Mastication Project

This OWEB restoration grant for \$138,197 leverages approximately \$74,000 in match provided by the Confederated Tribes of Warm Springs (CTWS). CTWS will implement an oak thinning and beneficial burn project on their reservation in 2025. Planned treatments include mastication and reseeding efforts on 50 acres, a prescribed burn and seeding on 54 acres, and thinning on 15 acres to increase oak vigor, reduce conifer encroachment, and improve understory conditions.

In addition to participating as a core partner and receiving funding to implement projects, tribes play a crucial role in the FIP Grant Program by serving on the technical review teams to help evaluate and provide constructive feedback on project-level applications. For example, the Klamath Siskiyou Oak Network, funded in 2022, has 2 tribal representatives on the technical review team, Lindsay McClary from the Confederated Tribes of Grand Ronde and Joe Scott from the Confederated Tribes of Siletz Indians.

Focused Investment Partnership (FIP) Technical Assistance Program

FIP Technical Assistance grants offer two tracks:

1. Partnership *Development* to produce or enhance a Strategic Action Plan and governance documents.
2. Partnership *Capacity* to support Strategic Action Plan coordination and implementation.

Partnership Technical Assistance applications were received in May 2024 and were awarded by the OWEB Board in July 2024. Thirteen (13) applications were received by the deadline, requesting a total of \$1.65 million. Two (2) applications applied for *Capacity* funding and 11 applications applied for *Development* funding. Applications were submitted from all of OWEB's 6 regions. Five (5) partnerships received grant funding and 3 of the funded partnerships include tribes as partners:

- **Deschutes Partnership** includes the Confederated Tribes of the Warm Springs Indian Reservation.
- **John Day Basin Partnership** includes the Burns Paiute Tribe, Confederated Tribes of the Warm Springs Indian Reservation and Confederated Tribes of Umatilla Indian Reservation.
- **Clackamas Basin Partnership** includes the Confederated Tribes of the Warm Springs Indian Reservation.

New Grant Programs

Tribal Project Development Grant Program

In 2024 OWEB continued to apply what we learned from the 2021 assessment of how OWEB's granting practices impact federally recognized tribes' ability to apply for and receive grant funding to meet their watershed enhancement goals and objectives. OWEB developed its first-ever tribal set-aside grant program in response to feedback we received from the federally recognized tribes that additional capacity funding is needed to engage in

the development of restoration projects and that OWEB grant programs are extremely competitive.

To help fund this new grant program, OWEB requested and was awarded \$900,000 from NOAA's Pacific Coast Salmon Recovery Fund (PCSRF) to offer Tribal Project Development grants. At the July 2024 OWEB Board meeting, the board approved an additional \$1 million to the 2023-2025 Spending Plan for Tribal Project Development Grants. These funds will be available to support tribal capacity to participate in salmon recovery efforts in Oregon and to engage in work associated with implementing the Programmatic Agreement (in development) between OWEB and NOAA. Funds must be used in PCSRF-eligible geographies and on PCSRF-eligible project types. The one exception to this is the Burns Paiute Tribe, which will be able to work in a broader geography because they will be awarded using Lottery funds.

The details of this offering were developed in close coordination with OWEB Board members Kelly Coates and Lindsay McClary. In addition, OWEB hosted four informational webinars with tribes to discuss the details of the offering and answer any questions. These webinars were well attended, and tribal feedback helped us refine guidance on what projects are eligible for funding under this new grant program. The grant offering opened on October 25, 2024. Applications have a rolling deadline to provide flexibility for tribes to receive internal approval before applying to OWEB. We have heard from most tribes that they plan to apply by March 2025.

Klamath Water Quality Improvements Grant Program (Interim Measure 11)

Interim Measure 11 from the Amended Klamath Hydroelectric Settlement Agreement (KHSa) includes funding to address water quality improvements in the Klamath River via restoration and conservation actions in the Klamath Basin in Oregon. The emphasis of Interim Measure 11 (IM11) is nutrient reduction projects. PacifiCorp, in consultation with the Interim Measures Implementation Committee, developed a list of project categories to be implemented to fulfill the objective of IM11. PacifiCorp has provided funding of up to \$6,433,500 million for design/engineering and implementation of projects. This funding will be administered by OWEB through the Klamath Water Quality Improvements Grant Program.

A steering committee, facilitated by the Oregon Department of Environmental Quality, was established to assist OWEB with program implementation. OWEB is the Fiscal Agent and will award IM11 funds for projects approved by the Steering Committee until the funds are exhausted. The Steering Committee is comprised of members from the following organizations: Oregon Water Resources Department, Oregon Department of Environmental Quality, Oregon Department of Agriculture, Oregon Department of Fish and Wildlife, National Oceanic Atmospheric Administration, US Fish and Wildlife Service, US Bureau of Reclamation, Yurok Tribe, Karuk Tribe, The Klamath Tribes, California Department of Fish and Wildlife, California North Coast Regional Water Quality Control Board and Aquatic Ecosystem Sciences.

This grant offering is currently open and the tribes in the Klamath Basin are eligible to apply for funds to fulfill the objective of IM11.

Drinking Water Source Protection Grant Program

In June 2023, the Oregon Legislature passed [House Bill \(HB\) 2010](#) that, combined with other legislation, allocates \$5 million to establish the Drinking Water Source Protection (DWSP) grant program at OWEB. Through the DWSP grant program, OWEB will provide grants to public water suppliers to protect, restore, or enhance sources of drinking water through land acquisition and conservation. While the legislation does not specifically mention tribes, it does focus on water suppliers that serve rural communities and/or lower-income populations, which is generally inclusive of tribes.

OWEB led a rulemaking process in the first half of 2024. Tribes were invited to participate on the Rulemaking Advisory Committee (RAC). While tribes were unable to participate on the RAC, OWEB staff sent an email with the draft rules to each tribe and invited them to provide written or verbal comments before the OWEB Board approved the new rules. In addition, OWEB staff worked with other agencies, including the US Environmental Protection Agency, the Oregon Department of Environmental Quality, and Oregon Health Authority, to ensure that the language in rule was specifically inclusive of tribes. As a result, “Tribal Public Water Suppliers” are listed as eligible applicants, and all aspects of the rule set (OAR 695-048) have been reviewed through a lens of tribal inclusivity.

OWEB staff have conducted a significant amount of tribal engagement to develop this new program, including a survey of potential applicants, a presentation to the State-Tribal Natural Resources Work Group, attendance at the Affiliated Tribes of Northwest Indians (ATNI) Tribal Water Summit, an informational webinar, and program announcements. In addition, OWEB’s tribal liaison emailed this information directly to tribes to encourage their engagement in this new grant program. Recently, OWEB staff began collaborating with the University of Oregon to announce this grant program webinar through the PNW Tribal Climate Change Network newsletter to encourage tribal participation in the survey, webinar, and program announcements.

Once the grant cycle closes in December 2024, OWEB will send applications to tribes so that they know of the projects proposed in their areas and invite their feedback on these proposed projects. In addition, OWEB has been working with the tribes to recruit them to participate on the review team. As of now, Lawrence Schwabe, from the Confederated Tribes of Grand Ronde has agreed to participate on the review team and we are hoping other tribes will join.

Other Grant Program Involvements

The Upper Middle Fork John Day River Intensively Monitored Watershed (IMW) is a long-term, large-scale monitoring effort to evaluate watershed restoration projects. OWEB participates on the steering team and assists with securing funding for several aspects of the program. The Confederated Tribes of Warm Springs continues to be a key participant in

the Upper Middle Fork John Day River IMW and received \$19,000 in funding this year to continue their important work in this long-term watershed monitoring effort. In 2024, Supervisory Monitoring Biologist Lauren Osborne and Watershed Restoration Coordinator for the Confederated Tribes of Warm Springs Stefan Kelly contributed greatly to the success of the [2024 IMW Summary Report](#) by contributing chapters, hosting a field trip to the Oxbow Conservation Area (see photo below) and presenting findings to the OWEB Board during their October 2024 meeting.

In May 2024, OWEB awarded a Telling the Restoration Story grant in the amount of \$39,978 to the Confederated Tribes of Grand Ronde to use existing data to show how OWEB funds have supported the integration of Traditional Ecological Knowledge (TEK) into prairie restoration. With participation from the Institute for Applied Ecology (IAE), the project will summarize three phases of collaboration on Plants for People efforts. The products will provide an important example of how to integrate TEK with the OWEB funding model (OWEB has funded many restoration projects through Lottery funds, which come with some constitutional constraints). There is growing awareness about the challenges of restoring upland sites related to removing historic land management practices by tribes who created these habitats, but there is a lack of understanding of how to reintroduce TEK as a restoration strategy within the OWEB funding model. The proposed products from this project are anticipated to connect TEK with fish and wildlife habitat restoration, while also describing important cultural connections.



▲ *Photo 9. Field tour of Confederated Tribes of Warm Springs' Oxbow Conservation Area located along the Middle Fork John Day River, September 2024.*

Promotion of Communication between OWEB and Tribes

Tribal Liaison

In conformance with OWEB's tribal policy, OWEB's designated staff person, Ken Fetcho, continues to operate as a tribal liaison for the agency. The tribal liaison is responsible for ensuring that OWEB's programs and policy development adhere to our tribal policy. This includes coordinating program and policy notices to tribal natural resource key contacts and providing training to staff as appropriate.

In 2024, OWEB's tribal liaison continued to notify OWEB employees of the provisions of ORS 182.162 to 182.168 and its tribal policy to emphasize the importance of OWEB's tribal policy to new employees and board members. These provisions are discussed intentionally at multiple touchpoints throughout the year. These provisions are reviewed at the all-staff meeting when information is requested to write the annual tribal report. They are also reviewed when the final report is presented to staff in celebration of what we have accomplished to develop and foster relations with tribes in Oregon.

Starting in 2019, each new employee and board member is briefed on the tribal policy and receives a copy of the current annual tribal report. In addition, the tribal liaison co-presented with Board Member Kelly Coates at the January 2024 board meeting to describe OWEB's Government-to-Government relationship with the federally recognized tribes. This presentation described how the provisions of ORS 182.162 to 182.168 and OWEB's tribal policy provide the guiding framework for this relationship and highlighted the accomplishments that were summarized in the 2023 Annual Tribal Report. The presentation also spotlighted specific examples of how the guiding framework and OWEB's mission create a positive atmosphere for a collaborative and productive relationship to meet joint goals and objectives that improve natural and cultural resources.

The tribal liaison met with Trey Wall, Natural Resources Director, and Diane Teeman, Cultural Resources Director of the Burns Paiute Tribe, to explore the potential to plan future training for OWEB staff. The purpose of the training is to learn more about the Burns Paiute Tribe and learn how OWEB can be a better partner in areas of mutual interest. OWEB is interested in learning more about how the Burns Paiute Tribe's government is structured, their cultural and natural resource priorities, and how this might influence how they pursue our funding. This training was originally scheduled to occur in October 2023 but has been rescheduled for OWEB's all-staff meeting in February 2025.

Cultural Resources Protection

OWEB continues to emphasize the importance of grantees and grant project managers complying with regulations that protect cultural resources. OWEB grants pay for the expenses to comply with cultural resource regulations and legally implement watershed improvement projects.

In 2022, OWEB and the National Marine Fisheries Service (NMFS) began developing a Programmatic Agreement for projects funded by the Pacific Coastal Salmon Restoration Fund (PCSRF). This agreement will delegate the Section 106 responsibilities of the National Historic Preservation Act of 1966 (NHPA) to OWEB. Implementation of this agreement is anticipated in early 2025. As part of this agreement, OWEB will take on several responsibilities, including reviewing projects, determining eligibility, and assessing a project's effect on historic properties. Additionally, OWEB will consult with other federal, state, and tribal governments involved in PCSRF projects.

In early 2024, OWEB hired Shane James, OWEB's cultural resource specialist, to implement the Programmatic Agreement. Previously, Shane worked at the Oregon State Historic Preservation Office for several years and is passionate about restoring natural and cultural resources. Starting in March 2024, Courtney Shaff, OWEB's monitoring and reporting program manager, along with Shane James, reached out to Oregon's federally recognized tribes and the Nez Perce Tribe to schedule meetings. These meetings provided an opportunity to form relationships to discuss the implementation of the Programmatic Agreement and to gather input from tribal staff regarding how consultation with their respective tribes should be conducted.

OWEB has had the opportunity to meet with cultural and natural resources staff from several tribes, including the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Grand Ronde Community of Oregon, the Cow Creek Band of Umpqua Indians, the Coquille Indian Tribe, and the Klamath Tribes. These productive meetings have exceeded our original intentions by connecting various aspects of individual programs to the shared goal of salmonid recovery. OWEB is committed to meeting with the remaining tribes in the coming months as we finalize the Programmatic Agreement. This effort will provide an opportunity to help OWEB further foster our relationships with the tribes in Oregon as we work on a topic of the utmost importance to tribal governments.



▲ **Photo 10.** Mid-construction conditions along Birch Creek. Restoration implemented by the Confederated Tribes of the Umatilla Indian Reservation in 2024 with funding from OWEB.

Environmental Restoration Fund/Environmental Restoration Council

In the February 2024 regular legislative session, the Oregon Legislature passed Senate Bill 1561 which established the Environmental Restoration Council (ERC). The council will be responsible for overseeing the administration of the Environmental Restoration Fund (ERF), consisting of the proceeds from the State of Oregon vs Monsanto settlement over polychlorinated biphenyls (PCBs). The legislation includes important provisions regarding funding distribution to tribal governments. The legislation also created significant new responsibilities for OWEB.

During the first few decades, the ERF will operate like an endowment, with OWEB responsible for administering the interest generated at the direction of the Council. OWEB is allowed a certain percentage of the total settlement fund (0.25%) for administration and received an initial \$5 million allocation to implement this legislation. The rest of the interest will be distributed according to a formula in the legislation. ERF will flow into 3 funding groups. One of the funding groups is the Tribal Nation Natural Resource Program Fund; it will receive 25% of the interest distribution. Transfers from this fund will be distributed in equal amounts to each of the 9 federally recognized tribes in Oregon unless the council adopts a different proportion by rule.

OWEB will work in coordination with the Governor's Office to establish and provide staff support to the ERC. OWEB received several new positions as part of this legislation, including a program manager who will work closely with the ERC.

OWEB worked with the Governor's Office on the recruitment and hiring process for the program manager and selected Nicole Maness. Nicole comes to OWEB from the Willamette Partnership and will start her new role on January 2, 2025. After Nicole begins her new role, OWEB will continue to work with the Governor's Office to establish the ERC, adopt the rules outlined in SB 1561, and develop priorities and processes for funding distribution. This work will involve extensive engagement and coordination with tribal governments, disproportionately impacted communities, and agency and organizational partners.

Small Grant Program Rulemaking

At their July 2023 meeting, the OWEB Board initiated rulemaking for OWEB's Small Grant program. OWEB formed a Rulemaking Advisory Committee (RAC) to provide input on how potential changes may be incorporated. All tribes were invited to participate on the RAC because tribal participation in the Small Grant program includes all 9 federally recognized tribes in Oregon and the Nez Perce Tribe. Annaliese Ramthun with the Confederated Tribes of Grand Ronde served on the RAC; we greatly valued her time and input into this process. In addition, OWEB staff sent an email with the draft rules to each tribe and invited them to provide written or verbal comments before the OWEB Board approved the revised rules.

At the October 2024 meeting, the board approved amendments to the OWEB Small Grant program administrative rules that, among other changes, broaden applicant eligibility to the program and expand opportunities to participate on the Small Grant Teams that help administer the program.

Meetings with Tribes

The tribal liaison has continued to attend the State/Tribal Natural Resources Workgroup quarterly meetings in 2024 to provide relevant updates to tribes and to better understand issues of importance to the tribes. In addition, Shane James, OWEB's new Cultural Resource Specialist has regularly attended the Cultural Cluster quarterly meetings in 2024 to provide updates on the Programmatic Agreement that OWEB is negotiating with NOAA and the State Historic Preservation Office and better understand cultural resources issues tribes are working on in Oregon.

In 2024, OWEB staff accelerated efforts to directly engage with tribes' natural resources staff to receive input on OWEB program development and to pursue learning opportunities to improve their capacity to promote collaboration with tribes. In June 2024, Dr. Alexa Maine was invited to provide a presentation at OWEB's all-staff meeting. Alexa is a biologist with the Confederated Tribes of Umatilla Indian Reservation's Freshwater Mussel Research and Restoration Project. Alexa's presentation taught staff about the cultural and ecological significance of freshwater mussels and how they fit into the natural resources department's

First Food Policy to inform the restoration and stewardship of their traditional homelands. Alexa highlighted their efforts to educate restoration practitioners to incorporate freshwater mussels early into the restoration planning effort to avoid unintended negative impacts on these imperiled species. This training was extremely valuable in helping OWEB staff learn about specific OWEB-funded restoration projects that have negatively impacted freshwater mussels. Alexa emphasized that these impacts can be avoided by encouraging our grantees to survey for these important species during the restoration scoping and design phase—before implementation occurs.

OWEB’s Water Acquisition Coordinator and Drinking Water Source Protection Specialist both attended the Affiliated Tribes of Northwest Indians (ATNI) Changing Currents Water Summit in North Bend, Oregon. This provided an opportunity to learn more about tribal priorities, concerns, and accomplishments around water availability for communities and aquatic species. Staff provided an overview of OWEB grant opportunities for watershed restoration and land and water acquisition projects. In addition, OWEB’s Climate and Water Coordinator attended the National Tribal and Indigenous Climate Conference. One session on collaborative approaches to climate change described the community consultation that went into a mural designed to incorporate culturally significant foods into public art—to learn how the conference integrated art, spirituality, and shared resilience into the agenda. Another session on Traditional Ecological Knowledge (TEK) in federal decision making provided a helpful history of the efforts to get TEK recognized and considered in US governmental processes. This conference was beneficial for understanding Indigenous-led contributions to climate mitigation and the ongoing resilience strategies communities are using to respond.

In June 2024, OWEB’s Executive Director, Deputy Director, Willamette Region Program Representative, and Tribal Liaison met in person with natural resource program staff from the Confederated Tribes of Grand Ronde to tour their Native Plant Nursery, and recently acquired lands through funding from the Willamette Wildlife Mitigation Program. This tour included a visit to a completed restoration project that removed conifers to improve native oak habitat and a visit to a planned project site that will restore streamside native vegetation by removing an aging hazelnut orchard. Spending a day with the tribes’ natural resources staff provided OWEB an opportunity to hear about their approach to restoration and what factors are considered to scope, fund, and implement restoration projects that improve watershed health. This meeting was also valuable in discussing other funding opportunities OWEB has available to implement and monitor restoration projects on their tribal lands and with neighboring partners.

In July 2024, board member Lindsay McClary led the OWEB Board on a tour of the Confederated Tribes of Grand Ronde’s Rattlesnake Butte property. The tour focused on managing prairie and oak woodland habitats through traditional prescribed burning. Historically, the eastern coastal foothills would have featured many similar hilltop “balds” of open prairie, providing a rich habitat for various species. Lindsay McClary shared how prescribed burns were used to clear leaf litter, insects, and old acorns from under oak trees, to prepare for the next acorn harvest. The tour emphasized the importance of training

youth in cultural burning practices to prevent wildfires and support firefighting efforts. Being on-site with agency leadership and tribal partners provided valuable insights into enhancing wildfire resiliency.

In August 2024, the new executive directors of the Oregon Department of Fish and Wildlife, the Oregon Watershed Enhancement Board, and the Oregon Water Resources Department jointly reached out to the federally recognized tribes in Oregon to offer to meet with each tribe. This was an opportunity for them to learn more about each tribe's history, culture, and current initiatives to help them align their efforts with tribal values and aspirations, ultimately leading to more effective and inclusive resource management. To date, the directors have met with the Klamath Tribes tribal council, Confederated Tribes of Warm Springs Tribal Council, and plan to meet with the Confederated Tribes of Umatilla Indian Reservation Board of Trustees and Natural Resources leadership on December 19th. These meetings have supported coordinated dialogue between the three agency directors and the leadership of each tribe on water policy and other natural resource issues. The directors would like to continue to meet in person with the remaining tribes in 2025 to ensure they have an opportunity to learn what is important to each tribe to identify areas of collaboration.



▲ *Photo 11. OWEB staff and board members attend a field trip at Rattlesnake Butte hosted by Lindsay McClary OWEB Board member and Natural Resources staff from Confederated Tribes of Grand Ronde, July 2024.*

We hope that by expanding OWEB staff's learning opportunities and tribal engagement we are increasing OWEB's capacity to develop and foster our relationships between OWEB and each federally recognized tribe in Oregon. OWEB looks forward to continuing to meet with all the tribes on their lands to learn more about their cultural and natural resources priorities in 2025.



OREGON
WATERSHED
ENHANCEMENT BOARD

Agenda Item I

Committee Updates

Board Meeting January 28-29, 2025



Committee Members

Bruce Buckmaster and Jamie McLeod-Skinner (Co-Chairs); Kelly Coates, Lindsay McClary, and Dan Brown (Committee Members); Mark Labhart, Mark Webb, and Russ Hoeflich (OWEB Board Members).

Meeting Summary

The Water and Climate Committee met on December 11, 2024.

Stephanie Page provided highlights from the Governor's Budget, which would help create additional permanence for OWEB's organizational structure. There were no recommended cuts to the current service level, the proposed budget included a number of Policy Option Packages that OWEB had requested, and also additional proposed investments.

Representative Mark Owens (House District 60) and Representative Ken Helm (House District 27) joined the meeting to present on the [Water Caucus](#), along with Harmony Burright, Chief of Staff for the Joint Water Caucus, and Chandra Ferrari, Natural Resources Advisor with the Governor's Office.

Representatives Owens and Helm started the Water Caucus to ensure their collaborative work on water in the state would continue. Governor Kotek also wanted to focus on water issues and assigned her Natural Resource team to work with the Water Caucus, which has led to a combined agenda going into this session. The Water Caucus has identified [five categories of work](#) for 2025, including:

- **Safe and Reliable Drinking Water:** Looking at the authority the state has to be proactive, rather than reactive, on contamination issues. While the state needs to maintain and improve infrastructure, it has been challenging to raise water rates, so the caucus is also looking toward opportunities like USDA Rural Development Grants and other regional coordination.
- **Better Sharing of Scarce Resources:** The caucus is proposing a trial run of voluntary water banking whereby users will be able to take conserved water and designate it as beneficial use. It can then be traded and possibly monetized for ecological and instream uses or community needs.
- **Informed Water Management:** In order to move away from an allocation to a management approach, the caucus is advocating for the state to have better data about basin resources.
- **Efficient and Equitable Water Processes:** This category includes both administrative processes at WRD as well as the legal side and the backlog of permit protests at DOJ. Settling or dismissing cases makes the department more able to process new permit issues.
- **Strategic Water Investments:** The caucus expects that there will be a water package with support of the Governor's Office and plans to use existing systems that have been set up in previous years to disperse funding and to pull in more federal money. The Representatives continue to advocate for expanding OWEB's scope with additional funds and the staffing to administer those funds.

During a question and answer period, the Representatives were asked about Tribal engagement on water policy. They indicated that the Natural Resource Committee has some funding to increase capacity of Tribes and disadvantaged communities with the aim of proactively managing water resources, and they recognized the need to bring Tribes into the water transfers conversation early, as they may have prior rights. Vice Chair Annessa Hartman will be bringing 2-3 Legislative Concepts related to Tribes and environmental justice.

Harmony Burright addressed a question about the current membership of the Water Caucus, which currently has 30 members, including 16 Republicans, 14 Democrats, 18 House Members, and 12 Senators. With new legislators coming in, they will be starting recruitment and hope for increased membership over time.

Representative Owens responded to a question about looking at data from statewide fire risk maps alongside water availability and agreed that there is a need to look at the nexus. He anticipates that basin assessments will show that the state needs to slow water down on the landscape, which will also help reduce fire risk.

Representative Helm answered a question about whether the caucus is integrating vegetation management with water considerations. Last session, they funded a juniper reduction pilot and had wanted to use some funding for research, as there seems to be some disagreement in the policy and science space about juniper removal as a management technique.

The Representatives highlighted how and when there are programs to disburse money for natural resources, OWEB continuously stands out as capable and efficient. Harmony highlighted that OWEB also has a lot of expertise in what works and what doesn't and the caucus would welcome feedback. In addition, the caucus would like to find more ways to bring federal dollars into the state.

Chandra Ferrari provided a summary about the Governor's Budget. While the budget is not reflective of everything the Governor's Office would like to do, it is a "build and maintain" budget focused on protecting earlier investments. Funding is one piece of this challenge. It is also a priority to make updates to outdated laws and policies, with the following priority areas:

- Modernization of Groundwater Quality Protection Act: Update the act to be more proactive to contamination concerns and improve accountability for responding when contamination occurs.
- Water Rights Process: Recognize that people need more timely decisions about their permits and an improved process for contested cases.
- Water Rights Transfers: This is where the water system will be administered in the future and legislation needs to encourage transfers.

The Governor's Office is also focused on strengthening sovereign-to-sovereign Tribal relationships and OWEB is a key partner in this space, both in helping to get engagement and in a supporting capacity.

OWEB board and staff expressed sincere gratitude to the Representatives and Governor's Office for joining, particularly in the midst of legislative committee meetings. The Water and Climate Committee postponed the agenda item about intersectionality and future discussion topics and would welcome input on future discussions via email.

To Be Presented at the January 2025 Board Meeting By:

Bruce Buckmaster and Jamie McLeod-Skinner



Committee Members

Barbara Boyer and Dan Brown (co-chairs), Liz Agpaoa, Chris Allen, Russ Hoeflich, Mark Labhart, Lindsay McClary, and Brian Staab

Meeting Summary

The Grants committee met on December 5, 2024.

The committee discussed (1) Open Solicitation Cycle Timing; (2) FIP Ecological Priorities; and (3) FIP Progress Tracking Reports.

Open Solicitation Cycle Timing

Liz Redon described a staff-led analysis of seasonal barriers to an effective open solicitation process, including winter weather, fire season, vacation periods, and field work. With the current April and October awards, application site visits and regional review team meetings are held during periods with the most frequent seasonal barriers, causing inconsistencies in review, such as cancellation of site visits and shifting review team meetings to virtual. Shifting the cycle by 3 months, with awards made in January and July instead of April and October, would alleviate most of the seasonal barriers to carrying out an effective review process. Staff then surveyed grantees and technical reviewers, inviting them to participate in subsequent focus group discussions. The survey found that most respondents were neutral on the proposed change, with some respondents reporting potential positive and potential negative consequences. Engagement did not reveal any concerns that had not been considered by staff. While the board does not decide cycle timing, this committee report serves as the vehicle to inform the full board of the pending change.

FIP Ecological Priorities

Eric Hartstein provided background on board-designated ecological priorities, describing the initial process of priority setting and the 2020 update. A timeline (Attachment A) describing public engagement culminating in board adoption of new priorities in January 2026 was discussed. The process will require board committee engagement and include a survey, listening sessions with traditional and non-traditional organizations, and engagement with specific partners, such as tribes and natural resource agencies to ensure that the priorities are informed by current knowledge and science.

Jillian McCarthy presented a spreadsheet showing the history of implementation FIP awards and how the solicitation cycle will be affected by designation of new priorities. Staff plan to open the next solicitation for implementation FIPs in January 2026, which would be right after the proposed adoption of new board-identified ecological priorities. This is eight months later than initially planned for the next solicitation; however, the benefits of offering the solicitation after designation of new priorities outweigh the desire to keep to a strict biennium schedule. This will result in the next FIP awards occurring at the beginning of the 2027-2029 biennium, allowing the new FIPs to launch at the beginning of a biennium.

FIP Progress Tracking Reports

Audrey Hatch described the content of the Progress Tracking Reports the board will receive from the cohort 2 (written only) and cohort 3 (presented) FIPs at the January board meeting. The purpose of the reports is to inform the board on the results to date of the FIP investments. Cohort 2 is in the final biennium of investment. The board will decide whether to award a 3rd biennium of funds to cohort 3 FIPs as part of the 2025-2027 spending plan, to be approved in July.

Committee members requested that cohort 3 FIPs include in their board presentations how lessons learned are being shared with the broader community of practitioners; how they have adaptively managed their work based on lessons learned; where they see their partnerships going post-FIP; and whether the FIP is achieving what they hoped it would achieve.

To Be Presented at the January 2025 Board Meeting By:

Dan Brown

Timeline- FIP Ecological Priorities Review

December 2024 – Review and refine timeline and key milestones with OWEB Board Grants Committee. Opportunity for public comment.

January 2025 – Provide timeline and list of targeted engagement audiences to OWEB Board as part of Grants Committee Update. As part of board committee discussion, identify need for a FIP Ecological Priorities ad-hoc committee (if not a FIP committee). Opportunity for public comment.

February- May 2025- Staff develop survey and convene listening sessions to hear public/tribal input on existing FIP Ecological Priorities and opportunities for revisions and further engage with state/federal agency partners on the ecological priorities.

June 2025 – Discuss results of survey, listening sessions, and engagement efforts with tribes and state/federal agencies with Board (sub)committee and develop conceptual ecological priority draft. Opportunity for public comment.

July 2025 – Share conceptual ecological priority draft with OWEB Board for input. Opportunity for public comment.

August 2025 – Based on board input, staff refine ecological priorities draft.

September 2025 – Board (sub)committee reviews and revises ecological priorities draft, including considerations for developing theories of change for any new/revised ecological priorities. Opportunity for public comment.

October 2025- OWEB Board reviews draft ecological priorities and provides direction on final revisions. Opportunity for public comment.

November 2025- Staff incorporates revisions into final draft ecological priorities.

December 2025 – Board (sub)committee reviews final draft ecological priorities and provides recommendation to the OWEB Board. Opportunity for public comment.

January 2026 – OWEB Board considers (sub)committee recommendations and adopts final ecological priorities for the FIP program. Opportunity for public comment.



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Agenda Item J

Committee Structure

Discussion

Board Meeting January 28-29, 2025



Oregon

Tina Kotek, Governor



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Agenda Item J supports all of OWEB's Strategic Plan priorities

MEMORANDUM

TO: Oregon Watershed Enhancement Board
FROM: Sara O'Brien, Executive Director
SUBJECT: Agenda Item J – OWEB Board Committee Structure
January 28-29, 2025, Board Meeting

I. Introduction

This staff report describes the board's current committee structure and shares a staff recommendation on potential changes for board deliberation and decision.

II. Background

In January 2022, the board committee structure was revised to create 3 standing committees – the Grants Committee, the Water and Climate Committee, and the Diversity, Equity, and Inclusion (DEI) and Environmental Justice Committee. These committees were set up with 2 co-chairs and the membership comprised of a subset of the board. Committee meetings were noticed, recorded, open to the public, and included a public comment period.

Two of the existing board committees have focused on developing and implementing policy resolutions on climate change and diversity, equity, inclusion, and environmental justice. The full board has adopted the two policy resolutions. Staff are now actively implementing the resolutions. These resolutions are reflected in documents such as the strategic plan and DEI and EJ action plan, as well as grant program rules and guidance.

The third committee, the Grants Committee, focuses on OWEB's grantmaking work, including both grant awards and a variety of rulemaking topics. The workload of the Grants Committee has been significant. It currently includes all grant programs that need discussion, review, and exploration at the committee level before being brought to the full board, and at times has exceeded the capacity of one committee.

Staff are now seeking board direction on potential changes to the committee structure going forward. The current committee structure has allowed focused work on priority policy resolutions that are now adopted and in their operational/implementation phase. The current number of committees (3) has helped keep staff workload at a sustainable level. However, having only one grants-focused committee has presented challenges to having meaningful discussions at the committee level on several aspects of grantmaking before being presented to the full board.

III. Considerations for the Board

In January, the board will be asked to evaluate the staff recommendation below and consider taking action to change the committee structure and focus going forward. Potential considerations include:

- OWEB board sideboards in statutes and rule, and what they mean for our current ways of engaging, both as a full board and in committees
- The purpose of board committees in general and what kinds of board work fit best within a committee structure vs. full board conversations
- What is working well with the current committee structure and committee practices and what members might want to adjust
- Specific topics, work products, or areas of strategic focus in 2025 and beyond that would benefit from committee discussion

IV. Recommendation

Staff recommend the board:

- Retain the 3-committee structure but repurpose committees to more closely focus on the agency's grantmaking role and core mission, with an emphasis on overseeing program and process improvements, funding recommendations, and relevant policy or rule updates
- Communicate clear expectations for staff reporting and board oversight of implementation of the DEI-EJ and climate resolutions, strategic plan, and any other board-adopted policies
- Ensure that every grant program or policy area within OWEB is nested under a board committee, such that pressing policy, strategic, or funding decisions within programs can be previewed at the relevant board committee for discussion prior to full board meetings

A proposed committee structure that would achieve this outcome, while also accommodating a relatively even workload across committees in anticipated 2025 priorities, is:

1. **Acquisition and restoration:** Includes grants and programs related to restoration and land and water transactions, regardless of fund source (and including our Small Grants and Weed Grants programs). 2025 committee workplan would likely be heavily focused on modernization of our M76 land acquisition program, as mandated by the governor's intent letter.
2. **Partnerships and capacity:** Includes technical assistance and local capacity grant types, including Partnership, CREP, Forest Collaborative, Tribal Project Development, and council and district operating capacity grants. 2025 committee workplan could include preliminary discussion of FIP ecological priorities and/or capacity grant rulemaking. This committee can also serve as a home for Strategic Implementation Areas and most of the "Other Prior Committed Funding" projects in the OWEB Spending Plan (e.g., Lower Columbia Estuary Partnership, Sage Grouse Conservation Partnership, Strategic Implementation Areas)

3. **Tracking and communicating outcomes:** Includes monitoring grants (Open Solicitation and FIP, Telling the Restoration Story, and Effectiveness Monitoring) as well as reporting and discussion of progress and challenges in implementing strategic plan, board resolutions and other board-adopted policies, and OWEB's broader conservation monitoring and reporting role (e.g., Oregon Plan Biennial Report and Quantifying Outputs and Outcomes).

Staff also recommend the board and executive team work together to adopt or retain best practices for board committees, including

- Development of clear and concise committee charters, regular rotation of committee chairs and membership,
- Convening ad hoc workgroups or subcommittees as needed when committee workload exceeds bandwidth,
- Use of standard committee agendas, and
- Populating committees with an eye to diverse representation, individual expertise, and tenure on the board.

Implementation of these best practice recommendations does not require board action, but staff welcome board members' input and guidance on best practices and how best to structure staff support for committees.



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Agenda Item L

Land Acquisition Update

Board Meeting January 28-29, 2025



Oregon

Tina Kotek, Governor



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Agenda Item L supports OWEB's Strategic Plan priorities #3 Strengthen and leverage people and organizational capacity to achieve healthy watersheds and #6: Take bold and innovative action toward climate resilience.

MEMORANDUM

TO: Oregon Watershed Enhancement Board
FROM: Miriam Forney, *Land Acquisitions Coordinator*
Renee Davis, *Acquisitions and Special Programs Manager*
SUBJECT: Agenda Item L – Land Acquisition Update
January 28-29, 2025, Board Meeting

I. Introduction

This staff report provides an update about multiple Land Acquisition grant program topics. The report provides an informational update about a proposed change to the conservation easement for the Willamette Confluence Project grant (Grant No. 208-3090-8358) in preparation for board consideration of the request at the April 2025 meeting. In addition, the report touches briefly on other recent developments in the Land Acquisition grant program.

II. Willamette Confluence Project – Proposed Change to Conservation Easement

OWEB provided \$2.5 million to The Nature Conservancy (TNC) for the purchase of the Willamette Confluence Preserve (WCP or the "Property") in 2010. The project application sought to protect a priority conservation area that included at least eight priority ecological systems, eight at-risk plant communities, and 14 priority species including the Northwestern pond turtle and Oregon vesper sparrow. Subsequent OWEB grants helped support restoration of habitats on the Property including floodplain and upland ecosystems.

In 2021, the board approved the conveyance of WCP from TNC to McKenzie River Trust (MRT). The conveyance was completed in 2023.

WCP is in Lane County, at the confluence of the Middle and Coast Forks of the Willamette River. A small portion of the approximately 1,270-acre property lies north of the Middle Fork Willamette River. The remainder of the Property lies south of the Middle Fork Willamette River.

Two areas of WCP lying north of the Middle Fork Willamette River, referred to in Attachment A as the Upriver Area and Downriver Area (collectively, the "Parcels"), are adjacent to Georgia Pacific Park, managed by Willamalane Park and Recreation District (Willamalane). Georgia Pacific Park is open to the public and includes a heavily used pedestrian and cycle trail located near the Parcels.

MRT provided information to OWEB, included as Attachment A, describing that the ease of access to the Parcels from Georgia Pacific Park, and sandy beaches and swimming and fishing opportunities, have resulted in a significant level of unauthorized use of the Parcels with anticipated impacts to some of the sensitive habitats and species that the OWEB grants sought to protect and restore. Since taking ownership of WCP, MRT has visited the Parcels occasionally, including for initial due diligence and in response to reports of campers. OWEB staff visited the Downstream Area in July 2024 with MRT and Willamalane staff and observed unauthorized use by people and pets.

As discussed at the July 2024 Board meeting, the purpose of Measure 76 land acquisition funding is the protection and restoration of habitat for fish and wildlife, such as the species and habitats named in the original project application. Any recreational use of properties purchased with M76 funds must be limited and carefully managed to ensure that the protection of fish and wildlife is accomplished.

MRT determined that active stewardship of the Parcels would require travel to the Parcels on a regular basis, possibly monthly during November–April, and weekly during May–October, to either enforce trespass restrictions or to ensure that public use of the area is not leading to further significant degradation of the riparian forest and associated riverbank.

Due to the Parcels being isolated on the north side of the Middle Fork Willamette River, accessing the Parcels requires MRT to drive 20 minutes each way, and walk 30 minutes to and from a parking location to the Parcels. MRT indicated that it would cost \$275 per trip, or about \$8,650 per year to enforce access restrictions. Even if minimal effort were needed to restrict access or address impacts, MRT would still need half a day or more to complete each assessment, address any issues encountered, and report the site visit. Any materials and supplies necessary for the work would add to MRT’s enforcement costs.

MRT has described that in contrast, Willamalane staff regularly patrol and maintain the full length of the trail in Georgia Pacific Park and that adding the Parcels to Willamalane’s management portfolio would result in only a small increase in costs relative to the substantial investment already being made by Willamalane in the area.

MRT proposes the release of OWEB’s conservation easement from the Parcels in exchange for repayment of grant funds, as the first step in its transfer of ownership of the Parcels to Willamalane or the City of Springfield. Release of the conservation easement and the subsequent transfer of ownership would enable the Parcels, which total approximately 5.5 acres, to be managed for recreational uses by Willamalane, allowing MRT to focus its resources on conserving fish and wildlife habitat on the approximately 1,250-acre portion of WCP lying south of the Middle Fork Willamette River.

Staff are presenting this informational item as background on MRT’s proposal and seeking input from the board about additional information board members would like to know about the proposal when it is presented for board deliberation and action in April 2025.

III. Brief Update – Southern Flow Corridor Grant

OWEB provided \$1,394,000 in Lottery funds to Tillamook County for the purchase of approximately 120 acres in the Tillamook Bay Estuary, as part of the Southern Flow Corridor

(SFC) land acquisition project (Grant No. 214-9903). Tillamook County also received a subgrant from OWEB, of \$515,000 awarded to OWEB from the National Coastal Wetlands Conservation Grant Program administered by the U.S. Fish and Wildlife Service (USFWS). The county used the Coastal Wetlands funds for restoration of the land purchased under Grant No. 214-9903 and adjacent SFC property purchased under prior OWEB land acquisition grants.

As a result of the funding mix, the SFC property is encumbered by a conservation easement granted to OWEB, as well as a notice of federal participation that recorded the property as match to the Coastal Wetlands grant. The documents require the county to obtain prior written approval of OWEB and USFWS before further encumbering the SFC property.

Tillamook County proposed granting a utility easement to the Tillamook People's Utility District (TPUD), for the construction of a transmission line above a portion of the SFC property. TPUD and the county agreed to all reasonable measures to mitigate the potential negative impacts of the proposed transmission line on wetlands, fish and wildlife, and other conservation values of the SFC property. Furthermore, the transmission line will benefit residents of Tillamook County by providing more reliable power. Accordingly, OWEB staff determined that the utility easement is unlikely to cause harm and is consistent with authorized uses of the property. USFWS concurred, and as a result, the utility easement did not require approval of USFWS. The utility easement and conservation easement amendment will be executed by the parties and recorded in the public records by the county.

IV. Brief Update – Land Acquisition Program Review

As discussed at the October 2024 board meeting, Governor Kotek's letter to Executive Director O'Brien directed OWEB to review the Land Acquisition grant program for streamlining opportunities that align with statutory intent of the program. Since then, staff have coordinated with the Coalition of Oregon Land Trusts (COLT) to convene listening sessions to better understand challenges and opportunities for the program from the perspective of COLT member organizations. The first session was held on October 31, 2024, and a second session is scheduled for January 9, 2025. The first session reviewed program history, past topics and issues that have been raised, input from COLT members about areas of improvement and areas of ongoing concern, and a discussion of next steps. The second session aims to cover topics such as a categorization of feedback, issues and concerns; order and sequencing, pathway, and roles to address these; and discussion of specific topics needing future discussion. OWEB leadership is regularly updating the Governor's Natural Resources Office about the status of these discussions. In addition, OWEB staff are researching potential streamlining opportunities and developing a plan for OWEB to tackle this work in 2025.

V. Recommendation

This is an information item only.

VI. Attachments

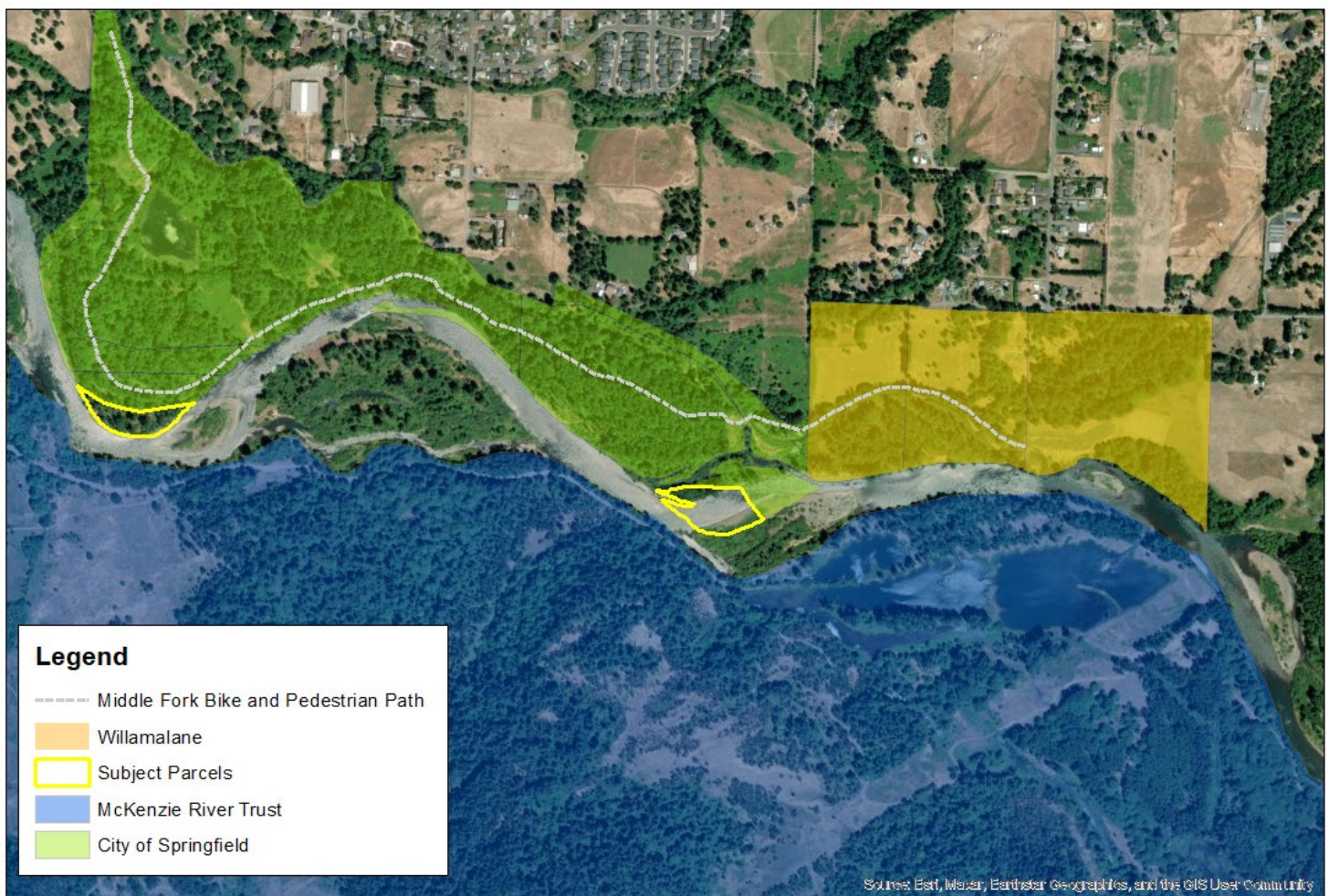
A. MRT document



Request: Release of OWEB-held conservation easement from a small portion of property within the Willamette Confluence
December 3, 2024

Summary of Request: McKenzie River Trust (MRT) requests a release of a grant-associated conservation easement on small parcels totaling approximately 6 acres of land that are isolated from the main body of the Willamette Confluence (OWEB Grant# 208-3090). These parcels are on the north side of the Middle Fork Willamette River, and adjoin popular recreation areas served by a universal access pedestrian and cycle trail (see map below) managed by the Willamalane Parks and Recreation District. Because of that ease of access and the presence of sandy beaches and an attractive swimming and fishing areas, the parcels are used regularly by park visitors. The distance to the small parcels from MRT's office or its base of operations at the Willamette Confluence, and their adjacency to recreation areas preclude cost effective oversight of the parcels. Cost effective stewardship of the parcels by Willamalane and the City of Springfield would be possible if MRT transferred ownership of the isolated parcels. Removal of the conservation easement held by OWEB would be one step toward such a transfer in the broad public interest.

1. Aerial photo-based map:



Willamette Confluence Preserve
Subject Parcels for Release of Easement

0 0.05 0.1 0.2 0.3 0.4 Miles



2. Acreage

a. Total: 5.6 Acres

- Downriver Area: ~2.3 mapped acres
- Upriver Area: ~3.3 mapped acres

3. Map and Tax lot number and Applicable Parcel Number from CE

- a. Portion of 18-02-07-000-1000 (Parcel 9, Downriver Area)
- b. Portion of 18-02-07-000-0100 (Parcel 10, Downriver Area)
- c. Portion of 18-02-08-000-0700 (Parcel 10, Upriver Area)
- d. Portion of 18-02-08-000-0902 (Parcel 13, Upriver Area)

4. Brief description of the conservation values

The subject area of this request is mainly composed of riparian forest and exposed sand and gravel on the north side of the main channel of the Middle Fork Willamette River. The riparian forests provide habitat for songbirds and other terrestrial wildlife, contribute organic material to the stream, and likely act to cool and clean waters through hyporheic flow. Community members are able to access the river for passive recreation, swimming, and fishing via several historic social trails through the parcels from Willamalane's Middle Fork Path.

5. Unauthorized uses

Both The Nature Conservancy during its prior ownership, and McKenzie River Trust currently, have not actively restricted access through the social trails that lead from the Middle Fork Path to these parcels. We have responded to reports of camping and have found evidence of campfires and litter, but in general have taken a passive approach to their management. Partner staff and private citizens staff have occasionally removed trash in a voluntary capacity.

6. Impacts to conservation values from the unauthorized uses, including photos if possible.

Impacts to the conservation values are currently moderate, primarily trampling of vegetation and litter left in the beach area by recreators. Given the proximity of the parcels to the recreational trail and the attractiveness of the area, we expect use of the area to increase over time, necessitating more proactive management. Willamalane has expressed a desire to take on ownership and that stewardship, incorporating the site into their larger parks planning efforts. (Photos below)

7. Measures MRT has taken to prevent unauthorized uses, and any repairs undertaken

To date, MRT has not taken measures to prevent unauthorized access nor has MRT completed any repairs. This is consistent with the previous owner's management of the property, and due to the small areas of ownership being isolated from the larger parcel, this is likely to continue into the future. Given the distance to the parcels from MRT's core operations area at the Willamette Confluence, and based on their expressed interest in stewarding the parcels, we discussed with Willamalane staff the prospect of co-managing the parcels, but MRT falls outside the standard for an Intergovernmental Agreement. We proposed a more streamlined approach, transferring ownership of the parcels to Willamalane or the City of Springfield, unencumbered by the grant associated conservation easements.

8. Financial and staffing resources (time, materials, and any other) expended to date to prevent unauthorized uses and complete any repairs

To date MRT staff have visited the parcels only occasionally, including for initial due diligence and in response to reports of campers on site.

9. Estimate of ongoing financial and staffing resources necessary to protect the conservation values and comply with the terms of the easement

Active stewardship of these parcels would require independent travel by MRT staff on a regular basis, perhaps monthly November- April, then weekly May through October) to either enforce trespass restrictions or to ensure that public use of the area was not leading to further significant degradation of the riparian forest and associated riverbank. Such visits, if undertaken by an individual staff member, would require a 20-minute drive and 30 minute walk each way to and from the parcels. This would cost MRT around \$275 per trip, or about \$8,650 per year. Assuming work on the ground was minimal at the site, it would still necessitate half a day or more to complete the assessment, address any issues encountered, and report the site visit. In contrast, Willamalane staff regularly patrol and maintain the full length of the Middle Fork path, including by vehicle. Including the additional parcels in their management portfolio would add only incremental costs to the substantial investment they are making in the larger natural area on the north bank of the Middle Fork Willamette River. Equally important, Willamalane could incorporate stewardship of the natural area into their progressive events and outreach program, providing significant public benefit to the people of Springfield and the broader community.





A Future of Collaborative Land Stewardship

In October, 2024, McKenzie River Trust submitted a grant request to the OWEB open solicitation for Stakeholder Engagement support. We've proposed to spend much of the next year working with the many conservation partners active in the area, including the Arboretum, Friends, watershed councils, parks and recreation agencies, Tribes, and others, all of whom have a vested interest in how we balance fish and wildlife conservation goals with public access and engagement goals. Given the closeness of the Willamette Confluence to the cities of Springfield and Eugene, the mix of opportunities and challenges are significant. We are fortunate to be building on years of working together in forums like the Rivers to Ridges Partnership, the Willamette River Initiative, the Willamette River FIP, and the Upper Willamette Stewardship Network, all of which have been seeded and nourished over the years by OWEB investments with long term vision. We are hopeful that in this small proposed changed in conservation easement status over land that will be better served in management by one of those partners, we are planting and nourishing more seeds for successfully enhancing fish and wildlife habitat, while also strengthening public engagement and support for this work going forward. Thank you for your consideration of our request.



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Agenda Item M

Oregon Agricultural Heritage Program

2024 Grant Awards

Board Meeting January 28-29, 2025



Oregon

Tina Kotek, Governor



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Agenda Item M supports OWEB's Strategic Plan priority # 5: Increase investment connecting urban and working lands to watershed health

MEMORANDUM

TO: Oregon Watershed Enhancement Board

FROM: Taylor Larson, Oregon Agricultural Heritage Program Coordinator
Robin Meacher, Oregon Agricultural Heritage Program Easement Specialist
Renee Davis, Acquisitions and Special Programs Manager

SUBJECT: Agenda Item M – Oregon Agricultural Heritage Program (OAHP) Grant Awards
January 28-29, 2025, Board Meeting

I. Introduction

This staff report provides an overview of the 2024 Oregon Agricultural Heritage Program (OAHP) working lands conservation covenant and easement grant offering and funding recommendation. Staff request the board approve the funding recommendations from the Oregon Agricultural Heritage Commission (OAHC) outlined in Attachment A to the staff report.

II. Background

The OAHC consists of 12 members appointed by the board representing a diverse set of agricultural and conservation expertise. The commission is charged with providing the board with funding recommendations for OAHP grant offerings based on the availability of funding from the Oregon Agricultural Heritage Fund.

The 2024 legislative session resulted in a \$5,161,000 general fund appropriation to the Oregon Agricultural Heritage Fund (\$4,541,680 for grants and \$619,320 for operations) through Senate Bill (SB) 5701. In its April 2024 meeting, the OAHC allocated \$4,541,680 to the OAHP Working Lands Conservation Covenant and Easement grant offering in its 2023-2025 OAHP spending plan. At its September and November 2024 meetings, the OAHC added a total of \$539,356 in recaptured funds from cancelled grants from 2023 to the Conservation Covenant and Easement Grant line item of its current spending plan, increasing the amount available for the 2024 easement grant cycle to \$5,081,036.

III. Summary of Solicitation and Review Process

Solicitation

In May 2024, staff solicited applications for working lands conservation covenant and easement grants. Prior to submitting grant applications, applicants were invited to participate in a pre-

application consultation with staff. Some, though not all, eventual applicants took advantage of this invitation. The purpose of the consultation was to review the OAHP's purpose, allowable activities, evaluation criteria, and timing with applicants. The conservation covenant and easement grant solicitation opened in May 2024 and closed on June 28, 2024.

Simultaneously, the OAHC was working through rule revisions to the OAHP administrative rules. OAHP statutes define the OAHC as the rules advisory committee for the program and as such the OAHC worked through the development of revised rules, while understanding that the solicitation for applications was concurrently being administered within the context of the 2019 rules, as revised rules would not be in place until the January after the solicitation was launched and funding recommendations were in place.

Applications Submitted

Ten applications were received, requesting a total of \$8,878,709. All applications requested funds for the purchase of perpetual conservation easements. There were no applications for termed covenants. Applications included projects located across Oregon, as depicted in the map in Attachment B.

Grant Application Review Process

The working land conservation easement applications were reviewed in accordance with the 2019 administrative rules for the program. Per OAHP's statute and rules, staff's role in the application review is to facilitate a process where applications are evaluated and ranked by a technical review team (TRT) with expertise relevant to the evaluation criteria for the grant offering.

Site visits to each project site were conducted by OWEB staff from July through September. The purpose for the site visits was for staff to verify information presented in the application and gain context and clarification on application elements to bring to the TRT meeting. Staff also gave technical reviewers the opportunity to present staff any clarifying questions prior to the site visits. None were provided.

Applications were reviewed by OWEB's due diligence contractors and the OAHP Conservation Covenant and Easement Grant Offering TRT. Project soundness review was provided to OWEB staff in written form on the project elements related more specifically to the transaction's soundness, as well as the applicant's capacity to purchase and steward the easement. This feedback was summarized and presented by OWEB staff during the TRT meeting.

For this grant program, the TRT does not make "fund/do not fund" recommendation on submitted applications based on merits of the proposed projects relative to the evaluative criteria. Rather, the TRT's ranking signals their expert opinion on alignment of proposed projects with program intent. The TRT discussion of each project was summarized by staff and is presented in the evaluations along with the review team ranking to the Commission, with that documentation attached here in Attachment C.

Staff present the OAHC with the application ranking from the TRT and the evaluations, along with a funding recommendation. The OAHC, per statute, reviews and considers these rankings and recommendations in the development of the commission's recommendation to the OWEB

Board. Given this decisional space for OAHC, the recommendation from staff to the OAHC articulated where the line of available funding falls in the TRT's ranking.

IV. Oregon Agricultural Heritage Commission Meeting and Grant Conditions

The commission met November 7, 2024, to deliberate and make a formal funding recommendation to the board. Of the ten applications submitted, the commission voted to fund four applications at the full amount requested and one at 53%. The application the commission is recommending partial funding is related to a project previously awarded 67% of its original ask in 2023. Additional funds are being requested by the applicant to close the gap between anticipated project costs and its previous funding award. The requested and recommended funding amounts for the applications are outlined in Attachment A.

Standard funding conditions specific to OAHP working lands conservation covenant and easement grants were developed by OWEB staff and are included in Attachment D. The conditions are specific to working lands conservation easement transactions and require the grantee to perform required and typical due diligence tasks with the expectation of review and approval by OWEB prior to release of grant funds. To facilitate a more streamlined grant implementation process, staff developed the comprehensive list of due diligence items in the required conditions. These conditions have captured concerns identified in review and alleviated the necessity for project-specific conditions.

V. Funding Recommendation

Staff recommend the board award OAHP grants in the amount of \$5,081,036 with an award date of January 29, 2025, as shown in Attachment A as recommended by the Oregon Agricultural Heritage Commission, with the standard required conditions detailed in Attachment D.

VI. Attachments

- A. Oregon Agricultural Heritage Commission Funding Recommendations
- B. OAHP Conservation Easement Application Map
- C. OAHP Conservation Easement Evaluation Summaries and Review Team Ranking
- D. OAHP Conservation Easement Grant Required Conditions

TRT Rank	App #	Application Name	Applicant	OWEB Ask	OAHC Funding Recommendation
1	225-7108-23853	Wahl Ranch	Wild Rivers Land Trust	\$3,253,809	\$1,736,567
2	225-7101-23837	Carman Ranch	Wallowa Land Trust	\$793,410	\$793,410
3	225-7105-23848	Country Heritage Farms	Oregon Agricultural Trust	\$1,260,478	\$1,260,478
4	225-7106-23849	Box T Ranch	Blue Mountain Land Trust	\$1,092,008	\$1,092,008
5	225-7103-23854	Albertson Ranch	Oregon Agricultural Trust	\$198,573	\$198,573
6	225-7102-23838	Ginochio Ranch	Oregon Agricultural Trust	\$425,113	\$0
7	225-7109-23855	Seely Farms Phase 2	Oregon Agricultural Trust	\$404,670	\$0
8	225-7104-23844	Albertson Family Limited Partnership	Oregon Agricultural Trust	\$337,603	\$0
9	225-7100-23836	Long Hollow Ranch	Deschutes Land Trust	\$340,000	\$0
10	225-7107-23850	Union Orchards	Blue Mountain Land Trust	\$773,045	\$0
Total:				\$8,878,709	\$5,081,036

Proposed Conservation Easement Projects

2024 OAHP Applications

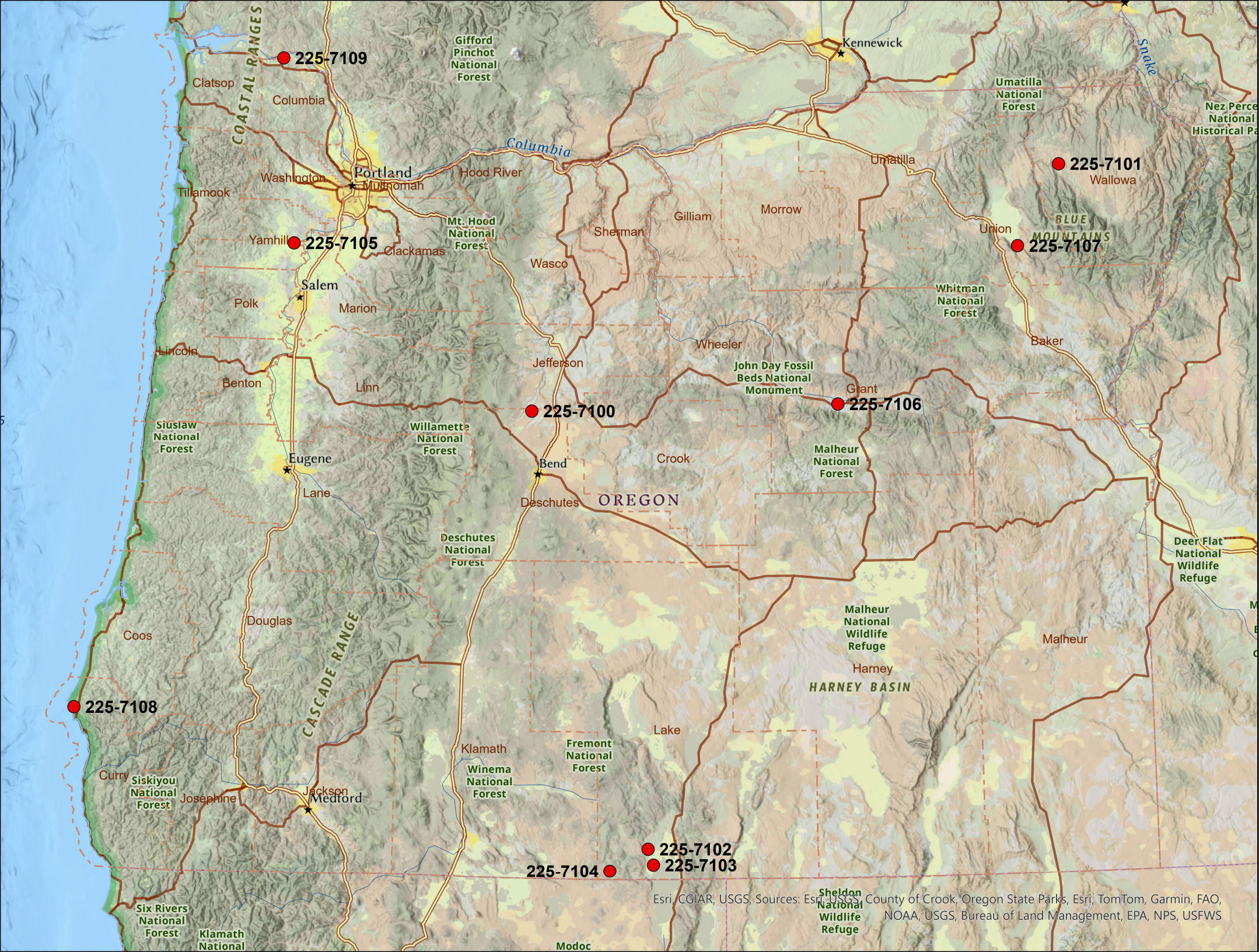
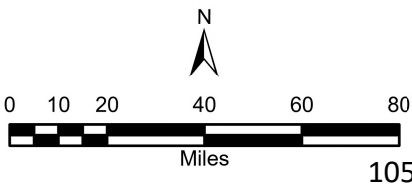
- 2024 Conservation Easement Applications
- Counties



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Oregon Agricultural Heritage Program



Tina Kotek, Governor

The following table shows the review team ranking of each OAHP Conservation Easement grant application. The review team generally found that all of the following projects were "qualified" in terms of meeting basic OAHP CE program requirements and thresholds. T

The table shows the amount requested for each project, and in the far right hand column, the total amount of grant funds that would be cumulatively committed depending on the location of the funding line.

Rank	App #	Application Name	Applicant	OWEB Ask*	Running Total Request
1	225-7108-23853	Wahl Ranch Conservation Easement	Wild Rivers Land Trust	\$3,253,809	\$3,253,809
2	225-7101-23837	Carman Ranch	Wallowa Land Trust	\$793,410	\$4,047,219
3	225-7105-23848	Country Heritage Farms Phase 1	Oregon Agricultural Trust	\$1,260,478	\$5,307,697
4	225-7106-23849	Box T Ranch Conservation Easement	Blue Mountain Land Trust	\$1,092,008	\$6,399,705
5	225-7103-23839	Albertson Ranch	Oregon Agricultural Trust	\$198,573	\$6,598,278
6	225-7102-23838	Ginochio Ranch	Oregon Agricultural Trust	\$425,113	\$7,023,391
7	225-7109-23855	Seely Farms Phase 2	Oregon Agricultural Trust	\$404,670	\$7,428,061
8	225-7104-23844	Albertson Family Limited Partnership	Oregon Agricultural Trust	\$337,603	\$7,765,664
9	225-7100-23836	Long Hollow Ranch	Deschutes Land Trust	\$340,000	\$8,105,664
10	225-7107-23850	Union Orchards Conservation Easement	Blue Mountain Land Trust	\$773,045	\$8,878,709
GRAND TOTAL:				\$8,878,709	

Spending Plan Target: \$5,081,036

Difference from Total Amount Requested \$3,797,673

Spring 2024 OWEB Grant Offering

Oregon Agricultural Heritage Program

Conservation Covenants and Easements

Application No.:	225-7104-23844	Project Type:	Conservation Easement
Project Name:	Albertson Family Limited Partnership		
Applicant:	Oregon Agricultural Trust		
Region:	Central Oregon	County:	Lake
OWEB Request:	\$337,603	Total Cost:	\$ 1,177,361

APPLICATION DESCRIPTION [ABSTRACT PROVIDED BY THE APPLICANT]

The project is in the Yocum Valley in Southwest Lake County and is an inholding in the Fremont-Winema National Forest. The property is held in a family partnership with a large number of members, where those ownerships could be even more split as family members pass and the next generation inherits. This broadening of the family ownership has already forced one actual subdivision of the property, resulting in the loss of a third of the former land area. The family would like to ensure the property is retained in its whole going forward. The goal is the acquisition of a conservation easement, where NRCS ACEP-ALE Grasslands of Special Significance funding has already been awarded and we are seeking matching funds from the heritage program. As such, the project will be led by Oregon Agricultural Trust, with NRCS acting as a funding partner for the acquisition.

REVIEW

The review below is feedback provided by the application review technical committee during a review committee meeting and project soundness and capacity review from OWEB due diligence contractors and OWEB staff based on the evaluation criteria described for conservation easement applications in OAR 698-015-0090.

TECHNICAL REVIEW

Reviewers noted that the large size of the proposed tract and its ability to provide critical summer grazing ground is significant by keeping livestock off lower elevations and allowing that vegetation to mature. Fragmentation of the property could pose a risk to the functionality of the property's wet meadows by complicating coordinated management of the water control structures, irrigation, and overall hydrology. If water management is not continued, it could jeopardize the forage production and the natural resource benefits provided by the meadow's plant communities. Reviewers noted that more detail related to how the project would accommodate the specific wetland plant communities and wildlife utilizing the property would have provided more foundation to determine the project's natural resource benefits. Reviewers were concerned that application lacked detail about how a grazing management plan may be prepared and utilized for the property, as wet meadows can be sensitive to the impacts of grazing, as can forage production. The application made a compelling case for the value of wet meadow for habitat and summer range, but lacked a discussion of the interaction of the two uses and any potential conflicts.

Reviewers agreed that the proposed property's location is compelling for conservation, given its proximity to Forest Service land. It was acknowledged that landscape management of property adjacent to public lands is easier with fewer landowners and that managing for fire and other conservation goals would be enhanced by keeping the property intact. The distance from population centers and transmission infrastructure may decrease the immediacy of any threat of residential or solar development. Reviewers stated that the application adequately explained how an easement on the property would facilitate management of the property for agriculture and conservation in the long run. They were concerned, however, that the nearby reservoir that is the source of the irrigation water and appears to be a significant resource, was not included in the proposed easement (while acknowledging the application's statement that the reservoir is owned in a different structure than the subject property). Reviewers were concerned that areas around the reservoir could be developed and damage the agricultural and conservation values on the property, including facilitating additional recreation development that could conflict with the agricultural uses of the subject property. Reviewers appreciated the application's thorough depiction and acknowledgement that the threat of fragmentation is primarily associated with succession issues and that the proposed project could help facilitate an agreeable resolution for all involved parties, while keeping the property available for agriculture and conservation.

ORGANIZATIONAL CAPACITY AND PROJECT SOUNDNESS REVIEW

Oregon Agricultural Trust is a relatively young organization that has had success in completing working lands easements over the last three years. OAT includes the protection of working lands in its organizational documents. The application states that the organization has completed three working land easements in the past year protecting 29,872 acres of agricultural lands through a variety of funding mechanisms. OAT is not yet accredited with the Land Trust Alliance but provided documentation of policies and procedures comparable to an accredited organization. OAT currently has three full-time staff working on land protection projects, two with over a decade of land trust experience managing conservation projects, including significant experience with NRCS and other federal match funding partners.

The ownership structure for the property in the proposal is a nine-member limited partnership. More detail would have been beneficial to understand the formal decision-making authority required by the partnership agreement, the level of commitment of the full membership, and the level of agreement needed to move forward on certain project components (e.g., easement terms, acceptable purchase price, timelines, etc.). The water management structures (dam on Albertson Reservoir) related to irrigation rights pertinent to the property is not included in the easement, but it is identified as owned and maintained by the landowners through a different ownership entity. Confirmation of this relationship and rights to maintain water uses and infrastructure necessary to do so will be requested.

The property appears to be free of complicated or outstanding severed mineral interests, though the applicant noted a search of the Mineral Information Layer for Oregon (a database maintained by the Oregon Department of Geology and Mineral Industries) which provided some limited information regarding the use of historic surface excavation of the property for cinders. There applicant will need to confirm that there are no outstanding rights associated with this use.

Spring 2024 OWEB Grant Offering

Oregon Agricultural Heritage Program

Conservation Covenants and Easements

Application No.:	225-7103-23839	Project Type:	Conservation Easement
Project Name:	Albertson Ranch		
Applicant:	Oregon Agricultural Trust		
Region:	Central Oregon	County:	Lake
OWEB Request:	\$198,573	Total Cost:	\$1,068,084

APPLICATION DESCRIPTION [ABSTRACT PROVIDED BY THE APPLICANT]

The Albertson Ranch sits in the Goose Lake/Thomas Creek Valley outside of Lakeview, in Lake County. As a ranch property, the Albertsons have put significant efforts into creating a multi-purpose use ranch which mutually benefits livestock grazing and wildlife in a manner which is productive to both purposes. They are at the point of retirement, however, and the property contains numerous lots of record which would allow for subdivisions in excess of what would benefit the resources and even EFU lot minimums. Therefore they are pursuing a conservation easement to help preserve the land in perpetuity.

The easement as proposed is a straightforward working lands conservation easement, co-funded by a North American Wetlands Conservation Act (NAWCA) Grant acquired in partnership with Ducks Unlimited. As the grant recipient Ducks Unlimited will be overseeing the administration of those funds while Oregon Agricultural Trust will manage the acquisition itself and the acquisition of the match funding.

REVIEW

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TECHNICAL REVIEW

Reviewers noted that the property has strong agricultural and natural resource values. The importance of the property for migratory birds and lamprey habitat was appreciated and the current landowner's large investments in enhancing its ecological importance was valuable. The habitat investments made by the landowners represent decades of investment, and maintaining the habitat structure could be challenging, if not improbable, if the property were broken into different ownerships. The easement would safeguard these investments and help maintain the management of the habitat structures. The property's inclusion of the lower reach of Drew's Creek is significant, as this stretch provides important habitat for Goose Lake Lamprey and other aquatics. The property's location within the Southern Oregon Northeast California (SONEC) flyway is important, and the reviewers concurred that the property offers prime habitat to support migrating birds. However, reviewers found the detail in the application about how the project would benefit specific species was lacking, but rather provided a generic list of strategy species in the area.

The reviewers concurred that there was some level of threat of conversion and fragmentation facing the property, primarily from solar development. Residential development seemed less likely as an immediate threat, due to the wetlands present on property. However the trend of approval for and development of non-farm dwellings in Lake County is real and demonstrable.

ORGANIZATIONAL CAPACITY AND PROJECT SOUNDNESS REVIEW

Oregon Agricultural Trust is a relatively young organization that has had success in completing working lands easements over the last three years. The states they have completed three working land easements protecting 29,872 acres of agricultural lands through a variety of funding mechanisms. OAT is not yet accredited with the Land Trust Alliance, but provided documentation of policies and procedures comparable to an accredited organization. OAT currently has three full-time staff working on land protection projects, two with over a decade of land trust experience managing conservation projects, including significant experience with NRCS and other federal match funding partners.

Review of the title documents, the ownership vesting information, and due diligence items did not result in any concerns. It was noted that documents on title show that Lake County has outstanding rights related to roadways and minerals, and while the applicant's narrative related to this issue noted these rights are rarely exercised, it will be prudent clarify the applicability of these rights to the subject property, and if necessary to subordinate or extinguish.

Spring 2024 OWEB Grant Offering

Oregon Agricultural Heritage Program

Conservation Covenants and Easements

Application No.:	225-7106-23849	Project Type:	Conservation Easement
Project Name:	Box T Ranch		
Applicant:	Blue Mountain Land Trust		
Region:	Mid Columbia	County:	Grant
OWEB Request:	\$1,092,008	Total Cost:	\$2,092,008

APPLICATION DESCRIPTION [ABSTRACT PROVIDED BY THE APPLICANT]

Box T Ranch is a 3,697-acre property located in Mt. Vernon, Oregon. Blue Mountain Land Trust (BMLT) is proposing to purchase a working lands conservation easement from the Ediger family, permanently protecting its grazing uses and natural resource values. The landowners have stewarded their property to balance agricultural, wildlife habitat, and conservation values in the 107 years of family ownership. The Box T Ranch utilizes a rotational grazing plan to support healthy grasslands and has participated in numerous programs to improve the property's infrastructure and habitats. The Box T Ranch supports significant fish and wildlife habitat, including 0.7 miles of the John Day River, important habitat for anadromous fish, including summer steelhead, mid-Columbia Spring Chinook, and John Day River bull trout, and 4 miles of McClellan Creek, a historic salmon-bearing creek.

The landowners plan to pass the ranch to the next generation of their family, utilizing a conservation easement to preserve the ranch as a whole and keep the property viable for continued ranching and contributions to the local agricultural land base.

BMLT is securing matching funds for a Natural Resources Conservation Service (NRCS) Agricultural Lands Easement (ALE) conservation easement through the Regional Conservation Partnership Program (RCPP). Partners on this project are the Edigers, Blue Mountain Land Trust, NRCS and OWEB.

REVIEW

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TECHNICAL REVIEW

The review team appreciated that the property is of a size appropriate to sustain itself for agricultural production as a grazing property long-term, support a diversity of habitats, and that the elevation gradient on the site supports topo-climatic diversity, which correlates with climate resilience by providing suitable habitats for species and rangeland as the climate changes, facilitating climate adaptation for a variety of species and forage production. The configuration and shape of the property also allows for utilization by an operation with other land in the area, helping make the property viable on its own, but also appealing for addition into

another operation. Water rights on the northern part of the property, near the John Day River, are very valuable for irrigated pasture that facilitates use of the property for winter grazing on the same property as summer grazing. Reviewers noted that the fact that the farm is a designated Century Farm that has been under management by the same family for multiple generations helps demonstrate that the land is able to support a viable agricultural operation. In addition, the size and location of the building envelopes appeared reasonable.

Reviewers appreciated that the landowners have invested in juniper and invasive annual grass removal, as this will support agricultural production through facilitating the availability of grazing ground. More specific detail about how the landowners will continue to address weeds and invasive grasses going forward would have been beneficial to the application. The reviewers noted the significance of the steelhead stream on the property, including a confluence area with the John Day River. Reviewers appreciated the inclusion of a focus on grazing practices compatible with salmonid habitat and protection of riparian areas, while remarking that detail on specific management practices that are either occurring or would result as part of the project was somewhat lacking. Reviewers were concerned that there was no mention of a forest management plan, or specific forest management practices to achieve the stated forest resilience and health goals that could be included in the easement. More detail in this regard would have helped the reviewers fully understand how the project would achieve the forest health benefits described.

Reviewers noted the property was at fairly low risk of fragmentation from external pressures and that the threat appeared more internal related to potential succession considerations. The risk to the agricultural use of the property from any future division was not overly concerning to the review team. Smaller acreages that still meet the minimum acreage requirements for agricultural zoning in the county did not present as a major threat to ongoing compatible agricultural use of the property because dwellings are unlikely to be approved in the immediate term. Grant County does not have an established track record of approval of non-farm dwellings on agricultural-zoned lands. The threat to the property for energy (solar) facility siting was noted, but considered minimal as Grant County has not been a target for such development because of the significant distance to electrical transmission infrastructure.

ORGANIZATIONAL CAPACITY AND PROJECT SOUNDNESS REVIEW

Blue Mountain Land Trust is an experienced land trust with a solid track-record of implementing land conservation transactions in the Blue Mountain ecoregion in Eastern Oregon and Southeastern Washington. BMLT is accredited by the Land Trust Alliance. According to the application, over the past 25 years, BMLT has completed 20 conservation easements and one fee title purchase, totaling 23,300 acres of protected land. BMLT appears to have the capacity and ability to handle the complexity of this transaction.

A number of clarifications and additional detail and analysis related to title matters are suggested. There is a discrepancy between the vesting deed provided and the ownership information identified in the title documents that needs to be clarified and resolved. Clarification of the legal description of the property that will be encumbered by the conservation easement is needed, and a boundary survey should be required. The number and nature of severed mineral interests was of concern, primarily for the project's ability to stay within timelines required by funders. For mineral interests held by private parties, of which there are several identified, the applicant will need to make a reasonable effort to extinguish or acquire the rights. BMLT did not provide a pathway to resolving the privately held interests other than the contracting with a geologist to assess the mineral resource potential and determine if the likelihood of mineral extraction is so remote as to

be negligible. A remoteness assessment will satisfy the evaluation needed for the identified federally held mineral interests and may be a satisfactory resolution for the private rights once all reasonable attempts to acquire or extinguish have been made. Further analysis and confirmation that all the access agreements and deeds regarding access points from US Highway 26 are legal is needed.

Spring 2024 OWEB Grant Offering

Oregon Agricultural Heritage Program

Conservation Covenants and Easements

Application No.:	225-7101-23837	Project Type:	Conservation Easement
Project Name:	Carman Ranch		
Applicant:	Wallowa Land Trust		
Region:	Eastern Oregon	County:	Wallowa
OWEB Request:	\$793,410	Total Cost:	\$1,572,009

APPLICATION DESCRIPTION [ABSTRACT PROVIDED BY THE APPLICANT]

The Carman Ranch Project in Wallowa Co. aims to protect a vital agricultural landscape from the growing threat of development. The project addresses the urgent need to safeguard the area's agricultural heritage and natural resources, placing a conservation easement on 1,946 acres of the Carman Ranch.

The easement will preserve priority rangeland, critical for maintaining the long-term viability of the local livestock industry, beyond the current operation. The ranch's grasslands provide essential habitat for diverse wildlife species, and the easement ensures these habitats remain intact. By limiting non-agricultural uses and development, the easement supports the continued use of the land for livestock production and promotes regenerative practices that benefit both the environment and the ranch's long-term productivity.

The inclusion of a building zone within the easement boundary supports the ongoing potential of the land to sustain an agricultural operation beyond the current landowner's needs, allowing for the necessary infrastructure to maintain a viable agricultural enterprise in perpetuity.

This project highlights the symbiotic relationship between agriculture and conservation. Carman Ranch's commitment to regenerative land management, including rotational grazing and soil health enhancement, shows how agricultural practices can support the conservation of natural resources. Protecting the land's agricultural value will in turn help preserve the ecological integrity of the region.

This project embodies the importance of collaboration between landowners and conservation organizations in protecting working lands and preserving the unique character of rural communities. The Carman Ranch Project contributes to the broader effort to maintain the agricultural vitality and ecological health of the region, serving as a model for how conservation and agriculture can work together to create a sustainable future for both the land and the people who depend upon it.

REVIEW

The review below is feedback provided by the application review technical committee during a review committee meeting and project soundness and capacity review from OWEB due diligence contractors and OWEB staff based on the evaluation criteria described for conservation easement applications in OAR 698-015-0090.

TECHNICAL REVIEW

Reviewers appreciated that the application was well developed and provided a compelling case that the size of the ranch is adequate to sustain a viable ranching business. In addition, a comprehensive and informative description of the management plans and management practices already in place to support resilient systems is provided, along with a helpful discussion of management considerations with varying future climate scenarios. Reviewers concurred with the application's assertion that the property is significant and valuable for ranching and wildlife habitat and connectivity and noted that the application's description of these benefits was thorough and well documented. Reviewers also concurred with the application's description of Carman Ranch's leadership in the state when it comes to adding value to ranching products.

Reviewers noted that the property supports valuable deer and elk habitat and fits within the Zumwalt Prairie conservation area. The application would have benefitted from additional detail on the property's proximity and connection to the Zumwalt Prairie preserve. Reviewers noted that the ongoing access provided to Tribes for first foods collection and the public through ODFW's Access and Habitat program helped demonstrate the importance and significance of the property in the region.

Reviewers noted and concurred with the application's description of the high demand for property in the immediate area and region, and the conversion from agricultural uses to luxury recreational use is a bona-fide and documented threat, given the number of people coming to the area for recreation.

ORGANIZATIONAL CAPACITY AND PROJECT SOUNDNESS REVIEW

Wallowa Land Trust is an established, Land Trust Alliance accredited organization, with a history of acquiring and managing conservation easements on working lands. Project personnel have the necessary experience and expertise to manage and conclude a project of this nature. Other members of the project team, including consultants and legal counsel, are identified as already engaged in the project, which bodes well for quick identification and resolution of project soundness components. Wallowa Land Trust has completed 11 projects, two of which were NRCS ACEP-ALE funded (which is also match funding on this proposal).

Ownership of the property to be encumbered by the proposed conservation easement is vested in a single member LLC, which greatly facilitates decision-making. However, the articles or operating agreement for the LLC were not apparent, and confirmation of authority to enter into real estate negotiations and sell LLC property interest is needed.

Additional and detailed title review is warranted to confirm the legal description of the parcels included in the easement are accepted by the title company, as the application noted a series of property line adjustments that complicate the property's legal descriptions. The applicant has contracted with a specific surveyor to conduct a survey and finalize the legal status of the property line adjustments. Further review of the title exceptions was identified as "ongoing" in the application materials and OWEB's concurrence with, and acceptance of any proposed resolutions is recommended as a funding condition.

No reference to severed mineral interests was included in the application and severed interests were not apparent in the title documentation, but a confirmation from the applicant of a specific mineral rights search is suggested.

Spring 2024 OWEB Grant Offering

Oregon Agricultural Heritage Program

Conservation Covenants and Easements

Application No.:	225-7105-23848	Project Type:	Conservation Easement
Project Name:	Country Heritage Farms Phase 1		
Applicant:	Oregon Agricultural Trust		
Region:	Willamette Valley	County:	Yamhill
OWEB Request:	\$1,260,478	Total Cost:	\$2,475,927

APPLICATION DESCRIPTION [ABSTRACT PROVIDED BY THE APPLICANT]

1) Located in Dayton, Yamhill County, the 304-acre Country Heritage Farms “Home Farm” property proposed is a third generation, Food Alliance-certified farm operated by the Sweeney family. 2) Farmed by the family since 1942, the Home Farm is a well-established, diversified Willamette Valley Farm with 242 acres of row crops and hazelnuts and over sixty acres of riparian forest habitat. This farm has 80 years of investment in equipment, irrigation, erosion control, and three generations of family farm knowledge of successful regional crops, markets, and farming techniques. With residential neighborhoods across the street, the property abuts the urban growth boundary (UGB) of the city of Dayton and Sam Sweeney, the sole trustee of the farm property would like to see this entire farm stay together, in agricultural production, as a single property without new residential or industrial development. 3) The proposed work is to finalize the draft conservation easement, complete a management plan and baseline documentation report, contract appraisal(s), survey, and other necessary due diligence required to purchase a working lands conservation easement on this farm with funding from the USDA NRCS Agricultural Land Easement program together with OAHF funding. If funded, this acquisition would take place during 2025/26. The ALE application to OR NRCS has already been completed for this farm and reviewed by OR NRCS staff. It is a strong candidate for ALE funding in the coming fall 2024 Oregon ranking due to a combination of high development pressure, 88% prime farm soils (low slope with water rights) and a proven track record of farm resiliency through diversified crop/market strategies and decades of investment in equipment, drainage and irrigation. 4. Oregon Agricultural Trust is the project manager and will be the long-term conservation easement holder. A private foundation and the farm will each make contributions to funding the permanent easement stewardship cost.

REVIEW

The review below is feedback provided by the application review technical committee during a review committee meeting and project soundness review from OWEB due diligence contractors based on the evaluation criteria described for conservation easement applications in OAR 698-015-0090.

TECHNICAL REVIEW

Reviewers noted that the property is a highly valuable farm property in the region, with prime agricultural soils and associated water rights that can be used to support a variety of crops. However, the application was lacking detail describing the significance of this parcel of land, which was expanded upon by the expertise and experience of the review team. The level of threat facing the property from urban expansion and energy siting were well articulated in the application, noting the proximity to the Urban Growth Boundary of a growing city

and nearby power transmission infrastructure. Reviewers agreed that this project is the embodiment of what the program is seeking to address – high value farmland under significant threat of conversion, with the accompanying benefits to wildlife habitat and protection of soil resources.

Reviewers agreed that the agricultural values were well articulated, though the application lacked detail on specific conservation benefits for fish and wildlife habitat and would have benefited from expansion on the natural resource components of the project. The cursory discussion of the habitat related to the perennial creek on the property in the application was especially noted during the discussion.

Reviewers were impressed with soil conservation efforts through erosion control strategies currently in place across the property. The application's description of the property's contribution to water quality benefits was well articulated. Reviewers also noted that the demonstrated ability of the land to produce a variety of crops in the past boded well for the future viability of the land to support an agricultural business.

The project will combine five parcels that could potentially be sold independently, addressing potential concerns related to property succession and facilitating the transfer of land to the next generation. Reviewers concurred with the application's assertion of the of substantial pressure of conversion in the area, specifically from solar development given the property's proximity to transmission infrastructure. The interest in water rights acquisition for municipal use was also noted as a substantial threat to the long-term agricultural viability of the property, which would threaten the property's contribution to the region's agricultural land base. Reviewers noted that a conservation easement on the property would protect the highly productive farmland in a strategic way where land use planning allows for urban development and pressure for urban infrastructure as the city of Dayton expands.

ORGANIZATIONAL CAPACITY AND PROJECT SOUNDNESS REVIEW

Oregon Agricultural Trust is a relatively young organization that has had success in completing working lands easements over the last three years. The application states they have completed three working land easements protecting 29,872 acres of agricultural lands through a variety of funding mechanisms. OAT is not yet accredited with the Land Trust Alliance, but provided documentation of policies and procedures comparable to an accredited organization. OAT currently has three full-time staff working on land protection projects, two with over a decade of land trust experience managing conservation projects, including significant experience with NRCS and other federal match funding partners.

Ownership of the property appears to be simple, in a trust with one trustee. However, this should be confirmed for confidence in decision-making authority for the project. The property's title is relatively normal for a farm of this nature, with no significant concerns noted. An updated report, specific to the easement property, will be required and OAT has indicated that it will research and resolve any title anomalies.

Spring 2024 OWEB Grant Offering

Oregon Agricultural Heritage Program

Conservation Covenants and Easements

Application No.:	225-7102-23838	Project Type:	Conservation Easement
Project Name:	Ginochio Ranch		
Applicant:	Oregon Agricultural Trust		
Region:	Central Oregon	County:	Lake
OWEB Request:	\$425,113	Total Cost:	\$802,771

APPLICATION DESCRIPTION [ABSTRACT PROVIDED BY THE APPLICANT]

The project is an 871 acre ranch located in Lake County, Oregon, with legal access from Highway 140. The property is located within the Goose Lake Basin, the highest altitude agricultural valley in the state, where dryland range and flood irrigated pasture are the dominant forms of agricultural production.

The property is part of a large area of ranching properties that are threatened by subdivision, and also represents the highest-value habitat for migratory wildlife throughout the state. The property is mixed native rangeland and irrigated pasture, with 72% soils of statewide importance and prime soils, and secure irrigation rights for 302.5 acres, in addition to 10 acres of flood-irrigated pasture. Private ranchlands in the region, like the Ginochio Ranch, are essential to supporting migratory wildlife. The eastern portion of the property is ranked as “most crucial” for aquatic habitat, is entirely within the winter mule deer range, and a large extent of the property is included within ODFW Priority Wildlife Connectivity Areas. However, subdivision pressure in the region is threatening both the agricultural economy and the wildlife habitat it supports, as evidenced by subdivision of adjacent parcels.

The conservation easement will protect the land for agricultural purposes, preventing subdivision and development. The conservation easement will ensure that the landowner maintains the natural resource values of the property that support agriculture, including its soil quality and water resources. The landowner has invested significantly in irrigation improvements, and is undergoing a removal of 500 acres of juniper to improve the overall pasture conditions of the property. This work will also maintain the natural resources that support the crucial wildlife habitat on the property.

Oregon Agricultural Trust is the project manager and will be the conservation easement holder.

REVIEW

The review below is feedback provided by the application review technical committee during a review committee meeting and project soundness and capacity review from OWEB due diligence contractors and OWEB staff based on the evaluation criteria described for conservation easement applications in OAR 698-015-0090.

TECHNICAL REVIEW

Reviewers noted that protecting the property would help maintain the land as valuable winter range that can support a viable agricultural operation. The associated protection of the water rights for agricultural use would be beneficial, as anticipated water policy changes in the basin could limit future availability of water in the region. Reviewers noted that the application's description of the property's attributes appeared to generically describe ranch property generally common in the region and lacked detail regarding why this property was itself significant.

Additional detail on the creek and surface water identified in the application would have provided more foundation for the reviewers to determine the project's strength in protecting and enhancing water quality, fish and wildlife habitat and other natural resource values. Without this detail, the reviewers noted they struggled to determine whether the project was addressing these values. Similarly, invasive grasses were described as present on the property, but the application does not speak to specific management strategies to address this issue, which could complicate the availability of quality range into the future. There are also notable benefits to mule deer and waterfowl, but how this specific easement would benefit those species beyond preventing conversion was not well articulated. Reviewers noted, however, that mule deer range is declining across the state, and any benefits to habitat connectivity is valuable.

Regarding investment and threat considerations, reviewers were encouraged that the juniper treatments that have been complete in partnership with NRCS demonstrate a commitment to setting up the property for future agricultural use and providing habitat enhancements. Reviewers agreed with the application's assertion of the threat posed from non-farm dwelling development in Lake County and that "ranchette" development is a plausible threat to the immediate landscape and is observable nearby.

ORGANIZATIONAL CAPACITY AND PROJECT SOUNDNESS REVIEW

Oregon Agricultural Trust is a relatively young organization that has had success in completing working lands easements over the last three years. The application states they have completed three working land easements protecting 29,872 acres of agricultural lands through a variety of funding mechanisms. OAT is not yet accredited with the Land Trust Alliance, but provided documentation of policies and procedures comparable to an accredited organization. OAT currently has three full-time staff working on land protection projects, two with over a decade of land trust experience managing conservation projects, including significant experience with NRCS and other federal match funding partners.

Ownership of the property appears to be simple. However the trust documents for the trust that holds the property should be reviewed to understand composition/trustees, authorities, etc. to confirm confidence in decision-making authority for the project. An updated report, specific to the easement property, will be required, and OAT has indicated that it will research and resolve any title anomalies. The title exceptions for "oil, gas and mineral interest separation" warrant further evaluation and documentation to determine the nature of the interests (e.g., leases versus reservations/conveyances). Further, many of these interests are identified as privately held, and OWEB will require the applicant provide documentation that it made a reasonable effort to acquire or extinguish these rights prior to accepting a mineral remoteness assessment.

Spring 2024 OWEB Grant Offering

Oregon Agricultural Heritage Program

Conservation Covenants and Easements

Application No.:	225-7100-23836	Project Type:	Conservation Easement
Project Name:	Long Hollow Ranch		
Applicant:	Deschutes Land Trust		
Region:	Central Oregon	County:	Deschutes
OWEB Request:	\$340,407	Total Cost:	\$924,014

APPLICATION DESCRIPTION [PROVIDED BY THE APPLICANT]

The proposed Long Hollow Ranch Conservation Easement (Project or LHR) is located in Deschutes County between the City of Sisters and the community of Terrebonne, Oregon. Although much land surrounding the Project remains in agricultural production, it is located within a fast-growing area of the county where land ownership is becoming increasingly fragmented due to its proximity to the Cities of Sisters, Redmond and Bend, the low proportion of private lands available in the County, and the retiring population of farmers.

2T Sustainable Land & Cattle Co. (2T) are the controlling shareholders of LHR and this Project builds on the Land Trust's 170-acre conservation easement on 2T's neighboring ranch, Pitchfork T (OWEB grant no 223-7105-22611). The Project is adjacent to additional protected land including land managed by the Bureau of Land Management (BLM), the U.S. Forest Service (USFS), and two Deschutes Land Trust Preserves (Rimrock Ranch and Whychus Canyon, see attached map). The Property is also located within a core wildlife migration area for elk and a declining mule deer population and is mapped as having a relatively high probability of use during migration.

Development or fragmentation of the Project area would degrade wildlife habitat, impeded wildlife movement and compromise Deschutes County's rural, agricultural community. The Deschutes Land Trust will work with LHR to implement a conservation easement on 450 acres that will prohibit development of the property and include a management plan that promotes the regenerative grazing and farming practices of LHR. The Project, along with the neighboring easement, builds a solid conservation "foothold" in the area on which the Land Trust can build on through additional easement acquisitions. Project partners include Natural Resources Conservation Service (NRCS), Metolius Winter Range Working Group, and Deschutes Soil and Water Conservation District

REVIEW

The review below is feedback provided by the application review technical committee during a review committee meeting and project soundness review from OWEB due diligence contractors based on the evaluation criteria described for conservation easement applications in OAR 698-015-0090.

TECHNICAL REVIEW

The reviewers noted that the proposed project builds on previous state and federal investments -- the proposed conservation easement is adjacent to an OAHP working lands conservation easement grant awarded funding in 2023, though that project is still in progress. The 2023 OAHP grant was also able to leverage funds from the ACEP-ALE program. The property's adjacency to Bureau of Land Management and Forest Service land, which results in a connection to protected land along Whychus Creek, was one of the application's most convincing articulation of the property's significance. Reviewers agreed that a conservation easement on the property would help maintain an important habitat corridor for elk and mule deer—especially if fencing were upgraded to more wildlife friendly designs. Reviewers added that it would have been useful if the application had included more detail regarding specific ongoing management practices, such as the timing of migration with the grazing rotation schedule, to illustrate how the project would support both the agricultural production and grazing values, as well as the identified soil health values and ungulate use of the property.

Reviewers were not convinced by the application that the property was significant in terms of its contributions to regional agricultural viability and fish and wildlife habitat. Without the adjacent lands functioning under coordinated management with the same operation, the property in the application may struggle to support a viable agricultural business in the long term. The property was identified as being in fair to poor condition in terms of habitat and rangeland quality, and will require ongoing conservation and restoration to fulfill agricultural and habitat potential. While the agritourism component of the property is compatible with the agricultural use and could benefit the community through education around the importance of agricultural conservation, reviewers were concerned about the long-term impacts on the property's ability to stay in viable agricultural production.

The application describes a complicated ownership structure for the land and the 90-acre event space carved out of the middle of the property, which reviewers feared could complicate future management. Reviewers noted that the threat from the development of non-farm dwellings is especially high in the area, and placing a conservation easement on the agricultural land surrounding the event center would be beneficial by removing the option to further expand non-farm development. Overall, reviewers determined that the application could have benefited from a more detailed and convincing explanation of how the easement footprint corresponds with the protection of the conservation values, including how this configuration supports wildlife migration. The review team did not feel that the application provided sufficient context on how the proposed easement's boundary configuration will protect the identified conservation and agricultural uses, especially if the two spaces are under different management.

ORGANIZATIONAL CAPACITY AND SOUNDNESS REVIEW

DLT has been an accredited land trust with the Land Trust Alliance since 2009 and includes working land preservation in its organizational documents. The land trust has completed several land acquisition and easement transactions since 1995, including many with OWEB funding. The project team includes experienced land conservation and stewardship professionals with a track record of successfully completing and stewarding OWEB-funded projects. The land trust has 5 dedicated stewardship staff.

The property is owned by a multi-member LLC, which has the potential to complicate decision-making regarding the easement transaction. However, the LLC includes a majority share owner that could lessen the risk. The land trust has examined the title circumstances and there are few items that need additional consideration, including a partially severed mineral interest for which the land trust will need to make reasonable acquisition or extinguishment of the interest prior to resorting to a mineral remoteness

determination. The property's boundary circumstances need further review to resolve questions regarding the boundary location between the property and adjacent BLM land. The land trust plans to complete a boundary survey, which will help identify if any additional resolution is needed regarding potential encroachment.

Spring 2024 OWEB Grant Offering

Oregon Agricultural Heritage Program

Conservation Covenants and Easements

Application No.:	225-7107-23850	Project Type:	Conservation Easement
Project Name:	Union Orchards Conservation Easement		
Applicant:	Blue Mountain Land Trust		
Region:	Eastern Oregon	County:	Union
OWEB Request:	\$773,045	Total Cost:	\$1,048,094

APPLICATION DESCRIPTION [ABSTRACT PROVIDED BY THE APPLICANT]

Union Orchards is a 93-acre property located in Union, Oregon. Blue Mountain Land Trust (BMLT) is proposing to purchase a working lands conservation easement from Andrea and Tony Malmberg, permanently protecting its grazing uses and natural resource values. The property is managed for cattle and sheep grazing, and the Malmbergs' holistic grazing management has improved the property's grassland production, plant communities, and soil water storage capacity and reduced their dependence on irrigation. The landowners manage their property for long-term agricultural and financial viability of their grass-fed cattle and sheep business, as well as for long-term soil health and ecological resilience.

In addition to protecting agricultural viability, the conservation easement will structure a permanent instream transfer of water. Union Orchards holds 88.56 acres of senior surface water rights from Catherine Creek, a major tributary to the Grande Ronde River. With an 1874 priority date, these rights are among the most senior in the basin. Under the easement, the landowners will transfer 69.4 acres of these water rights permanently in-stream. Increased in-stream water enhances water temperature, maintains flows, and activates fish habitat, directly benefiting Oregon Conservation Strategy species such as mid- Columbia summer steelhead (Federal Threatened), Grande Ronde bull trout (Federal Threatened), mid-Columbia Spring Chinook (State Sensitive), and Pacific lamprey (State Sensitive). Consequently, the easement will protect, maintain, and improve flows in Catherine Creek.

BMLT has secured matching funds for a Natural Resources Conservation Service (NRCS) Agricultural Lands Easement (ALE) conservation easement. Partners on this project would be the Malmbergs, Blue Mountain Land Trust, NRCS and OWEB

REVIEW

The review below is feedback provided by the application review technical committee during a review committee meeting and project soundness and capacity review from OWEB due diligence contractors and OWEB staff based on the evaluation criteria described for conservation easement applications in OAR 698-015-0090.

TECHNICAL REVIEW

Reviewers appreciated the applications quantitative description of current grazing management practices on the property and description of how improvements in soil health have led to a reduction in irrigation needs. Reviewers acknowledged the high-quality soils present on the property that, in addition to supporting the current ranching operation, have supported row crop, orchard, and dairy production in the past. Ultimately, however, the review team was concerned that the proposed permanent instream transfer of a significant amount of the water rights associated with the property would limit the ability of the land to support alternative agricultural production in the future, reducing the agricultural benefits of the high quality soils and effectively restrict the property's use to forage production and grazing. This was especially a concern for the ongoing agricultural viability given uncertainties associated with climate change.

The potential benefits to the availability of water for salmonids from the permanent water transfer were well articulated, but the review team noted that the permanence of the water rights instream transfer was discordant with the agricultural viability and diminished the significance of the property's agricultural resources.

Reviewers noted that the property's size was a limiting factor in the potential to support a viable ranching business on its own, though its utility to either be used in conjunction with other land to support an operation or function independently if combined with off-farm income was acknowledged. The house on the property makes it more valuable both in terms of discrete property value and in providing an opportunity for an owner-operator, but may also reduce the property's appeal to another operator that is looking to expand its agricultural land base. The property has significance in its use and availability to serve as a demonstration farm, providing co-learning opportunities on-farm for other agricultural operators.

The expansion of the City of Union's urban growth boundary was a well-documented threat of fragmentation and conversion, though the reviewers noted that Union currently has plenty of undeveloped land within its UGB, resulting in the threat of expansion being more distant than immediate. The use of a conservation easement to address the potential expansion proactively was acknowledged.

ORGANIZATIONAL CAPACITY AND PROJECT SOUNDNESS REVIEW

Blue Mountain Land Trust is an experienced land trust with a track-record of implementing land conservation transactions in the Blue Mountain ecoregion in Eastern Oregon and Southeastern Washington. BMLT is accredited by the Land Trust Alliance. According to the application, over the past 25 years, BMLT has completed 20 conservation easements and one fee title purchase, totaling 23,300 acres of protected land. BMLT appears to have the capacity and ability to handle the complexity of this transaction.

The property's ownership status appears simple, but updated title documents that confirm the vesting information is correct for the two tracts of land that constitute the entire property will be needed. The ownership structure does not present concerns about decision-making authority. The title documentation provided presents a relatively clean and uncomplicated title.

BMLT researched the BLM General Land Office (GLO) database to find that the land grant to the State of Oregon applicable to the property. did not include any mineral reservations, and confirmation and documentation substantiating this will be requested, as it was identified as an exception on the title documents. Moreover, BMLT will need to confirm that any additional reservations in the land grant to the State of Oregon do not impact the conservation goals of the property.

It was noted in review that there is a platted “paper” street that bisects the property into the western and eastern tract. While it appears that the landowners use this right of way as if it were their own land, and that no other adjacent owner uses this paper street for access, additional analysis would be required as to the county’s rights and willingness to potentially vacate this platted street since the property would be bound as one unit of land by the conservation easement.

After noting the permanent instream transfer references in the project application, OWEB staff initially suggested to the applicant that it could explore separating the permanent instream water transfer transaction from the conservation easement, as the OAHP cannot compensate a landowner for completion of the administrative process of transferring a water right instream. The applicant clarified that the proposal is to fund one transaction, a conservation easement that will encumber a portion of the property’s water rights for instream use and the land for agricultural and conservation purposes. The compensation for the conservation easement proposed for OAHP funding would be determined through standard appraisal procedures for conservation easements that include an encumbrance of water rights. The applicant stated the conservation easement would restrict how the water can be used by identifying the portion of the water proposed for instream use water as a habitat value and an in-stream transfer as a beneficial use. This approach would not accomplish a permanent transfer of the water instream, as water rights can only be transferred through an administrative process with the Oregon Water Resources Department. However, the applicant intends to facilitate the formal administrative transfer of the applicable water rights through the process required by Oregon Water Resources Department concurrently within the due diligence timeframe of the conservation easement project. The potential separation discussion was presented to the review team as part of the soundness considerations for the project to clarify the applicant’s use of the term “transfer” related to the water right.

Spring 2024 OWEB Grant Offering

Oregon Agricultural Heritage Program

Conservation Covenants and Easements

Application No.:	225-7109-23855	Project Type:	Conservation Easement
Project Name:	Seely Farm Phase 2 Warren Seely		
Applicant:	Oregon Agricultural Trust		
Region:	North Coast	County:	Columbia
OWEB Request:	\$404,670	Total Cost:	\$727,801

APPLICATION DESCRIPTION [ABSTRACT PROVIDED BY THE APPLICANT]

1. The 484-acre Warren Seely Farm conservation easement project is located in Clatskanie, Columbia County. Adjacent to the existing OAH/NRCS funded Seely Farm Phase I Harbormaster Beef conservation easement project, if funded, OAH and OAT will have protected 869 acres of farmland in the Beaver Drainage Improvement Company (aka Beaver Drainage District.) 2. A combination of high-quality soils, location on the lower Columbia River, well-maintained irrigation infrastructure, and sufficient water rights makes farms in the BDIC highly versatile and resilient. The Warren Seely Farm, like many neighboring properties, is threatened by the rezoning of local farmland to industrial use by Columbia County for use by Port Westward, an entity of the Port of Columbia County. Port Westward, which has been a prospective site for coal export terminals, oil-by-rail shipment facilities, a fracked gas-to-methanol refinery, and - currently - a biofuel refinery and export terminal. Each of these development proposals and associated re-zonings jeopardize the farming community in the BDIC. This conservation easement will permanently preserve an additional 484 acres of high value farmland and keep it in active agricultural production. In addition to ongoing production of agricultural products, this conservation easement will protect the habitat for the Lower Columbia white-tailed deer, a Federally-threatened species. The property also contributes to the network of protected lands in the lower Columbia River region of the Pacific Flyway used by 150,000 migrating shorebirds for migratory and breeding habitat. Oregon Agricultural Trust is the project manager and will be the long-term conservation easement holder. 3. Proposed work is purchasing a conservation easement. 4. Project partner is the USDA Natural Resources Conservation Service, who has already funded the matching contribution for the CE purchase. (See attached ALE funding letter.)

REVIEW

The review below is feedback provided by the application review technical committee during a review committee meeting and project soundness review from OWEB due diligence contractors based on the evaluation criteria described for conservation easement applications in OAR 698-015-0090.

TECHNICAL REVIEW

Reviewers noted that the property is unique and has highly productive soils which contributes to the area's appeal for high value agricultural crop production. Reviewers also noted they would have liked to see the suitability for high value agriculture on the property better articulated in the application, rather than relying on the knowledge and experience of review team members. The reviewers acknowledged that while Columbian white-tailed deer are likely moving through the property, the presence of high-quality habitat that

would support extensive use is lacking. Reviewers appreciated the detail provided about the aspirational desired future conditions of ditches on the property, but questioned whether native species would be able to establish even if the landowner was able to “lift” the wet ditch areas of the property as articulated in the application. Also, reviewers would have liked to see a discussion of the property’s hydrological connection to the Columbia River. Similarly, the application noted that the property is in the Pacific Flyway, but lacked detail as to how it functions to support migratory bird species and how the proposed easement would guarantee any articulated benefits.

The review team concurred with the application’s description of the threat posed by the ongoing expansion proposed and accomplished by the adjacent industrial use. The application’s articulation of the threat was well documented. The threat to the areas agricultural land base posed by this expansion was also well documented, with the application’s description of how the ongoing loss of agricultural use on property in the drainage district could result in the loss of a critical mass of productive land to support the work of the drainage district. This is a threat to the specific property in the application, but also was noted as a threat to the viability of all farmland within the district.

ORGANIZATIONAL CAPACITY AND PROJECT SOUNDNESS REVIEW

Oregon Agricultural Trust is a relatively young organization that has had success in completing working lands easements over the last three years. OAT includes the protection of working lands in its organizational documents. The application states the organization has completed three working land easements protecting 29,872 acres of agricultural lands through a variety of funding mechanisms. OAT is not yet accredited with the Land Trust Alliance, but provided documentation of policies and procedures comparable to an accredited organization. OAT currently has three full-time staff working on land protection projects, two with over a decade of land trust experience managing conservation projects, including significant experience with NRCS and other federal match funding partners.

An updated title report will be required, along with confirmation that the property is solely owned by the single landowner identified in the application. OAT indicated that the title circumstances are complex, due to mineral rights held by the state of Oregon and private entities, lease agreements and pipeline easements, and other items that will need to be resolved. The mineral interests held by the State and private entities will need to be clarified and OAT will be required to demonstrate that it made reasonable efforts to extinguish or acquire the severed mineral rights prior to OWEB accepting a mineral resource assessment. Boundary and access rights appeared well documented, but a survey and confirmation of legal access will be required.

Spring 2024 OWEB Grant Offering

Oregon Agricultural Heritage Program

Conservation Covenants and Easements

Application No.:	225-7108-23853	Project Type:	Conservation Easement
Project Name:	Wahl Ranch 2024 Application		
Applicant:	Wild Rivers Land Trust		
Region:	Southwest Oregon	County:	Curry
OWEB Request:	\$3,253,809	Total Cost:	\$10,551,414

APPLICATION DESCRIPTION [ABSTRACT PROVIDED BY THE APPLICANT]

The Wahl Ranch Conservation Easement Project is the purchase of a conservation easement on a 775-acre portion of the Wahl Ranch, located on the southern Oregon coast in the lower Elk River watershed. The Ranch is located about three miles north of Port Orford, about ½ mile west of Hwy 101, and immediately southeast of Cape Blanco, which is the western most point in Oregon and one of the most western points in the contiguous United States of America. The Project will perpetually protect 775 acres, including ~263 acres of fish and wildlife habitat priority area, ~1.1 miles of the Elk River including the Elk River estuary, large portions of two tributaries to Elk River, several wildlife ponds, and 0.6 miles of Oregon coastline.

This project presents an opportunity to protect, in perpetuity, a large family ranch and an ecologically critical piece of a 20 mile stretch of scenic coastline referred to by sailors as the “dark coast” for its lack of lights and development. It is the last and longest remaining stretch like it that is left on the Oregon coast, consisting of ten ranches, owned by eight families. interspersed with public parks and natural areas. For four generations, despite increasing pressures by residential and commercial development, not one of the ten ranches has converted out of agriculture. This project will also ensure investments made by public agencies, organizations, and the Ranch to restore and protect ecological areas supporting fish and wildlife are secured, including major restorations on Cedar and Swamp Creeks, with additional restoration work planned for both.

Partners on this project include the Wahl Ranch, Wild Rivers Land Trust, The Conservation Fund, the Natural Resources Conservation Service and the Oregon Agricultural Heritage Program. The project supports the recommendations of the Southern Oregon Northern California Coast recovery plan, Elk River Strategic Action Plan for Coho Salmon Recovery and the Oregon Conservation Strategy.

REVIEW

The review below is feedback provided by the application review technical committee during a review committee meeting and project soundness review from OWEB due diligence contractors based on the evaluation criteria described for conservation easement applications in OAR 698-015-0090.

TECHNICAL REVIEW

Reviewers noted the family legacy of ranching and farming on the land: Wahl Ranch has been in the family 150 years, is Curry County’s first Century Farm, and serves as a regional example of prosperous and responsible land stewardship in the context of agricultural production. The Ranch is the largest operating sheep ranch on

the south coast, and reviewers were impressed with the unique and special qualities of the property and the landscape it sits in. The Property has irrigation water rights, and maintaining water rights tied to agricultural land on the Oregon coast for agricultural use, was determined to be significant by the review team. Streams on the property--including Cedar Creek, Swamp Creek and the Elk River--offer overwintering and rearing habitat for coho salmon. The 0.6 miles of beach included in the project provide nesting habitat for western snowy plover, listed as threatened under the Endangered Species Act.

Reviewers noted that the application thoroughly explained the landowners' and land trust's approach to a project that includes working lands and fish and wildlife benefits in a complementary manner. Agricultural and habitat management zones reflect current land uses across the property, and all management zones, including the residential building zone and the agricultural building zone, appear to adequately and appropriately protect and guarantee ongoing agricultural uses and fish and wildlife habitat. Water rights on the property are currently leased instream for flow, benefitting fish habitat and water quality, while maintaining the ability to resume use for irrigation in the future if the need arises. This lease is possible due to reduced irrigation needs resulting from the current approach to grazing. Reviewers noted the easement would secure investments made on Swamp Creek to improve fish passage and habitat.

Reviewers commented that soils on this property are not especially high value for agriculture, despite "soil of statewide importance designation." This reduces the potential for the land to support alternative agricultural systems in the future. Currently, soil health is maintained through composting and innovative grazing that utilizes cell/mob grazing that has also proven highly effective at addressing invasive species presence, such as gorse. Reviewers noted that the long-time operational viability of the ranch made a strong case for the lands ability to support a viable agricultural operation into the future.

Reviewers concurred with the application's characterization of the threat facing working lands in the region, and specifically the property proposed for protection in the application. Pressure from recreational and residential development was demonstrated through notable encroachment from the north and south. The conservation easement was noted as a strategy for the multiple members of the LLC (LLC is described in the application as consisting of eight siblings) to secure the conservation and working lands uses of the property into the future as part of succession planning.

Reviewers noted the importance of OWEB's current investment through the OAHP and the secured NRCS matching funds, and indicated it was important to capitalize on OWEB's prior investment to bring the project to completion.

ORGANIZATIONAL CAPACITY AND PROJECT SOUNDNESS REVIEW

Wild Rivers Land Trust is the main land trust that serves Oregon's south coast and is accredited through the Land Trust Alliance. WRLT includes the protection of working lands in its organizational documents. While WRLT's Executive Director and Conservation Director are relatively new to their respective positions, they both have considerable experience working with land conservation in Oregon. WRLT has partnered with The Conservation Fund to assist with acquisition management and funding, which is helpful based on the size and complexity of the project.

The project's structure appears relatively sound from the application. Ownership of the property is vested in an LLC with eight members, though formal decision-making authority and procedure was not apparent in the application and will need to be documented. The property's title circumstances appear relatively clear for a rural property of this size. The conservation easement's management zones configuration, while it reflects current land uses across the property, are non-linear in places and will require more administrative and stewardship time to avoid inadvertent violations.

REQUIRED CONDITIONS

In addition to other requirements specifically provided for in the Agreement, the disbursement of the Grant Funds is further conditioned on:

1. **Initial Conditions.** The following initial conditions must be satisfied before OWEB will review due diligence items or reimburse costs associated with the standard conditions below.
 - A. Grantee meets with OWEB staff within sixty (60) days from the Effective Date to: (i) confirm roles and responsibilities; (ii) agree on preferred methods for sharing information; (iii) discuss approaches to addressing Project challenges; and (iv) address other Project matters that would benefit from early discussions between Grantee and OWEB.
 - B. Grantee participates in regularly scheduled Project update meetings with OWEB staff.
 - C. Grantee provides OWEB with a current preliminary title report and title exception documents. Grantee provides a title exception analysis for all title encumbrances describing each encumbrance's impact on the Project Purpose. If any encumbrance conflicts with the Project Purpose as determined by OWEB's review of the title exception analysis and title documents, Grantee provides a plan to resolve the encumbrance in a manner that is acceptable to OWEB.
2. **Standard Conditions.** Grant Funds will not be disbursed under this Agreement until the following standard conditions have been fulfilled to the full satisfaction of the Director. OWEB will review due diligence items and reimburse costs associated with the standard conditions only after Grantee has satisfied the initial conditions above.
 - A. Grantee obtains: (i) all reasonably necessary Property information (the "Property Information") for OWEB to complete a due diligence review of the Project, including, Property Information in the Property seller's possession; and (ii) permissions from the Property seller, as necessary, to release Property Information, regardless of the source, to OWEB and other funding entities. Property Information includes, but is not limited to: appraisals; title reports; environmental site assessments; surveys; water rights documentation; rights of first refusal; option agreements; purchase and sale agreements; leases; licenses; rental agreements; permits; easements; security instruments; UCC financing statements; fixture filings; documents pertaining to litigation, encroachments, disputes (including boundary line disputes), or prescriptive rights; a description of any work performed on or use made of the Property by parties other than the Property seller within one hundred eighty (180) days from the Effective Date; and other documents and information that OWEB determines are reasonably necessary to review before disbursing Grant Funds. OWEB agrees to treat certain Property Information as confidential, to the extent permitted by the Oregon Public Records Law, ORS 192.311-192.478. OWEB may disclose Property Information that is subject to a confidentiality request if it determines that disclosure is reasonably necessary as part of its due

diligence review process, or if it is ordered to do so pursuant to Public Records Law. OWEB will not be responsible for a breach of confidentiality by other entities that OWEB is reasonably expected to share the Property Information with as part of the grant administration process.

- B. Grantee obtains, if deemed necessary by OWEB, reasonable Closing Date extensions for the purpose of providing OWEB with adequate time to determine that Grantee has met all requirements under this Agreement. In the event that Grantee elects to purchase the Property Interest without the Grant Funds and subsequently seek reimbursement from OWEB, it will be doing so with the understanding that the reimbursement request will be subject to any remaining OWEB approvals necessary under this Agreement.
- C. Grantee fully complies with the intent of ORS 35.500-35.530 (Relocation of Displaced Persons), and OWEB requirements related to said provisions of law, in the event that residential or business tenants will be displaced as a result of the acquisition of the Property Interest.
- D. The Director, by the Closing Date specified in Exhibit D, approves of the legal and financial terms of the acquisition of the Property Interest, including, but not limited to:
 - i. The acquisition agreement (e.g., option, purchase and sale agreement, etc.) and the agreement to transfer the Property Interest to another party, if planned.
 - ii. The purchase price for the Property Interest, which shall be based on an appraisal and review appraisal completed in accordance with applicable appraisal standards, including the Uniform Standards of Professional Appraisal Practice, and if required, the Uniform Appraisal Standards for Federal Land Acquisitions.
 - iii. The Phase 1 Environmental Site Assessment, as well as additional investigative reports and action plans resulting from the Phase 1 Assessment.
 - iv. The Property Interest survey, if required by OWEB.
 - v. The Property Interest seller's vesting deed.
 - vi. The baseline inventory completed for the Property Interest.
 - vii. The water rights, if applicable.
 - viii. Documented access rights to the Property Interest, including a clear depiction of the access on a map provided by Grantee.
 - ix. The planning and zoning circumstances associated with the Property Interest, as evidenced by the OWEB Land Use Information Form submitted with the Grant Application, as well as other information obtained during the OWEB due diligence review process.
 - x. The legal description of the Property Interest.
 - xi. Documented access rights to the Property, including a clear depiction of the access on a map provided by Grantee.

- xii. The planning and zoning circumstances associated with the Property, as evidenced by the OWEB Land Use Information Form submitted with the Grant Application, as well as other information obtained during the OWEB due diligence review process.
 - xiii. The covenant or easement deed.
 - xiv. The location and nature of Existing and Proposed Building Envelopes, if applicable, as evidenced by an Existing and Proposed Building Envelopes Map provided by the Grantee.
 - xv. The condition of title based on a title report dated within sixty (60) days of the Closing Date, and the resulting American Land Title Association (ALTA) title commitment, including specific exceptions to the policy, with the Director's approval based on review of an assessment, including a map, of the exceptions provided by Grantee.
 - xvi. Escrow documents including settlement statements.
 - xvii. The matching contribution.
 - xviii. Grantee's demonstrated compliance with applicable federal and state laws regarding relocation of displaced persons, including but not limited to requirements contained in ORS 35.510, as may be revised from time to time.
 - xix. Other conditions that the Director deems reasonably necessary as a result of OWEB due diligence review efforts after the Agreement has been signed by the Parties.
- E. The Director's approval of the legal and financial terms of the items listed under condition 2(D) above is solely for the purpose of disbursing Grant Funds under this Agreement. The Director's approval does not constitute a legal opinion, representation or warranty as to the enforceability of the Property Interest or the financial soundness or adequacy of the terms under which it is acquired.



OREGON
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Agenda Item N

Oregon Agricultural Heritage Program

Commission Appointments

Board Meeting January 28-29, 2025



Oregon

Tina Kotek, Governor



OREGON
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Agenda Item N supports OWEB's Strategic Plan priority #5: Increase investment connecting urban and working lands to watershed.

MEMORANDUM

TO: Oregon Watershed Enhancement Board
FROM: Taylor Larson, Oregon Agricultural Heritage Program Coordinator
Renee Davis, Acquisitions and Special Programs Manager
SUBJECT: Agenda Item N. 2025 Oregon Agricultural Heritage Commissioner Appointments
January 28-29, 2025, Board Meeting

I. Introduction

The Oregon Agricultural Heritage Commission (OAHC) oversees the Oregon Agricultural Heritage Program (OAHP) and makes funding recommendations to the OWEB board for all applications funded through the Oregon Agricultural Heritage Fund. The OAHC is made up of 12 members appointed by the OWEB Board (Attachment A). Due to expiring terms and term limits, there are currently three vacancies on the OAHC. At the January 2025 meeting, staff will provide an overview of the nomination process for the three vacant seats, present the nominated candidates, and request the OWEB Board appoint candidates to fill the vacancies.

II. Background

House Bill 3249 established the OAHP and was signed into law on August 15, 2017. In January 2018 the OWEB Board appointed the first 12 members to serve on the OAHC. Voting members of the OAHC can serve no more than two consecutive terms.

III. Vacant OAHC Seat Representing Agriculture

Woody Wolfe has served on the OAHC since its inception in 2018. Woody was nominated by the Board of Agriculture to serve on the commission to represent the interests of farmers and ranchers throughout the State. Woody's second term expires in January 2025.

Staff solicited applications to fill Woody's seat in the second half of 2024 and received one application (Attachment B). The application was shared with the Board of Agriculture on November 6, 2024, and on December 18, 2025, OWEB staff received their formal nomination of John O'Keefe. If appointed to this seat, John would serve through January 2029 and be eligible for a second four-year term.

IV. Vacant OAHC Seat Representing Agricultural Water Quality

Lois Loop has served on the OAHC since its inception in 2018. Lois was nominated by the Board of Agriculture to serve on the commission representing the interests of agricultural water quality throughout the State. Lois's second term expires in January 2025.

Staff solicited applications to fill Lois's seat in the second half of 2024 and received two applications (Attachment B). The applications were shared with the Board of Agriculture on November 6, 2024, and on December 18, 2025, OWEB staff received their formal nomination of Jan Lee. If appointed to this seat, Jan would serve through January 2029 and be eligible for a second four-year term.

V. Vacant OAHC Seat Representing Fish and Wildlife Habitat

Bruce Taylor has served on the OAHC since its inception in 2018. Bruce was nominated by the Fish and Wildlife Commission to serve on the commission representing the interests of fish and wildlife habitat throughout the State. Bruce's second term expires in January 2025.

Staff solicited applications to fill Bruce's seat in the second half of 2024 and received three applications (Attachment B). The applications were shared with the Fish and Wildlife Commission on November 26, 2024, and on December 13, 2025, OWEB staff received their formal nomination of Mark Vargas. If appointed to this seat, Mark would serve through January 2029 and be eligible for a second four-year term.

VI. Recommendation

Staff recommend the board appoint Mark Vargas, Jan Lee, and John O'Keefe to the Oregon Agricultural Heritage Commission for an initial term ending January 1, 2029.

VII. Attachments

- A. Current OAHC Roster
- B. OAHC Commissioner Applications for January 2025 appointments

Name	Recommending Body	Residence City	Residence County	Interest Represented	Term Ending
Bruce Taylor	Fish & Wildlife Comm.	Portland	Multnomah	Fish & Wildlife	Jan 2025
Lois Loop	Board of Agriculture	Salem	Marion	Ag. Water Quality	Jan 2025
Woody Wolfe	Board of Agriculture	Wallowa	Wallowa	Farm/Ranch	Jan 2025
Doug Krahmer	Board of Agriculture	St. Paul	Marion	Farm/Ranch	Jan 2026
Amanda Lowe	OWEB Board	Pendleton	Umatilla	Indian tribal	Jan 2026
Nancy Duhnkrack	Land Conservation & Development Comm.	Portland	Multnomah	Easements	Jan 2026
Ed Contreras	Fish & Wildlife Comm.	Klamath Falls	Klamath	Fish & Wildlife	Jan 2027
Laura Masterson	Board of Agriculture	Portland	Multnomah	Farm/Ranch	Jan 2027
Sara Evans-Peters	OWEB Board	Independence	Polk	Natural Resources	Jan 2027
James Robert Collins	Board of Agriculture	Mitchell	Wheeler	Farm/Ranch	Jan 2028
Daniel Bigelow	OSU Extension	Corvallis	Benton	OSU Extension	Jan 2028
Mark Labhart	OWEB Board	Sisters	Deschutes	Ex Officio, non-voting	*unspecified



INTEREST FORM

Oregon Agricultural Heritage Commission



This form is used to obtain general information and qualifications of persons interested in serving on the Oregon Agricultural Heritage Commission. This information will be used by the Oregon boards and commissions that recommend applicants to the Oregon Watershed Enhancement Board (OWEB), and also by the OWEB Board, which will appoint the commissioners. Agencies are required to pay per diem compensation and expenses for “qualified members,” defined as members who are (1) not in full-time public service, and (2) have an adjusted gross income for the previous tax year of less than \$50,000, or less than \$100,000 reported on a joint income tax return. The only exception to the requirement is if the qualified member declines compensation. The agency will reimburse board members for travel expenses.

Applicant Information

Name (Barbara) Kay Brown

Affiliation Retired

Occupation

☒ Retired

Mailing address [REDACTED]

Town/City Columbia City

State OR

Zip Code 97018

Phone Number [REDACTED]

Cell or Alternate # Same

Fax Number

Email [REDACTED]

Applicant Signature

By signing above, you certify that:

- All of the information on this form is true;
- You are a legal citizen of Oregon and the United States of America;
- You will accept appointment to the Oregon Agricultural Heritage Commission if selected by the OWEB Board;
- You have an email address and are able and willing to check your email on a near-daily basis and conduct some commission business via email; and
- You will be able to attend scheduled meetings across the state.

Position Sought

Check the box next to each position for which you are currently applying. You may select multiple boxes. This information may be used to contact you for the Rules Advisory Committee or for future vacancies on the commission.

☐ **Farmer or Rancher** (recommended by the State Board of Agriculture)

☒ **Fish and Wildlife Habitat** (recommended by the State Fish and Wildlife Commission) I have recently been on the Restoration and Enhancement Board for 8 years. My term expires December 31, 2024.

☐ **Agricultural Water Quality** (recommended by the State Board of Agriculture)

☐ **Conservation Easements and Similar Land Transfers** (recommended by the Land Conservation and Development Commission)

☐ **Indian Tribal Interests** (selected by the OWEB Board)

☐ **Natural Resource Value Interests** (selected by the OWEB Board)

Statement Of Interest

Use the space below to explain why you are interested in being a representative on the Oregon Agricultural Heritage Commission and why you will be a good commissioner.

I would like to be considered for the open position on the Agricultural Heritage Commission.

I recently completed an 8 year (2 4-year terms) on the Restoration and Enhancement Board , an advisory Board to the Fish and Wildlife Commission. We provided grants to nonprofits from the Restoration and Enhancement fund, a funding source from license fees on sport and commercial licenses.

I retired in 2003 from the Oregon Fish and Wildlife Department after 30 years. I retired as a fish biologist and the Operations Manager for the Fish Division. As the Operations Manager, I spent much time developing rules for the Oregon Fish and Wildlife Commission and making recommendations to them. I also spent time with the Oregon Legislature in an advisory capacity and helped with drafting legislation. I was also responsible for the Fish Division budget and personnel.

Since retiring I have been a Board member of our local community library and am an officer in our local Garden Club. I recently completed the course work with the OSU Extension Program for Master Gardeners.

Experience/Involvement

Please describe any work experience and/or involvement that has provided you with knowledge, skills, or abilities to successfully represent the interests of the position(s) for which you are applying and to fulfill the duties of a member of the Oregon Agricultural Heritage Commission. Include any previous experience on boards or commissions.

You may attach a résumé and/or work history.

[See above](#)

Supplemental Question

Describe what you believe to be the main issues facing the future of Oregon agriculture and the fish and wildlife habitat and other natural resources on Oregon's agricultural lands.

water

References

Please identify three references that may be contacted if you are selected as a top candidate. Individuals or representatives of associations/organizations are acceptable.

Letters of support from relevant staff, associations, or similar groups are encouraged; feel free to attach any such letters to your application.

Reference #1

Name

Mark Labhart

Affiliation (if any) Or Fish and Wildlife Commission

Mailing Address

City/Town Sisters

State OR

Zip Code 97759

Phone Number

Alternate #

Fax #

Email

Reference #2

Name Jim Martin

Affiliation (if any) ODFW, retired

Mailing Address

City/Town Mulino

State OR

Zip Code 97042

Phone Number

Alternate #

Fax #

Email

Reference #3

Name Dave Grosjacque

Affiliation (if any) Chair, R&E Board

Mailing Address

City/Town Merlin

State OR

Zip Code 97532

Phone Number

Alternate #

Fax #

Email

Please send your completed application via email to nicole.bettinardi@oweb.oregon.gov or via mail to:

Oregon Agricultural Heritage Program
ATTN: Nicole Bettinardi
Oregon Watershed Enhancement Board
775 Summer Street NE #360
Salem, Oregon 97301

Applications must be sent via email or mailed (post-marked by August 25, 2024) in order to be considered for a position.



PROTECTED GROUP STATUS FORM

Committee/Board Member

Oregon Agricultural Heritage Commission



Name (Barbara) Kay Brown

Date 11-12-24

Department/Committee Board Name: Oregon Agricultural Heritage Commission

Federal and State laws require the Board to make its programs, activities, and services available to all persons regardless of race, color, national origin, age, disability, and sex. The Board is attempting to monitor the selection of and participation by women, minorities, and people with disabilities on its committees, advisory groups, etc.

The following information will be used for statistical reporting only, and is voluntary. **Information obtained will be kept confidential and will be destroyed as soon as the responses on the form are captured numerically.**

Race/Ethnic Origin:

- ☐ Black
- ☐ Asian or Pacific Islander
- ☐ American Indian or Alaskan Native
- ☐ Hispanic (of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin)
- ☒ White

Mark the following which apply to you:

- ☒ Female
- ☐ Male
- ☐ Disabled

☐ I prefer not to respond to these questions.

Oregon Agricultural Heritage Commission Per Diem Stipend Qualification Form

For Tax Filing Year [2024]

Member Name (First and Last):_(Barbara) Kay
Brown _____
(Print)

Address, City, State, ZIP: _____

p _____
(Print)

Compensation:

A board or commission member who is not employed full-time in public service may receive a stipend under ORS 292.495 (1) for each day or portion of a day during which the member is actually engaged in the performance of official duties. The amount may exceed, but not be less than, the amount of payment that would otherwise be provided under ORS 292.495 (5).

If you are currently serving on a state board or commission other than this one and receiving compensation, under the Constitution of Oregon, Article II Suffrage and Elections, Section 10, you are not allowed to receive compensation from more than one board or commission.

Are you currently serving on a state board or commission(s) other than this one: ____yes* ____X_no

*If yes, please list name(s): _____

*If yes and you are accepting the per diem stipend from another state board or commission, list name of that entity: _____

Please indicate your compensation status and selection:

[Redacted area for compensation status and selection]

I understand this compensation is taxable income and will be reported to me annually on a W-2 or 1099 statement.

By signing this form, I hereby affirm that all information provided by me on this form is true to the best of my knowledge.

Signature: _____ Date: _____



INTEREST FORM

Oregon Agricultural Heritage Commission



This form is used to obtain general information and qualifications of persons interested in serving on the Oregon Agricultural Heritage Commission. This information will be used by the Oregon boards and commissions that recommend applicants to the Oregon Watershed Enhancement Board (OWEB), and also by the OWEB Board, which will appoint the commissioners. Agencies are required to pay per diem compensation and expenses for "qualified members," defined as members who are (1) not in full-time public service, and (2) have an adjusted gross income for the previous tax year of less than \$50,000, or less than \$100,000 reported on a joint income tax return. The only exception to the requirement is if the qualified member declines compensation. The agency will reimburse board members for travel expenses.

Applicant Information

Name Penny Feltner
Affiliation Coast Fork Willamette Watershed Council
Occupation
☐ Retired Working Lands Program Manager
Mailing address [REDACTED]
Town/City Eugene **State** Oregon **Zip Code** 97401
Phone Number [REDACTED] **Cell or Alternate #** [REDACTED] **Fax Number** [REDACTED]
Email [REDACTED]

Applicant Signature

By signing above, you certify that:

- All of the information on this form is true;
- You are a legal citizen of Oregon and the United States of America;
- You will accept appointment to the Oregon Agricultural Heritage Commission if selected by the OWEB Board;
- You have an email address and are able and willing to check your email on a near-daily basis and conduct some commission business via email; and
- You will be able to attend scheduled meetings across the state.

Position Sought

Check the box next to each position for which you are currently applying. You may select multiple boxes. This information may be used to contact you for the Rules Advisory Committee or for future vacancies on the commission.

- ☒ **Farmer or Rancher** (recommended by the State Board of Agriculture)
- ☐ **Fish and Wildlife Habitat** (recommended by the State Fish and Wildlife Commission)
- ☒ **Agricultural Water Quality** (recommended by the State Board of Agriculture)
- ☐ **Conservation Easements and Similar Land Transfers** (recommended by the Land Conservation and Development Commission)
- ☐ **Indian Tribal Interests** (selected by the OWEB Board)
- ☐ **Natural Resource Value Interests** (selected by the OWEB Board)

Statement Of Interest

Use the space below to explain why you are interested in being a representative on the Oregon Agricultural Heritage Commission and why you will be a good commissioner.

My professional interests have always been at the intersection of environmental stewardship and agricultural management: the management of complex systems often at odds, but never mutually exclusive, and both necessary for social and economic wellbeing. I've worked for 15 years in diverse environments tackling the issues that arise from this nexus of land management. I ran a water quality monitoring lab in southwest Ohio, where our primary pollutants were agricultural runoff from the vast corn, soybean, and cattle operations. I served as an agricultural advisor in the Caribbean, helping farmers to adapt their operations for greater resiliency in the face of climate change and natural disasters. In my current work as the Working Lands Program Manager at the Coast Fork Willamette Watershed Council, I support farmers and ranchers in developing plans and accessing resources to adapt their operations for climate resilience and enhanced ecological uplift.

Agricultural practices can be extractive, polluting, and destructive. However, I believe that these managed landscapes have tremendous potential for regenerating the ecological function of our region while providing critical social, cultural, and economic value for our communities. For these reasons I'm very interested in the work of the Oregon Agricultural Heritage Program and the role it can play in preserving our state's unique agricultural character and enhancing their function as thriving agroecosystems. Furthermore, our farmers and ranchers face a critical juncture as the pressures of climate change make previously reliable agricultural practices untenable. This monumental task is on the shoulders of individuals who must balance the needs of their families, the viability of their operations, the solvency of their businesses, and their role as stewards of our lands and waters.

The Oregon Agricultural Heritage Program is positioned to provide a vital support structure for the adaptation of farms to our increasingly unpredictable context. Without this support, operations may continue with an outsized negative impact of water quality, habitat, and soil resources. Without this support, generational farms may be transitioned out of agriculture completely. I believe the sensitivity I bring to these complex challenges would allow me to make valuable contributions to the Commission. I'm well acquainted with the landscape level changes and challenges to our agricultural sector, as well as the personal struggles our farm communities face as they grapple with the everyday operation of their farms and ranches. I'm also aware of the overwhelm these farm managers experience when attempting to understand their environment, identify their needs, and find support for keeping their farms afloat. I'm highly motivated to contribute to the work to assess and identify appropriate solutions for the mutual benefit of our state's natural resources and agricultural production.

Experience/Involvement

Please describe any work experience and/or involvement that has provided you with knowledge, skills, or abilities to successfully represent the interests of the position(s) for which you are applying and to fulfill the duties of a member of the Oregon Agricultural Heritage Commission. Include any previous experience on boards or commissions.

You may attach a résumé and/or work history.

[See attached resume](#)

Supplemental Question

Describe what you believe to be the main issues facing the future of Oregon agriculture and the fish and wildlife habitat and other natural resources on Oregon's agricultural lands.

I believe the main issues faced by Oregon agriculture and the natural resources of Oregon's agricultural lands are the direct and indirect impacts of climate change on ongoing farm viability and sustainable land stewardship in an increasingly globalized marketplace. Private lands account for just over half of Oregon's land base and the land management decisions made by a patchwork of private landowners has a direct impact on the health of our natural resources, as well as the social and economic wellbeing of rural communities.

Agricultural land managers have always maintained a vested interest in balancing the demands of production with preservation of natural resources. Striking this balance between production and conservation takes place while ensuring commercial viability. Maintaining the economic viability of a farm has long functioned as a limiting factor for stewardship. Currently, increased competition from global markets, rising costs of production, and ballooning land values have made it difficult to maintain the sustainable production of agricultural lands through traditional management. With the rising age of farm operators (58.6 years as per the 2022 USDA census of agriculture) many of these lands are on the precipice of transition and we find ourselves in a climate wherein those who have farms may choose not to keep them, and those seeking land to farm can't afford access.

Adding additional complexity to this situation is the impact of a changing climate, which is notably affecting agricultural production across Oregon through increasing temperatures, decreasing plant productivity, and creating more favorable conditions for pests. The timing and amount of precipitation has changed and is affecting streamflow patterns and water availability for irrigation. Traditional approaches to farm management must shift in order to compensate for these (often unpredictable) challenges, and this behavior change cannot happen in isolation from social, cultural, and economic constraints.

It is therefore imperative that these individual operators have support for the transitions necessary in order to maintain the state's agricultural character: Transition to climate-resilient land management, transition to climate-smart production systems, transition of farmland from one generation of farmers to another.

References

Please identify three references that may be contacted if you are selected as a top candidate. Individuals or representatives of associations/organizations are acceptable.

Letters of support from relevant staff, associations, or similar groups are encouraged; feel free to attach any such letters to your application.

Reference #1

Name **Amanda Gilbert**
Affiliation (if any) **Executive Director, Coast Fork Willamette Watershed Council**
Mailing Address **28 S. 6th St, Suite 2**
City/Town **Cottage Grove**
State **Oregon**
Zip Code **97401**
Phone Number **[REDACTED]**
Alternate #
Fax #
Email **[REDACTED]**

Reference #2

Name **Megan Kemple**
Affiliation (if any) **Executive Director, Oregon Climate & Agriculture Network**
Mailing Address
City/Town **Eugene**
State **Oregon**
Zip Code
Phone Number **[REDACTED]**
Alternate #
Fax #
Email **[REDACTED]**

Reference #3

Name **Sydney Nilan**
Affiliation (if any) **Director, Upper Willamette Stewardship Network**
Mailing Address **[REDACTED]**
City/Town **Springfield**
State **Oregon**
Zip Code **OR 97477**
Phone Number **[REDACTED]**
Alternate #
Fax #
Email

Please send your completed application via email to april.mack@oweb.oregon.gov or via mail to:

Oregon Agricultural Heritage Program

ATTN: April Mack

Oregon Watershed Enhancement Board

775 Summer Street NE #360

Salem, Oregon 97301

Applications must be sent via email or post-marked by Oct 26th, 2022 in order to be considered for a position.



PROTECTED GROUP STATUS FORM

Committee/Board Member

Oregon Watershed Enhancement Board



Name **Penny Feltner**

Date **11/5/24**

Department/Committee Board Name: **Oregon Agricultural Heritage Commission**

Federal and State laws require the Board to make its programs, activities, and services available to all persons regardless of race, color, national origin, age, disability, and sex. The Board is attempting to monitor the selection of and participation by women, minorities, and people with disabilities on its committees, advisory groups, etc.

The following information will be used for statistical reporting only, and is voluntary. **Information obtained will be kept confidential and will be destroyed as soon as the responses on the form are captured numerically.**

Race/Ethnic Origin:

- ☐ Black
- ☐ Asian or Pacific Islander
- ☐ American Indian or Alaskan Native
- ☐ Hispanic (of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin)
- ☒ White

Mark the following which apply to you:

- ☒ Female
- ☐ Male
- ☐ Disabled

☐ I prefer not to respond to these questions.

Oregon Agricultural Heritage Commission Per Diem Stipend Qualification Form

For Tax Filing Year **[2024]**

Member Name (First and Last): Penny Feltner
(Print)

Address, City, State, ZIP [REDACTED]
(Print)

Compensation:

A board or commission member who is not employed full-time in public service may receive a stipend under ORS 292.495 (1) for each day or portion of a day during which the member is actually engaged in the performance of official duties. The amount may exceed, but not be less than, the amount of payment that would otherwise be provided under ORS 292.495 (5).

If you are currently serving on a state board or commission other than this one and receiving compensation, under the Constitution of Oregon, Article II Suffrage and Elections, Section 10, you are not allowed to receive compensation from more than one board or commission.

Are you currently serving on a state board or commission(s) other than this one: yes* Xno

*If yes, please list name(s):

*If yes and you are accepting the per diem stipend from another state board or commission, list name of that entity: _____

Please indicate your compensation status and selection:

[REDACTED]

I understand this compensation is taxable income and will be reported to me annually on a W-2 or 1099 statement.

By signing this form, I hereby affirm that all information provided by me on this form is true to the best of my knowledge.

Signature: Penny Feltner Date: 11/4/24

PENNY FELTNER

EXPERIENCE

WORKING LANDS PROGRAM MANAGER

Coast Fork Willamette Watershed Council

Cottage Grove, Oregon

- Conducts research on farmer needs and service gaps in the adoption of agricultural best-practices for conservation
- Develops tools and resources to assist farmers in the adoption of regenerative practices
- Conducts assessments and produces reports on program performance on an annual basis
- Develops and maintains working relationships with organization and sector partners and collaborates on shared projects
- Provides technical assistance to farmers to create transition plans, adopt new practices, and navigate grant and cost-share incentive programs
- Conducts outreach to area farmers, ranchers, and foresters on the role of regenerative land management practices
- Contributes to fundraising efforts for the Working Lands Program and its activities
- Hires, trains, and supervises additional program staff

AGROFORESTRY ADVISOR

US Peace Corps

Jamaica, West Indies

- Designed, facilitated, and evaluated best-practice training for farmers in rural Jamaica
- Co-created a strategic planning training series in collaboration with regional extension staff
- Developed and delivered culturally appropriate environmental education and outreach activities, events, & workshops for adults
- Led project design & management, reporting and evaluation for community, regional, and national projects
- Represented the organization to national media outlets

PROGRAM DEVELOPER

Corporation for National & Community Service

Billings, Montana

- Developed education curriculum
- Collaborated with community stakeholders, including the Bureau of Land Management, and representatives from the Crow and Blackfoot Nations to create and evaluate culturally-sensitive teaching materials.
- Fundraising for essential program infrastructure
- Created Volunteer Recruitment, Marketing, and Fundraising plans for ongoing sustainability

LABORATORY MANAGER

*Miami University
Oxford, Ohio*

- Supervised the processing of water samples for a volunteer water quality monitoring organization
- Trained and supervised laboratory technicians
- Conducted community outreach
- Monitored and evaluated laboratory protocol and quality data collection
- Conducted routine analysis of water quality indicators
- Presented findings on at local, regional, and international conferences

AGRICULTURE EDUCATOR

*Gorman Heritage Farm
Cincinnati, Ohio*

- Developed and delivered community educational programming on sustainable farming and gardening techniques and practices
- Supervised volunteers
- Designed and co-facilitated weekly farm camp activities for youth
- Led educational tours of the farm for community members
- Cultivated crops and cared for livestock

RESEARCH ASSISTANT

*Thomas More College Biology Field Station
Crestview Hills, Kentucky*

- Assisted with completion of a survey of aquatic wildlife in Miami Whitewater Lake, in Southwest Ohio
- Managed raw data input and conducted statistical analysis on fish biodiversity
- Prepared findings for publication and presentation to the general public.

PROJECTS

WILLAMETTE VALLEY GRAZING LANDS CONSERVATION INITIATIVE

*Willamette Valley, Oregon | October 2022-
August 2028*

WORKING LANDS FARM CONSERVATION VIDEO PRODUCTION & PROMOTIONAL CAMPAIGN

*Lane County, Oregon | September 2022-
August 2023*

LIVING ON THE LAND: RURAL LAND MANAGEMENT WORKSHOP SERIES

*Junction City & Lowell, Oregon | September-
November 2022, 2023*

RURAL AGRICULTURAL DEVELOPMENT AUTHORITY (RADA) EXECUTIVE BOARD TRAINING SERIES

St. Andrew, Jamaica | January-June 2017

PUBLICATIONS

CRLA TRAINING MANUAL (OPEN EDUCATION RESOURCE)

Salem, Oregon | January-June 2020

RADA EXECUTIVE BOARD TRAINING MANUAL AND PARTICIPANT HANDBOOK

April 2017-January 2018

LOCAL FOOD CULTURE AND AGROECOSYSTEM HEALTH: A CASE STUDY

2014 | OhioLink

https://etd.ohiolink.edu/pg_10?::NO:10:P10_ETD_SUBID:95330

MIAMI UNIVERSITY GREENHOUSE GAS INVENTORY AND CARBON FOOTPRINT REPORT

Oxford, Ohio | 2012-2013

GREENHOUSE GAS INVENTORY HANDBOOK

Oxford, Ohio | 2012-2013



OWEB Board:

I am writing on behalf of Oregon Climate and Agriculture Network to express my strong support for Penny Feltner for the Water Quality or Farmer/Rancher interest seats on the Oregon Agricultural Heritage Commission.

OrCAN has partnered with Penny on our work to build a state-wide soil health network providing farmers and ranchers with resources including technical assistance and financial incentives. Penny's engagement on our Farm Service Provider Advisory Committee has been extremely valuable to our planning process and has resulted in a stronger network and provision of resources to producers.

Penny is knowledgeable about conservation practices and she has worked extensively to understand the context of Oregon farms to address the needs of agricultural land managers and provide effective technical assistance and conservation planning support. She is also intimately familiar with OAHP's grantmaking process--I believe she is one of only two successful applicants for OAHP's Conservation Management Planning (CMP) grants. The Commission has been primarily focused on covenants and easements and Penny would bring valuable experience and perspective to the CMP grant making process, which will be important with the recent influx of Natural Climate Solutions Funds. Penny would be a valuable voice on the Commission.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, reading "Megan Kemple", with a stylized flourish at the end.

Megan Kemple, Executive Director
Oregon Climate and Agriculture Network (OrCAN)



INTEREST FORM

Oregon Agricultural Heritage Commission



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Applicant Information

Name

Affiliation

Occupation

☐ Retired

Mailing address

Town/City State Zip Code

Phone Number Cell or Alternate # Fax Number

Email

Applicant Signature

By signing above, you certify that:

- All of the information on this form is true;
- You are a legal citizen of Oregon and the United States of America;
- You will accept appointment to the Oregon Agricultural Heritage Commission if selected by the OWEB Board;
- You have an email address and are able and willing to check your email on a near-daily basis and conduct some commission business via email; and
- You will be able to attend scheduled meetings across the state.

Position Sought

Check the box next to each position for which you are currently applying. You may select multiple boxes. This information may be used to contact you for the Rules Advisory Committee or for future vacancies on the commission.

- ☐ **Farmer or Rancher** (recommended by the State Board of Agriculture)
- ☐ **Fish and Wildlife Habitat** (recommended by the State Fish and Wildlife Commission)
- ☒ **Agricultural Water Quality** (recommended by the State Board of Agriculture)
- ☐ **Conservation Easements and Similar Land Transfers** (recommended by the Land Conservation and Development Commission)
- ☐ **Indian Tribal Interests** (selected by the OWEB Board)
- ☐ **Natural Resource Value Interests** (selected by the OWEB Board)

Statement Of Interest

Use the space below to explain why you are interested in being a representative on the Oregon Agricultural Heritage Commission and why you will be a good commissioner.

I am interested in serving on the Oregon Agricultural Heritage Commission to be able to assist landowners and managers to effectively carry out natural and working lands practices on our agricultural lands with voluntary practices while also protecting the natural resource attributes on those lands.

My career and community experiences, as detailed in the attached resume and as referred to later in this application, have provided me with the ability to work with farmers and ranchers to carry out conservation practices, to provide education and training, and to assist them in seeking financial opportunities to develop those practices. I believe that experience and commitment would enable me to be a strong Oregon Agricultural Heritage Commission member.

I worked with Nellie McAdams and others in lobbying for the 2017 legislation that enacted the OAHP program and have subsequently attended a number of the commission's meetings and provided testimony. Being able to assist in providing incentives through the Oregon Agricultural Heritage Fund to project implementers, both for conservation easements and covenants, as well as conservation management plans, is an important goal for me.

The 2022 enabling legislation for the state's Natural and Working Lands Program and the ability to support the reduction of greenhouse gases through conservation and carbon sequestration is a goal I have a strong interest in implementing as well. While serving as Executive Director of the Oregon Association of Conservation Districts, I developed the content for the Soil Health and Carbon Sequestration website and the accompanying guidebook: <https://oacdcarbon.org/wp-content/uploads/2023/10/Carbon-Sequestration-and-Soil-Health-Guidebook-v.1.1.pdf>. These tools outline practices, financing, and marketing related to sequestration and conservation work. Water quality is an important offset achieved in sequestration work. I was also a member of the Oregon Global Warming Commission Advisory Council, appointed by the Commission to develop planning for a natural and working lands program. I believe this experience will enable me to serve the OAHC with a knowledge background.

I have followed the development of OAHP's newly revised guidance for "Review & Feasibility Determination of Methodologies for Valuing Agricultural Conservation Management Actions". This will be an extremely helpful tool in valuing natural resource benefits from OAHP projects and rating project requests. Water quality is an important attribute of that program.

As a board member of the Clackamas Soil & Water Conservation District, I have also worked with the SIA water quality program and have attended some meetings of our local water quality work group. The work that districts do statewide to implement the Department of Agriculture's water quality program is significant and restorative.

As a recent retiree, I am able to travel to serve on the commission and devote time to the commission's work on rulemaking and grant approvals. I have over my career both sought and implemented grants, as well as providing monitoring, so I can bring those skills.

Experience/Involvement

Please describe any work experience and/or involvement that has provided you with knowledge, skills, or abilities to successfully represent the interests of the position(s) for which you are applying and to fulfill the duties of a member of the Oregon Agricultural Heritage Commission. Include any previous experience on boards or commissions.

You may attach a résumé and/or work history.

A resume of my work and service experience is attached.

Last fall I retired as Executive Director of the Oregon Association of Conservation Districts (OACD). During that time I worked with soil and water conservation districts and assisted in developing the programs we provided for the farmers and ranchers served. Part of that work included a large NRCS grant for restoration and protection of sage grouse habitat enabling me to work with district managers and their constituents in developing and monitoring habitat protection programs and individual farm/rancher plans.

I have served on the board of the Clackamas Soil and Water Conservation District for 16 years, in various officer roles and currently as the chair of our Working Lands Committee and our Advocacy Committee. I also participate as a member of the OACD Working Lands Committee and on the Working Lands Committee of the Oregon Conservation Partnership, headed by the Coalition of Oregon Land Trusts. I have enjoyed my work on the conservation district board as it gives me the opportunity to work with landowners and managers in implementing conservation practices on the ground through workshops and other educational efforts.

In the 2000s I worked with the Clackamas River Basin Watershed Council (CRBC), as a board member and as board chair in part of that period. This was another opportunity to work with people on the land to accomplish conservation and natural resource protection. As CRBC was one of the founding members of the Network of Watershed Councils I had the ability to work with other councils in that role toward our common goal. Our district still works closely with all 10 of the watershed councils in our county to help carry out water quality and restoration projects.

As my resume details, I also worked for two irrigation districts as well as serving as that state association's (OWRC) executive director in the past. Between 2006 and 2009 as manager of the Swalley Irrigation District in Bend, I worked with the Deschutes River Conservancy, the Confederated Tribes of the Warm Springs Reservation, state and federal agencies and others to pipe 5 miles of canal, oversee construction of a hydro facility and lead our district to commit 20 cfs of 1890 water rights instream. One of the merits of working for the districts was to be able to assist our customers in taking part in various programs to better their conservation and natural resource efforts, including such programs as ODFW's habitat conservation wildlife programs, instream water right leasing, and NRCS and Bureau of Reclamation conservation practice trainings. While I am not myself a farmer, I have worked with farmers and ranchers for over 25 years.

I have followed natural resource issues throughout my career. As a legislator in the early 2000s, I served on the Land and Water Committee and was Vice-Chair of the Stream Restoration and Species Recovery Committee which worked with agencies to provide ESA and other fish-related recovery programs and the Oregon Plan for salmon and watersheds. Earlier I had served on the ODFW Fish Passage Task Force so I understand the need for protection of our Oregon fishery resource. Water has also been a mainstay of my career, working with water quality, quantity and restoration issues over my career. I currently serve on the Oregon Water Resources Commission. In all of these roles, water quality was as of much importance as water quantity.

Supplemental Question

Describe what you believe to be the main issues facing the future of Oregon agriculture and the fish and wildlife habitat and other natural resources on Oregon's agricultural lands.

I believe there are a number of issues facing the future of Oregon agriculture and the related natural resources, including fish and wildlife habitat protections, which could be mitigated by implementing OAHP programs.

First, we must protect the land base for agriculture--it is limited and irreplaceable. The OAHP easement and covenant program is a major tool toward that goal as well as OWEB's acquisition and easement protection programs and the NRCS programs that provide matching dollars. Our land use goals, and primarily the Farm and Forest Programs of the Department of Land Conservation and Development under statewide planning goal 3, provide a strong base for protection. I currently serve on the Farm/Forest RAC to assist in ensuring that program remains relevant to current needs. Incorporating protection from the continuing growth of exceptions for development on farmland is more necessary than ever to maintain the land base. From 1954 to 2022 we lost almost 6 million acres of farmland to other development and 5.5% of our farms.

We must at the same time assure economic viability for our agricultural base which brings substantial dollars into Oregon's economy. Agriculture has a \$28.9 billion footprint in Oregon. It provides 15% of our economy and 1 out of every 8 jobs. External issues such as material costs, labor, marketing pressures and other operational expenses continue to make it more difficult to achieve strong economic results.

And climate change impacts further aggravate the economics and viability and must be addressed. Drought and wildfire have created substantial losses in the farm economy. We Oregonians need the food and products our local farmers produce and we need to ensure they can continue operation to provide our needs and serve the export markets Oregon has developed. And while they operate we need to provide them with assistance in the protection of water quality among other benefits to our natural resources.

An aging land ownership and management force internally requires a viable succession program, another tool that the OAHP program will implement. Over 64% of our farms will change ownership in the next 20 years. The average age of a farmer is now 60 and over and 81% of those farmers do not have a succession plan. This part of the OAHP program is badly needed.

Farmers and ranchers want to protect the natural resources that are important to our state as well as their needs and they require programs that will assist their voluntary efforts. With current federal funding that has been significant to Oregon we have been able to finance some of the needed tools and incentives. But with the Farm Bill lingering and federal dollars diminishing, it is incumbent upon our state to fill the gap to help maintain our agricultural economy. Any programs we can support and fund are strong tools for that effort.

People working the land want to do the right thing. Programs such as the Oregon Department of Fish and Wildlife's (ODFW) tax exemption for providing wildlife habitat, the Oregon Water Resources Department instream leasing, funding through the ODFW Fish Passage Task Force, and many of the OWEB programs, are providing farmers and ranchers with programs and incentives to enhance protection of our natural resources. The cooperation of conservation districts in carrying out ODA's water quality program provides opportunities for districts to fund SIA projects.

The same development encroachments that can diminish our farmland can also bring harm to our natural resources. Protecting natural resources and farmland goes hand-in-hand and Oregon's OAHP program will benefit both.

References

Please identify three references that may be contacted if you are selected as a top candidate. Individuals or representatives of associations/organizations are acceptable.

Letters of support from relevant staff, associations, or similar groups are encouraged; feel free to attach any such letters to your application.

Reference #1

Name [Meta Loftsgaarden](#)
Affiliation (if any) [former OWEB Director; current Forest Supervisor, Mt Hood National Forest](#)
Mailing Address [16400 Champion Way](#)
City/Town [Sandy](#)
State [Oregon](#)
Zip Code [97055](#)
Phone Number [REDACTED]
Alternate # [REDACTED]
Fax # [REDACTED]
Email [REDACTED]

Reference #2

Name [Nellie McAdams](#)
Affiliation (if any) [Oregon Agricultural Trust](#)
Mailing Address [P.O. Box 7359](#)
City/Town [Salem](#)
State [Oregon](#)
Zip Code [97303](#)
Phone Number [REDACTED]
Alternate # [REDACTED]
Fax # [REDACTED]
Email [REDACTED]

Reference #3

Name [Kate Fitzpatrick](#)
Affiliation (if any) [Deschutes River Conservancy](#)
Mailing Address [700 NW Hill Street](#)
City/Town [Bend](#)
State [Oregon](#)
Zip Code [97703](#)
Phone Number [REDACTED]
Alternate # [REDACTED]
Fax # [REDACTED]
Email [REDACTED]

Please send your completed application via email to nicole.bettinardi@oweb.oregon.gov or via mail to:

Oregon Agricultural Heritage Program
ATTN: Nicole Bettinardi
Oregon Watershed Enhancement Board
775 Summer Street NE #360
Salem, Oregon 97301



PROTECTED GROUP STATUS FORM

Committee/Board Member

Oregon Agricultural Heritage Commission



Name Jan Lee

Date August 27, 2024

Department/Committee Board Name: **Oregon Agricultural Heritage Commission**

Federal and State laws require the Board to make its programs, activities, and services available to all persons regardless of race, color, national origin, age, disability, and sex. The Board is attempting to monitor the selection of and participation by women, minorities, and people with disabilities on its committees, advisory groups, etc.

The following information will be used for statistical reporting only, and is voluntary. **Information obtained will be kept confidential and will be destroyed as soon as the responses on the form are captured numerically.**

Race/Ethnic Origin:

- ☐ Black
- ☐ Asian or Pacific Islander
- ☐ American Indian or Alaskan Native
- ☐ Hispanic (of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin)
- ☒ **White** X

Mark the following which apply to you:

- ☒ **Female** X
- ☐ Male
- ☐ Disabled

☐ I prefer not to respond to these questions.

Oregon Agricultural Heritage Commission Per Diem Stipend Qualification Form

For Tax Filing Year [2023]

Member Name (First and Last): Janet L. Lee
(Print)

Address, City, State, ZIP: 36702 Ichabod Street, Sandy, OR 97055
(Print)

Compensation:

A board or commission member who is not employed full-time in public service may receive a stipend under ORS 292.495 (1) for each day or portion of a day during which the member is actually engaged in the performance of official duties. The amount may exceed, but not be less than, the amount of payment that would otherwise be provided under ORS 292.495 (5).

If you are currently serving on a state board or commission other than this one and receiving compensation, under the Constitution of Oregon, Article II Suffrage and Elections, Section 10, you are not allowed to receive compensation from more than one board or commission.

Are you currently serving on a state board or commission(s) other than this one: ☒ yes* ☐ no

*If yes, please list name(s):

Oregon Water Resources Commission

*If yes and you are accepting the per diem stipend from another state board or commission, list name of that entity: Oregon Water Resources Department

Please indicate your compensation status and selection:

I understand this compensation is taxable income and will be reported to me annually on a W-2 or 1099 statement.

By signing this form, I hereby affirm that all information provided by me on this form is true to the best of my knowledge.

Signature: Jan Lee Date: August 28, 2024

JAN LEE

PROFESSIONAL SUMMARY

POLICY WORK IN NATURAL RESOURCES
ASSOCIATION MANAGEMENT
GOVERNMENT EXPERIENCE AND ADVOCACY

WORK HISTORY

Water & Energy Resource Services

Owner and consultant from 1983-present
Contract association management, grants and projects

Executive Director, 03/2018 – 10/31/2023 Now Retired

Oregon Association of Conservation Districts, Salem, Oregon

- represent the 45 Soil and Water Conservation Districts statewide
- building programs for districts to serve landowners
- providing communications
- conference and workshop implementation
- advocacy with state and federal agencies
- grant seeking and development

Executive Director, 04/2009 - 02/2018

Northwest Hydroelectric Association, Portland, OR

- providing services to Northwest utilities with hydropower projects
- supporting new small hydropower projects in irrigation districts/cities
- developing communications
- assisting members with regulatory issues
- implementing conferences and workshops
- developing grants with BPA and NW Power Council

Manager, 02/2003 - 03/2009

Swalley Irrigation District, Bend, OR

- manage irrigation system
- work with city of Bend, Confederated Tribes of the Warm Springs and 6 other irrigation districts in developing water conservation projects basinwide and a habitat conservation plan
- management of 5-mile pipeline project adding a small hydropower plant, including permitting, finance and construction management, confirming rights-of-ways through federal court process
- advocacy with state and federal agencies; grant and fiscal management of \$14 million investment
- managing land use actions on district lands at city/county level

State Representative, 01/2001 - 12/2002 Oregon

 Sandy, OR 97055



SKILLS

- Natural Resource Policy
- Rulemaking
- Grant Management
- Advocacy
- Executive Leadership
- Land Use Review
- Agriculture/Forestry Services

House District 51

- Member Water and Land Use Committee
- Vice-Chair Stream Restoration and Species Recovery Committee
- Health and Human Resources Committee
- ability to shepherd Oregon hydropower relicensing legislation and other natural resource policy

Executive Director, 05/1985 - 12/2000

Oregon Water Resources Congress (OWRC), Bend and Salem, OR (irrigation districts of Oregon)

- advocate and develop programs for the state's irrigation districts
- working with the Water Resources Commission, the department, and other state and federal agencies
- advocating at the state and federal level
- board member National Water Resources Association

EDUCATION

Masters, Public Administration/Natural Resources, 05/1989

Lewis & Clark College - Portland, OR

Bachelor of Science, Management, 05/1983

Linfield College - McMinnville, Oregon

GOVERNMENT EXPERIENCE

CURRENT

Board Member, Clackamas Soil & Water Conservation District – 16 years
City of Sandy Planning Commission
Commissioner, Oregon Water Resources Commission
Budget Committee, Clackamas County
Board Chair, Oregon Association of Conservation Districts

FORMER

Oregon State Representative, HD 51
City Council, City of Sandy
Chair, Clackamas River Basin Council
Oregon Watershed Enhancement Board Member
Oregon Global Warming Commission, member of Natural and Working
Lands Advisory Committee to OGWC on climate issues
Served on USFS NW Forest Management Plan Advisory Committee
Clackamas County Planning Commission



OREGON
AGRICULTURAL
TRUST

Monday, 8/26/2024

To Whom it May Concern:

I am writing to convey my strong support for Jan Lee as a candidate for the Oregon Agricultural Heritage Commission. I have worked with Jan for years in her roles at Oregon Association of Conservation Districts and have tremendous respect for her knowledge of conservation and agriculture in Oregon, her diplomacy, and her ability to understand and inform state programs.

Please let me know if you have any questions: 971.409.6806, nellie@oregonagtrust.org.

Best regards,

Nellie McAdams

Executive Director

OAHP

Kate Fitzpatrick <kate@deschutesriver.org>

Mon 8/26/2024 11:43 AM

To:janleewater@gmail.com <janleewater@gmail.com>

Hi Jan,

I enthusiastically support your service on the OAHP Commission. This program is critical to support both conservation goals as well as the state's goals to preserve working landscapes. Your depth of experience working on conservation issues in Oregon, your knowledge of carbon sequestration opportunities, and your level of understanding and vision about this program will add great value to the Commission. In addition, your balanced, even, and no-nonsense style and ability to get things done will serve this role well.

Please let me know if I can help further.

All the best,

Kate

Kate Fitzpatrick
Executive Director

541 382-4077 x 118



www.deschutesriver.org

Check out our [2023 Impact Report!](#)

Re: Support for Jan Lee and OAHP nomination

Jan Lee <janleewater@gmail.com>

Wed 8/28/2024 12:49 PM

To: Loftsgaarden, Meta - FS, OR <Meta.Loftsgaarden@usda.gov>

Thank you so much for taking the time to add this to your list of all you already have to do!!

From: Loftsgaarden, Meta - FS, OR <Meta.Loftsgaarden@usda.gov>

Sent: Wednesday, August 28, 2024 12:48 PM

To: Jan Lee <janleewater@gmail.com>

Subject: Support for Jan Lee and OAHP nomination

Jan – please accept this note as my confirmation that I support your application for the Oregon Agricultural Heritage Program. Given your extensive background and experience both directly in agricultural land conservation, and in many roles adjacent to this important work, I think you bring a perspective that is important to the success of the program. Please share this message as appropriate, and I'm glad to talk further if needed.

Meta



Meta Loftsgaarden (she/her/hers)

Forest Supervisor

Forest Service

Mt Hood National Forest

c: 971-378-9704

meta.loftsgaarden@usda.gov

16400 Champion Way

Sandy, OR 97055

www.fs.usda.gov/mthood



**Caring for the land and serving
people**

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.



Monday, 8/26/2024

To Whom it May Concern:

I am writing to convey my strong support for Jan Lee to serve on the Oregon Agricultural Heritage Commission. I have worked closely with Jan in her roles at Clackamas Soil & Water Conservation District and here at OACD. She has extensive knowledge and experience working with conservation and agriculture throughout Oregon. She also has invaluable experience working on commissions and on state policies. Finally, she is a very easy person to work with, her diplomacy and ability to collaborate, yet express her own opinions strongly would be a great asset to the OAHC.

Please let me know if you have any questions: 971-988-9929 or andrea.kreiner@oacd.org.

Best regards,

A large, stylized handwritten signature in black ink, which appears to be "Andrea Kreiner", written over the "Best regards," text.

Executive Director

P. O. Box 10527, Portland, OR 97296



Oregon Agricultural Heritage Commission



This form is used to obtain general information and qualifications of persons interested in serving on the Oregon Agricultural Heritage Commission. This information will be used by the Oregon boards and commissions that recommend applicants to the Oregon Watershed Enhancement Board (OWEB), and also by the OWEB Board, which will appoint the commissioners. Agencies are required to pay per diem compensation and expenses for "qualified members," defined as members who are (1) not in full-time public service, and (2) have an adjusted gross income for the previous tax year of less than \$50,000, or less than \$100,000 reported on a joint income tax return. The only exception to the requirement is if the qualified member declines compensation. The agency will reimburse board members for travel expenses.

Applicant Information

Name John O'Keeffe
Affiliation Livestock Industry
Occupation
☐ Retired Rancher
Mailing address [REDACTED]
Town/City Adel State OR Zip Code 97620
Phone Number [REDACTED] Cell or Alternate # [REDACTED] Fax Number [REDACTED]
Email johnhok@hotmail.com

Applicant Signature

By signing above, you certify that:

- All of the information on this form is true;
- You are a legal citizen of Oregon and the United States of America;
- You will accept appointment to the Oregon Agricultural Heritage Commission if selected by the OWEB Board;
- You have an email address and are able and willing to check your email on a near-daily basis and conduct some commission business via email; and
- You will be able to attend scheduled meetings across the state.

Position Sought

Check the box next to each position for which you are currently applying. You may select multiple boxes. This information may be used to contact you for the Rules Advisory Committee or for future vacancies on the commission.

- X ☒ **Farmer or Rancher** (recommended by the State Board of Agriculture)
☐ **Fish and Wildlife Habitat** (recommended by the State Fish and Wildlife Commission)
☐ **Agricultural Water Quality** (recommended by the State Board of Agriculture)
☐ **Conservation Easements and Similar Land Transfers** (recommended by the Land Conservation and Development Commission)
☐ **Indian Tribal Interests** (selected by the OWEB Board)
☐ **Natural Resource Value Interests** (selected by the OWEB Board)

Statement Of Interest

Use the space below to explain why you are interested in being a representative on the Oregon Agricultural Heritage Commission and why you will be a good commissioner.

I was involved in the start-up of the OAH Program, I believe in the program and would like to be part of helping the program continue.

Easements have always been controversial to the livestock industry. I was involved in the start up of OAHP and I was involved in the start of the Oregon Rangeland trust. The discussions that occurred gave me a good understanding of how the livestock industry views these programs. I feel these insights would allow me to participate in commission deliberation in ways that could lessen controversy and promote acceptance of OAHP.

Ranchers tend to run hot or cold about easements, I feel the thoughtful approach I bring to the discussion could help to bridge some of the gaps that exist.

Escalating land prices, under financed young producers, key wildlife parcels owned by aging producers, urban sprawl, going forward it is going to be important to spend our OAHP funds wisely, this will take thoughtful guidance.

Experience/Involvement

Please describe any work experience and/or involvement that has provided you with knowledge, skills, or abilities to successfully represent the interests of the position(s) for which you are applying and to fulfill the duties of a member of the Oregon Agricultural Heritage Commission. Include any previous experience on boards or commissions.

You may attach a résumé and/or work history.

Lifelong Rancher

Chairman Lake County Weed Board

Lake County District 21 School Board

Eastern Oregon Agricultural Research Center Advisory Board

Chairman Goose and Summer Lake Basin Landowner Advisory Committee (SB1010)

President Oregon Cattlemen's Association

Chairman NCBA Federal Lands Committee

Chairman Public Lands Council Sage Grouse Committee

Rancher Representative Oregon Sage Con

Member Steering Committee Tri-Corner Community Collaborative

President Warner Valley Rangeland Fire Protection Association

Rancher Representative Oregon Wildfire Programs Advisory Council

Industry Representative USDA Wildland Fire Mitigation and Management Commission

Supplemental Question

Describe what you believe to be the main issues facing the future of Oregon agriculture and the fish and wildlife habitat and other natural resources on Oregon's agricultural lands.

Climate Change/atmospheric carbon will need to be addressed in a thoughtful manner, we are a long way from viable electric tractors and sustained long haul large trucks (Livestock transports can't stop every 200 miles to charge for hours). Alternate fuels will need to bridge the gap between petroleum based fuels and all electric vehicles.

Agriculture will have to be flexible, thoughtful and adaptive as climate change progresses.

With the rural/urban divide getting worse every year it is important to have those that will voice the contribution agricultural working lands make to Oregon's wildlife. I can be one of those voices.

References

Please identify three references that may be contacted if you are selected as a top candidate. Individuals or representatives of associations/organizations are acceptable.

Letters of support from relevant staff, associations, or similar groups are encouraged; feel free to attach any such letters to your application.

Reference #1

Name Matt Mc Elligott

Affiliation (if any) OCA

Mailing Address [REDACTED]

City/Town North Power

State OR

Zip Code 97867

Phone Number [REDACTED]

Alternate #

Fax #

Email [REDACTED]

Reference #2

Name Mark Owens

Affiliation (if any) Oregon Legislature

Mailing Address [REDACTED]

City/Town Crane

State OR

Zip Code 97732

Phone Number [REDACTED]

Alternate #

Fax #

Email [REDACTED]

Reference #3

Name Marc Hudson

Affiliation (if any) Oregon Agricultural Trust

Mailing Address [REDACTED]

City/Town Salem

State OR

Zip Code 97303

Phone Number [REDACTED]

Alternate #

Fax #

Email [REDACTED]

Please send your completed application via email to nicole.bettinardi@oweb.oregon.gov or via mail to:

Oregon Agricultural Heritage Program
ATTN: Nicole Bettinardi
Oregon Watershed Enhancement Board
775 Summer Street NE #360
Salem, Oregon 97301

Applications must be sent via email or mailed (post-marked by August 25, 2024) in order to be considered for a position.



PROTECTED GROUP STATUS FORM

Committee/Board Member

Oregon Agricultural Heritage Commission



Name

Date

Department/Committee Board Name: **Oregon Agricultural Heritage Commission**

Federal and State laws require the Board to make its programs, activities, and services available to all persons regardless of race, color, national origin, age, disability, and sex. The Board is attempting to monitor the selection of and participation by women, minorities, and people with disabilities on its committees, advisory groups, etc.

The following information will be used for statistical reporting only, and is voluntary. **Information obtained will be kept confidential and will be destroyed as soon as the responses on the form are captured numerically.**

Race/Ethnic Origin:

- ☐ Black
- ☐ Asian or Pacific Islander
- ☐ American Indian or Alaskan Native
- ☐ Hispanic (of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin)
- ☐ White

Mark the following which apply to you:

- ☐ Female
- ☐ Male
- ☐ Disabled

☒ I prefer not to respond to these questions.

Oregon Agricultural Heritage Commission Per Diem Stipend Qualification Form

For Tax Filing Year [2025]

Member Name (First and Last): John O'Keeffe
(Print)

Address, City, State, ZIP: [REDACTED]
97620
(Print)

Compensation:

A board or commission member who is not employed full-time in public service may receive a stipend under ORS 292.495 (1) for each day or portion of a day during which the member is actually engaged in the performance of official duties. The amount may exceed, but not be less than, the amount of payment that would otherwise be provided under ORS 292.495 (5).

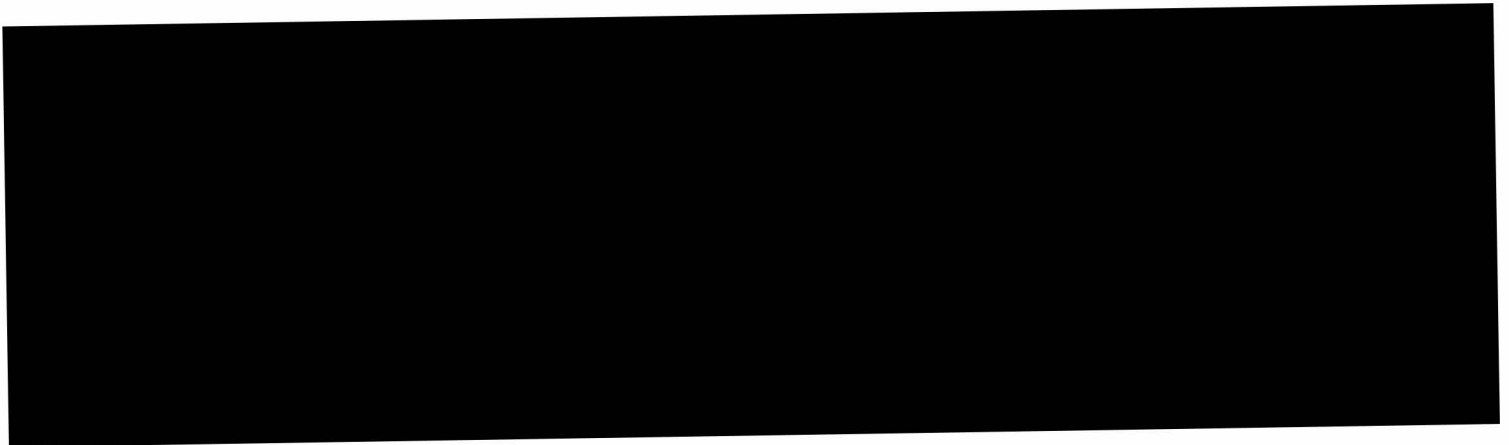
If you are currently serving on a state board or commission other than this one and receiving compensation, under the Constitution of Oregon, Article II Suffrage and Elections, Section 10, you are not allowed to receive compensation from more than one board or commission.

Are you currently serving on a state board or commission(s) other than this one: ☐ yes* ☒ x no

*If yes, please list name(s):

*If yes and you are accepting the per diem stipend from another state board or commission, list name of that entity:

Please indicate your compensation status and selection:



I understand this compensation is taxable income and will be reported to me annually on a W-2 or 1099 statement.

By signing this form, I hereby affirm that all information provided by me on this form is true to the best of my knowledge.

Signature: [Handwritten Signature] Date: 11/5/24



INTEREST FORM

Oregon Agricultural Heritage Commission



This form is used to obtain general information and qualifications of persons interested in serving on the Oregon Agricultural Heritage Commission. This information will be used by the Oregon boards and commissions that recommend applicants to the Oregon Watershed Enhancement Board (OWEB), and also by the OWEB Board, which will appoint the commissioners. Agencies are required to pay per diem compensation and expenses for “qualified members,” defined as members who are (1) not in full-time public service, and (2) have an adjusted gross income for the previous tax year of less than \$50,000, or less than \$100,000 reported on a joint income tax return. The only exception to the requirement is if the qualified member declines compensation. The agency will reimburse board members for travel expenses.

Applicant Information

Name **Mark Vargas**

Affiliation

Occupation

☒ Retired

Mailing address **4455 Pioneer Rd**

Town/City **Medford**

State **4**

Zip Code **97501**

Phone Number

Cell or Alternate #

Fax Number

Email

Applicant Signature *Mark A. Vargas*

By signing above, you certify that:

- All of the information on this form is true;
- You are a legal citizen of Oregon and the United States of America;
- You will accept appointment to the Oregon Agricultural Heritage Commission if selected by the OWEB Board;
- You have an email address and are able and willing to check your email on a near-daily basis and conduct some commission business via email; and
- You will be able to attend scheduled meetings across the state.

Position Sought

Check the box next to each position for which you are currently applying. You may select multiple boxes. This information may be used to contact you for the Rules Advisory Committee or for future vacancies on the commission.

- ☐ **Farmer or Rancher** (recommended by the State Board of Agriculture)
- ☒ **Fish and Wildlife Habitat** (recommended by the State Fish and Wildlife Commission)
- ☐ **Agricultural Water Quality** (recommended by the State Board of Agriculture)
- ☐ **Conservation Easements and Similar Land Transfers** (recommended by the Land Conservation and Development Commission)
- ☐ **Indian Tribal Interests** (selected by the OWEB Board)
- ☐ **Natural Resource Value Interests** (selected by the OWEB Board)

Statement Of Interest

Use the space below to explain why you are interested in being a representative on the Oregon Agricultural Heritage Commission and why you will be a good commissioner.

I grew up raising livestock and recreating in Oregon. I have spent over 37 years as a natural resource manager in Oregon and have developed a passion for protecting, enhancing, and enjoying Oregon's resources. I would like to continue to provide advice and be part of a commission that can benefit from my passion and years of experience managing Oregon's fish and wildlife. I feel I would be a great fit as a commissioner representing fish and wildlife interests on the Oregon Agricultural Heritage Commission.

Experience/Involvement

Please describe any work experience and/or involvement that has provided you with knowledge, skills, or abilities to successfully represent the interests of the position(s) for which you are applying and to fulfill the duties of a member of the Oregon Agricultural Heritage Commission. Include any previous experience on boards or commissions.

You may attach a résumé and/or work history.

I grew up raising livestock in Eagle Point, Oregon, and have owned and operated my current working sheep/hay ranch since 1995 in Medford, Oregon.

My professional career spans over 37 years working with, and managing natural resources in Oregon. My career with Oregon Department of Fish and Wildlife (ODFW) has allowed me to work in fish management and research, wildlife management and administration.

Early in my career I worked with fish research and management along the entire Oregon coast conducting field work as well as technical work. I have been on the Salmon Technical Team (STT) for the Pacific Fisheries Management Council (PFMC), working with other states, federal and tribal partners to cooperatively manage pacific coast salmon.

I then became the manager of the Denman Wildlife Area in southern Oregon where I managed the 1,800-acre wildlife area for wildlife habitat needs and public use. Soliciting and receiving public input was an integral part of managing these lands. I also held the position of the Rogue District Habitat biologist where I would seek out wildlife habitat improvement projects on public and private lands. In this position I also held the role of the Southwest Oregon Access and Habitat (A&H) Coordinator position. I was responsible for helping landowners with grant applications to present to the SW A&H council.

I promoted to the District Wildlife Biologist where I was the lead biologist managing wildlife in Jackson, Josephine, and Curry counties. I worked with many other organizations and agencies during this 17-year timeframe. The latter part of my career I worked in administration in various roles in the SW Region and ODFW headquarters office in Salem. I am currently a board member of the Mace Family Trust and the Watchable Wildlife Foundation where we review grant applications for wildlife and natural resources related education and habitat improvement projects.

Other committees and boards I have been involved with:

- Served as a scout leader and Commissioner for Crater Lake Council, Boy Scouts of America
- Served as the Fish and Wildlife representative on the Jackson County Animal Control Board for 15 years (was selected Chair for 9 of those years)
- Served as Ducks Unlimited committee member, Newport Chapter
- Current board member of the Phoenix FFA Advisory Committee
- Current Secretary of the Phoenix FFA Alumni
- Current member of the Phoenix-Talent School Board Budget Committee (serving since 1999, and have been selected Chair for 10 years)
- Current board member of the Mace Family Trust managed by the Oregon Communities Foundation
- Current board member of the Watchable Wildlife Foundation

Supplemental Question

Describe what you believe to be the main issues facing the future of Oregon agriculture and the fish and wildlife habitat and other natural resources on Oregon's agricultural lands.

Although Oregon has a large percentage of public land that supports wildlife, we need to not only manage our public lands responsibly, but also need to recognize our private lands and the landowners that take care of those lands. Private lands

are a critical component of wildlife habitat throughout Oregon. We need to develop relationships and provide resources, both financial and educational, to bring our private landowners on-board with prudent wildlife habitat needs, protections and enhancements. We must try to accomplish this while recognizing the importance of our agricultural needs, both economically and socially. Water issues, particularly in southern Oregon, loss of smaller agricultural properties and loss of wildlife connectivity are a few of the top issues worth focusing on.

References

Please identify three references that may be contacted if you are selected as a top candidate. Individuals or representatives of associations/organizations are acceptable.

Letters of support from relevant staff, associations, or similar groups are encouraged; feel free to attach any such letters to your application.

Reference #1

Name **Tod Lum**

Affiliation (if any)

Mailing Address [REDACTED]

City/Town **Kamuela**

State **HI**

Zip Code **96743**

Phone Number [REDACTED]

Alternate #

Fax #

Email [REDACTED]

Reference #2

Name **Steve Niemela**

Affiliation (if any)

Mailing Address [REDACTED]

City/Town **West Linn**

State **OR**

Zip Code **97068**

Phone Number [REDACTED]

Alternate #

Fax #

Email [REDACTED]

Reference #3

Name **Jade Keehn**

Affiliation (if any)

Mailing Address [REDACTED]

City/Town **White City**

State **OR**

Zip Code **97503**

Phone Number [REDACTED]

Alternate #

Fax #

Email [REDACTED]

Please send your completed application via email to nicole.bettinardi@oweb.oregon.gov or via mail to:

Oregon Agricultural Heritage Program
ATTN: Nicole Bettinardi
Oregon Watershed Enhancement Board
775 Summer Street NE #360
Salem, Oregon 97301

Applications must be sent via email or mailed (post-marked by August 25, 2024) in order to be considered for a position.



PROTECTED GROUP STATUS FORM

Committee/Board Member

Oregon Agricultural Heritage Commission



Name **Mark Vargas**

Date **Nov 23, 2024**

Department/Committee Board Name: **Oregon Agricultural Heritage Commission**

Federal and State laws require the Board to make its programs, activities, and services available to all persons regardless of race, color, national origin, age, disability, and sex. The Board is attempting to monitor the selection of and participation by women, minorities, and people with disabilities on its committees, advisory groups, etc.

The following information will be used for statistical reporting only, and is voluntary. **Information obtained will be kept confidential and will be destroyed as soon as the responses on the form are captured numerically.**

Race/Ethnic Origin:

- ☐ Black
- ☐ Asian or Pacific Islander
- ☐ American Indian or Alaskan Native
- ☐ Hispanic (of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin)
- ☒ White

Mark the following which apply to you:

- ☐ Female
- ☒ Male
- ☐ Disabled

☐ I prefer not to respond to these questions.

Oregon Agricultural Heritage Commission Per Diem Stipend Qualification Form

For Tax Filing Year **[2024]**

Member Name (First and Last): Mark Vargas

Address, City, State, ZIP: 4455 Pioneer Rd, Medford, Oregon 97501

Compensation:

A board or commission member who is not employed full-time in public service may receive a stipend under ORS 292.495 (1) for each day or portion of a day during which the member is actually engaged in the performance of official duties. The amount may exceed, but not be less than, the amount of payment that would otherwise be provided under ORS 292.495 (5).

If you are currently serving on a state board or commission other than this one and receiving compensation, under the Constitution of Oregon, Article II Suffrage and Elections, Section 10, you are not allowed to receive compensation from more than one board or commission.

Are you currently serving on a state board or commission(s) other than this one: ____yes* __X_no

*If yes, please list name(s):

*If yes and you are accepting the per diem stipend from another state board or commission, list name of that entity: _____

Please indicate your compensation status and selection:

[Redacted area for compensation status and selection]

I understand this compensation is taxable income and will be reported to me annually on a W-2 or 1099 statement.

By signing this form, I hereby affirm that all information provided by me on this form is true to the best of my knowledge.

Signature: Mark A. Vargas Date: Nov 23, 2024

Steve Niemela
1413 Rosemarie Drive
West Linn, OR 97068
Steve.niemela@gmail.com
541-601-5280

November 24, 2024

Oregon Agricultural Heritage Program
ATTN: Nicole Bettinardi
Oregon Watershed Enhancement Board
775 Summer Street NE #360
Salem, Oregon 97301

Dear Nicole:

I am writing this letter to support Mark Vargas' application to the Oregon Agricultural Heritage Commission. Mark Vargas has been a professional mentor and friend for the past 20 years, and I have seen his commitment to wildlife habitat and the ag community firsthand. I believe Mark is an ideal candidate for this position because of his career improving fish and wildlife habitat as a professional biologist and manager for ODFW, his life-time commitment to volunteer service, and his personal experience running a small farm in the Rogue Valley.

While at ODFW, Mark worked directly on habitat issues as the manager of the Denman Wildlife Area and habitat biologist, including work with private landowners through ODFW's Access and Habitat Project. This work gave him the technical skills and knowledge needed to implement habitat projects, and the softer skills needed to collaborate with private ranchers and industrial forest landowners. As Mark's career evolved, he became a manager and mentor and continued to work on habitat through his staff. Mark had a way of focusing on the positive and looking at habitat projects not only as a means to get something done on the ground for wildlife, but also as an opportunity to bring communities and people together. I believe this is the kind of positive proactive perspective he could bring to the Oregon Agricultural Heritage Program.

It is important to recognize that Mark often did this work for fish and wildlife after staying up all night lambing, mending fence, tending to sick animals, repairing a busted waterline, or whatever other emergency a farm naturally produces. He understands firsthand the economics, hardship, and joy of a life immersed in agriculture. Ranching for Mark has always been a family affair with his kids helping bring in hay, caring for the animals, participating in FFA, and showing animals at the local Jackson County Fair.

While working for ODFW and keeping up with his agricultural operations, Mark also volunteered for what seemed like every non-profit in the Rogue Valley that had a connection to the natural world, including the Crater Lake Council of the Boy Scouts of America, the Jackson County Animal Control Board, Phoenix FFA, and the Phoenix-Talent School Board Budget Committee. Most recently, Mark has joined boards for the Mace Family Trust, and the Watchable Wildlife Foundation.

Given the land ownership patterns in Oregon it is essential in my opinion that Oregon maintains its working lands with a focus on providing agricultural commodities while improving important fish and wildlife habitat. Threading this needle may be a difficult challenge, but I believe Mark's positivity, focus on practical solutions, deep knowledge of wildlife habitat needs, and commitment to the agricultural community makes him uniquely suited to contribute to this challenge. I strongly encourage you to approve his application to the Oregon Agricultural heritage Commission.

Sincerely,

A handwritten signature in black ink, reading "Steven Niemela". The signature is written in a cursive, flowing style.

Steve Niemela

Steve Niemela
1413 Rosemarie Drive
West Linn, OR 97068
Steve.niemela@gmail.com
541-601-5280

November 24, 2024

Oregon Agricultural Heritage Program
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Oregon Watershed Enhancement Board
775 Summer Street NE #360
Salem, Oregon 97301

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Sincerely,

A handwritten signature in black ink, reading "Steven Niemela". The signature is written in a cursive, flowing style.

Steve Niemela



INTEREST FORM

Oregon Agricultural Heritage Commission



This form is used to obtain general information and qualifications of persons interested in serving on the Oregon Agricultural Heritage Commission. This information will be used by the Oregon boards and commissions that recommend applicants to the Oregon Watershed Enhancement Board (OWEB), and also by the OWEB Board, which will appoint the commissioners. Agencies are required to pay per diem compensation and expenses for “qualified members,” defined as members who are (1) not in full-time public service, and (2) have an adjusted gross income for the previous tax year of less than \$50,000, or less than \$100,000 reported on a joint income tax return. The only exception to the requirement is if the qualified member declines compensation. The agency will reimburse board members for travel expenses.

Applicant Information

Name

Affiliation

Occupation

☐ Retired

Mailing address

Town/City State Zip Code 97370

Phone Number Cell or Alternate #

Applicant Signature

By signing above, you certify that:

- All of the information on this form is true;
- You are a legal citizen of Oregon and the United States of America;
- You will accept appointment to the Oregon Agricultural Heritage Commission if selected by the OWEB Board;
- You have an email address and are able and willing to check your email on a near-daily basis and conduct some commission business via email; and
- You will be able to attend scheduled meetings across the state.

Position Sought

Check the box next to each position for which you are currently applying. You may select multiple boxes. This information may be used to contact you for the Rules Advisory Committee or for future vacancies on the commission.

- ☐ **Farmer or Rancher** (recommended by the State Board of Agriculture)
- ☒ **Fish and Wildlife Habitat** (recommended by the State Fish and Wildlife Commission)
- ☐ **Agricultural Water Quality** (recommended by the State Board of Agriculture)
- ☐ **Conservation Easements and Similar Land Transfers** (recommended by the Land Conservation and Development Commission)
- ☐ **Indian Tribal Interests** (selected by the OWEB Board)
- ☐ **Natural Resource Value Interests** (selected by the OWEB Board)

Statement Of Interest

Use the space below to explain why you are interested in being a representative on the Oregon Agricultural Heritage Commission and why you will be a good commissioner.

I believe the Oregon Agricultural Heritage Program is a critical program to assist the Agricultural community in economic resilience and a benefit to local/rural communities. The programs offered can provide tools which will benefit working lands and maintain or enhance fish and wildlife habitat. The Interests of Fish and Wildlife position reflects who I am as an individual. I am a landowner, fifth generation farmer/landowner, and natural resources professional who has dedicated myself to working with partners across the state on fish and wildlife, habitats and working lands. Farmers are connected to the land, the soil and the overall ecosystem on their lands. It is important to capture the knowledge and land management techniques Oregon farmers can provide to our resources they produce, including natural resources elements for fish and wildlife. Through my experiences in agriculture and being a part of the agricultural community, there are many challenges farmers face. It is important to protect agriculture and provide farmers with as many resources as possible to not only sustain but succeed now and in the future. Between 2012 and 2017 Oregon lost 340,000 acres from agricultural production due to development, fragmentation and rural landowner succession challenges. OAHP prevents this through offering integral tools like management strategies, easements and successional planning. I value OAHP's mission and will work to support it as a commissioner, fisheries and wildlife professional and a landowner/farmer. OAHP provides integral resources that can be utilized by Oregon's agricultural community. OAHP is a critical example and opportunity to provide unity in managing the land to its best intended use. This includes bridging the farming, natural resources and fisheries and wildlife community to work together for the greater good. By default, OAHP also protects agricultural lands and keeps them in production for future generations.

My upbringing in the agriculture community and managing family land has led to my career in Fisheries and Wildlife. There are significant overlaps in land management techniques to achieve its highest function for production and for fish and wildlife. Bridging the natural resources community with agriculture/landowners makes scientific and applicable sense. Examples include restoration techniques, working lands approaches and working within the ecosystem instead of against it. At Ducks Unlimited Inc. I work with a variety of partners including tribes, farmers, ranchers, producers, recreationists (hunting, fishing, passive) and work to conserve, restore or enhance habitat across a diversity of Oregon landscapes. There is significant overlap in the partners/landowners we work with, working lands management and shared visions and goals. I have been engaged with supporting OAHP since 2014. If I am fortunate enough to be chosen for this position, it will be my goal to work with fellow commissioners to strengthen the program. I plan to do that with my experience, relationships, collaboration, knowledge and tools I can provide.

If I am fortunate to be selected to the commission, I can offer high level unique perspectives and skills as someone from the agricultural and Fisheries and Wildlife community. Both my education and career have strengthened my abilities to bring more to programs like OAHP including active listening, self-awareness, empathy, and accountability. Coupled with a strong professional network, communication and relationship building. Relationships are critically important to the work I do professionally and/or landowner. If selected to this commission my goal will be to form collaborative relationships with OWEB staff, other commissioners, and landowners and natural resource entities that are interested or apply to the program. Through my career I have been involved in a wide diversity of technical, policy and administrative tasks that align with my potential roles as a commissioner. OAHP is a critical resource for natural resource agencies to assist landowners and the agricultural community. The state funding OAHP provides is a rare source that can be utilized and leveraged through federal match. In 2022, I worked on a grant that utilized OAHP as match for federal funding. Oregon has limited state funding sources and OAHP is essential. Recognizing that OAHP has not met desired funding goals through the legislature, and I can be a voice to increase funding and will work with fellow commissioners to support and grow the program. I can use my networks in agriculture and natural resources for bettering the program and the projects. Ducks

Unlimited has strong partnerships across North American with the agricultural community including Farm Bill programs. We can draw from examples from other landscapes on how to strengthen state agricultural programs. I am passionate in helping programs like OAHP and problem solving to strengthen the agricultural and fish and wildlife communities. I will dedicate myself to working with staff, partners and fellow commissioners to use my skills and expertise to strengthen the OAHP program and its impact on Oregon's landowners, producers and fisheries and wildlife across the landscape. I will work with ODFW staff to ensure interests for fish and wildlife are voiced and applied in the program, resulting land management and habitat.

Experience/Involvement

Please describe any work experience and/or involvement that has provided you with knowledge, skills, or abilities to successfully represent the interests of the position(s) for which you are applying and to fulfill the duties of a member of the Oregon Agricultural Heritage Commission. Include any previous experience on boards or commissions.

You may attach a résumé and/or work history.

I have worked for state (OWEB), federal, and tribal entities. This diversity of experiences offers a unique perspective that many others may not have. I have seen the function of different agencies, their policies, how they work on conservation, and this gives me important perspectives and knowledge that I can use for this position. Working for a tribe I have gained knowledge of tribal sovereignty, rights, and tribal natural resource partnerships that have helped with a holistic perspective of conservation and working lands.

I come from a unique personal background that includes, century farming, working lands, habitat management, family members with extensive conservation and farming backgrounds. This background has shaped who I am as an agricultural and conservation professional. I have built relationships in the agricultural community in the Willamette Valley through being a landowner and our connections with our neighboring landowners/farmers. I'm experienced in my position at Ducks Unlimited with building relationships and earning trust with the landowners by acquiring funding and assisting them with projects on their land to meet their goals.

I have worked across diverse landscapes and with a diversity of people including farmers, landowners, native American tribes in Alaska and Western Oregon, land trusts and a multitude of other partners. I have been an employee, grantee and worked with OWEB staff. I have extensive experience working with ODFW staff state wide on a wide variety of programs, issues and restoration/enhancement projects on Oregon Wildlife areas that have included working lands elements. I am a passionate landowner, hunter, recreator and have a deep appreciation and respect for fish and wildlife and Oregon's communities including agriculture.

- A member of a fifth-generation farming family (6th with my daughter).
- Grew up and worked in the agricultural community in the Mid-Willamette Valley.
- Previously employed by OWEB as an easement compliance coordinator (NRS 2).
- Have worked with a wide variety of ODFW staff on technical, programmatic, project, policy and administrative fish and wildlife elements.
- Experience in planning, implementation and management of acquisitions, mitigation and conservation easements.
- Collaborating and provided match funding with a land trust on an OAHP project in the Willamette Valley.
- Knowledgeable about OAHP projects statewide and specific to Ducks Unlimited in Oregon geographies.
- Acquired funding and implemented projects on ODFW Wildlife Areas including several that are working lands.
- Landowner that manages agricultural, timber and native landscapes on a family property.
- Works and applies the Oregon Conservation Strategy.
- Restoration project initiator, manager and lead for project delivery and partnerships in Western OR for Ducks Unlimited.

- Partnership and collaboration with ODFW in waterfowl, wildlife areas projects, Willamette Wildlife Mitigation program, and overlap in regions I have worked.
- Working on conservation easements with private landowners and agricultural producers on a wide diversity of Oregon's landscapes including Timber, Oak habitat, Uplands and wet habitats across the state.
- Working with Agricultural producers and landowners to provide options for leveraging their goals for their properties.
- Delivery of wet prairie, wetlands, flood plain, infrastructure replacement projects across western Oregon that help improve working lands.
- Was a member of the BPA/ODFW Willamette Wildlife Mitigation Program technical review team for six years that visited, scored and analyzed conservation easements. Responsibilities included, analyze the projects ecological and operation and administrative considerations and recommend projects for funding.
- Knowledgeable in environmental laws and policy, regulations, permitting and guidelines for fish and wildlife including NEPA, ESA and Clean Water Act
- Follows and applies the North American Model for Wildlife Management.
- Demonstrated ability to communicate and collaborate with landowners, federal and state agencies, tribal governments and private stakeholder groups.
- Proven track record of successfully acquiring grants for capacity, acquisitions, easements and restoration.
- Ability to communicate, collaborate and build relationships with a diversity of different entities, landowners or the public.
- Experience working with landowners, state, tribal, federal and NGO, technical and policy staff on natural resource issues.
- Review and provide input on Willamette Basin and coastal plans, programs and policies.
- Board Experience:
 - Clackamas Basin Watershed Council Board
 - Clackamas Partnership FIP
 - Oregon Sportsman Conservation Partnership member
 - Willamette Valley Oak and Prairie partnership (Steering team)
 - Willamette Wildlife Mitigation Program Technical Team member
 - Willamette River FIP
 - COLT membership board
 - Restoring Resilience in two estuaries (FIP) Core Team
 - Oregon Back Country Hunters and Anglers Board

Please see resume for additional applicable experience.

Supplemental Question

Describe what you believe to be the main issues facing the future of Oregon agriculture and the fish and wildlife habitat and other natural resources on Oregon's agricultural lands.

Society's knowledge and connection to the outdoors, agriculture and the associated impacts

The majority of America lives in urban or suburban centers. Jobs and life's responsibilities can be demanding and allow for little time and opportunities for outdoor activities like hunting, fishing, hiking, etc. If people do not utilize nature and rural landscapes, it will decrease the likelihood that they will value and respect it. That value and respect carries over into supporting conservation and agriculture. If society does not connect with the outdoors and associated lands it would mean conservation is less likely to be a priority for action, funding, or policy at a local, state or federal level. There are examples of this in our work where conservation/agriculture takes a lower societal priority in state and federal funding and policies. This means conservation agencies and organizations must be innovative and strategic in our approach to reach our and landowners goals and missions. OAHP is an example of providing integral opportunities to achieve them. As communities grow, if there is limited appreciation of respect for the landscape, conservation and agriculture will lose as a priority and expansion will threaten critical habitats and farmland. It is up to us to connect people to the landscape and the work we are doing and how it benefits them. If society places fish and wildlife and agriculture as a low priority there will be significant conversation which threatens the goals and missions of fish and wildlife organizations/agencies, tribes, the agricultural community and more.

Climate Change

Climate has changed throughout history due to many reasons. There is clear and growing evidence of climate change impacting our landscape and the species that utilize it. Impacts like fire and drought are two that threaten Oregon. Plants, birds, wildlife change or shift distribution to adapt to these changes to find suitable habitat. Agencies and organizations are incorporating climate change into action plans and restoration work to assist with staying ahead of these changes. Farmers are using their knowledge of the landscape to adapt to these conditions through crop and water management, and farming strategies. There are areas like Klamath that serve as an example of the issues facing farmers due to climate centered issues and resources. Other impacts caused by climate change include an increase in invasive species presence, sea level rise, water quality and quantity issues, loss of wetlands, increases in catastrophic weather events, and more. Through our work we can assist in decreasing climate risks and impacts, but it will take a united and collaborative effort from the conservation community to assist farmers through mechanisms we have through programs and funding sources like OAHP.

Water Availability and Management

Water is a key component of life for humans, agriculture, plants, fish, and wildlife. Current threats to water include climate change, consumption but also technological advancements for getting water off the landscape. Which directly takes away ecosystem benefit for what water does when it is left on the landscape, including invasive control, ground water recharge, increase water quality, increase water storage, increase soil quality, and providing essential elements to plants, fish, and wildlife. We use practices in towns, city and agriculture that prevent water on the landscape. It will flow from our cities to fields into creeks, then rivers and out to the ocean. This is having notable impacts on the landscape and there is no decrease in practices that would help with climate resilience and water conservation.

Generational Turnover

It is expected that 64% of working lands will change hands over the next 20 years. Many farming families do not have a succession or management plan for their land (80%). OAHP provides this critical element to prevent farms from being lost. I have seen this in my own experience on family farms in our area. Successional and management planning is a critical element to the sustainability of agriculture and working lands in Oregon.

References

Please identify three references that may be contacted if you are selected as a top candidate. Individuals or representatives of associations/organizations are acceptable.

Letters of support from relevant staff, associations, or similar groups are encouraged; feel free to attach any such letters to your application.

Reference #1

Name [Jarod Jabousek](#)

Affiliation (if any) [USFWS Partners Program](#)

[Willamette Valley NWR Complex](#)

Mailing Address [\[REDACTED\]](#)

City/Town [Corvallis](#)

State [OR](#)

Zip Code [97365](#)

Phone Number [\[REDACTED\]](#)

Alternate #

Fax #

Email Kate_laquininto@fws.gov

Reference #2

Name [Scott Erion](#)

Affiliation (if any) [Landowner](#)

Mailing Address [\[REDACTED\]](#)

City/Town [Lebanon, OR](#)

State [OR](#)

Zip Code [97355](#)

Phone Number [\[REDACTED\]](#)

Alternate #

Fax #

Email [\[REDACTED\]](#)

Reference #3

Name [Mark Goracke](#)

Affiliation (if any) [Goracke Bros Farm](#)

Mailing Address [\[REDACTED\]](#)

City/Town [Monroe](#)

State [Oregon](#)

Zip Code [97456](#)

Phone Number [\[REDACTED\]](#)

Alternate #

Fax #

Email [\[REDACTED\]](#)

Email

Please send your completed application via email to nicole.bettinardi@oweb.oregon.gov or via mail to:

Oregon Agricultural Heritage Program
ATTN: Nicole Bettinardi
Oregon Watershed Enhancement Board
775 Summer Street NE #360
Salem, Oregon 97301

Applications must be sent via email or mailed (post-marked by August 25, 2024) in order to be considered for a position.



PROTECTED GROUP STATUS FORM

Committee/Board Member

Oregon Agricultural Heritage Commission



Name **Kelly Warren**

Date **August 27th, 2024**

Department/Committee Board Name: **Oregon Agricultural Heritage Commission**

Federal and State laws require the Board to make its programs, activities, and services available to all persons regardless of race, color, national origin, age, disability, and sex. The Board is attempting to monitor the selection of and participation by women, minorities, and people with disabilities on its committees, advisory groups, etc.

The following information will be used for statistical reporting only, and is voluntary. **Information obtained will be kept confidential and will be destroyed as soon as the responses on the form are captured numerically.**

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- ☐ Black
- ☐ Asian or Pacific Islander
- ☐ American Indian or Alaskan Native
- ☐ Hispanic (of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin)
- ☒ White

Mark the following which apply to you:

- ☐ Female
- ☒ Male
- ☐ Disabled

☐ I prefer not to respond to these questions.

Oregon Agricultural Heritage Commission Per Diem Stipend Qualification Form

For Tax Filing Year [2024]

Member Name (First and Last): Kelly Warren

(Print)

Address, City, State, ZIP: _____

(Print)

Compensation:

A board or commission member who is not employed full-time in public service may receive a stipend under ORS 292.495 (1) for each day or portion of a day during which the member is actually engaged in the performance of official duties. The amount may exceed, but not be less than, the amount of payment that would otherwise be provided under ORS 292.495 (5).

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Are you currently serving on a state board or commission(s) other than this one: yes* X no

*If yes, please list name(s):

*If yes and you are accepting the per diem stipend from another state board or commission, list name of that entity:

Please indicate your compensation status and selection:

I understand this compensation is taxable income and will be reported to me annually on a W-2 or 1099 statement.

By signing this form, I hereby affirm that all information provided by me on this form is true to the best of my knowledge.

Signature: Kelly Warren Date: 11-22-2024

KELLY EDWARD WARREN

Western Oregon Regional Biologist

Ducks Unlimited Inc.

360-334-2338 ♦ kwarren@ducks.org ♦ 309 Adelaide Dr. Philomath OR 97370

EDUCATION

Portland State University, Portland, Oregon *2010*

- Masters of Environmental Management (Focus: waterfowl management and habitat)

Linfield College, McMinnville, Oregon *2007*

- Bachelor of Science in Environmental Studies; minor in Biology and English

Philomath High School, Philomath, Oregon *2003*

RELEVANT SKILLS

- Project initiator, Manager and lead for project delivery and partnerships in Western OR for Ducks Unlimited.
- Previous management of tribal fish and wildlife program; restoration planning and implementation; management of habitat and restoration projects.
- Project management of Fish and Wildlife and restoration projects; developed scope, schedule, budgets, communication plans, data/information collection, management, contracting and procurement implementation and management.
- Experience in collaboration and specific work with agricultural and natural resources entities who's missions include promotion of initiating and managing wet habitat protection, enhancement, and restoration projects.
- Proven track record of working with landowners and farmers in Western OR on projects and acquisitions/easements.
- Knowledgeable on ongoing fish, wildlife and wildlife conservation issues in the state of Oregon.
- Experience working and implementing the Oregon Conservation Strategy
- Knowledge of agricultural history in Oregon.
- Knowledge of salmon, their ecology and management in Oregon.
- Knowledge of wetlands and wetland management (coastal and inland).
- Knowledge of water conservation, management and efficiency.
- Experience as a project initiator in mitigation, bird conservation, coastal marsh protection and resilience, floodplain restoration, salmon recovery, and working landscapes.
- Demonstrated ability to communicate and collaborate with landowners, federal and state agencies, tribal governments and private stakeholder groups.
- Proven track record of successfully acquiring grants for capacity, acquisitions and restoration.
- Experience in planning, implementation and management of acquisitions, mitigation and conservation easements.
- Knowledgeable in environmental laws, regulations, permitting and guidelines for fish and wildlife including NEPA,ESA and Clean Water Act.
- Development and assistance in development of documents and policies correlated to protection of wildlife and habitat.
- Well connected with landowners and duck clubs in the Willamette Valley.
- Experience working and supervising volunteers.
- Experience in management of acquisitions and restoration projects including working with contractors, modeling, and associated partners.
- Knowledge and experience in management plan and report writing.
- Development and management of federal, state, and local environmental grants.
- Data and database management and reporting experience.

- Ability to and experience in representing an agency at conservation venues, conferences, and meetings.
- Ability to communicate, collaborate and build relationships with a diversity of different entities, landowners or the public.
- Experience working with state, tribal and federal, technical and policy staff on natural resource issues
- Strong verbal and written communication skills

RELEVANT EXPERIENCE

Western Oregon Regional Biologist, Ducks Unlimited Inc. August 2018-Present (40hrs/week)

Serving as an independent representative for Ducks Unlimited Inc. in Western OR. Provides expertise on acquisitions, project delivery, leveraging capacity on partnerships and projects in the Willamette Valley and the Oregon Coast. Implementation of projects with a DU team of Engineers and permitting specialists along with local and regional partners. The team has delivered over a thousand acres of projects in his geography since 2018 in both the Willamette Basin and the Oregon coast on private and public land.

Specific examples include:

Regional Programmatic and Project Management: *Development of strategic plan for the North Pacific Coast Region which includes Western OR. Building a program around DU's and associated partners Missions and goals.*

Partnerships:

- Core partner of the OCECC and Restoring Resilience to Two Estuaries Funded by OWEB FIP.
- Steering team of the Willamette Valley Oak and Prairie Cooperative (Action Plan funded by OWEB).
- MOA with Confederated Tribes of Siletz Indians
- Member of the Oregon Sportsman's Conservation Partnership (OSCP)
- Coalition of Oregon Land Trust Member
- Administrator of a North American Wetland Conservation Grant with sixteen Willamette Basin Partners including private lands.
- Participate in programs, committees, and boards that shape natural resource management in the Willamette Basin.
- Develop cooperative relationships with partners in the Willamette Basin and assist with program building, technical assistance, policy development and decision making process' which will benefit natural resource management throughout Western OR.

Project Delivery and Working lands:

- Working on conservation easements with private landowners and agricultural producers.
- Acquired funding through a diversity of funding sources for water and wetlands conservation, management and restoration for conservation partners and landowners.
- Work across a diverse landscape and habitat types including agriculture and working lands.
- Protection of high value farmland through advocacy and project area prioritization.
- Delivery of wet prairie, wetlands, flood plain, infrastructure replacement projects across western Oregon.
- Planning, development and Management of DU Western Oregon project and Program budgets.
- Managing a team of engineers and permitting staff to deliver projects in a timely manner.
- Working with Agricultural producers and landowners on options for leveraging their goals for their properties.
- Policy support and advocacy for Farm Bill and OAHP since 2013.
- Implementation of regional and local priorities and goals to implement in our projects. (Oregon Conservation Strategy and FIP action Plans)

Science:

- Using science-based information to inform proprieties in our regions.
- Climate and water-based data
- Bird Science data
- Strategic GIS Mapping

Willamette Basin Wildlife Mitigation Coordinator, Confederated Tribes of Warm Springs Reservation of Oregon, Tualatin Oregon
May 2012-August 2018(40 hours/week)

Served as an independent representative for Confederated Tribes of Warm Springs Reservation of Oregon (CTWS) to protect, enhance and manage treaty resources, including wildlife, fish and their associated habitats, within the Willamette Basin of Oregon. Accomplished closing of three significant habitat-property acquisitions on land acquisitions, partnerships with other partner agencies and private entities, natural resource management and implementation programs. Coordinated numerous on-going restoration projects on CTWS and partners properties.

Specific examples include;

Regional Programmatic Management: Developed a strategic plan with CTWS, partners and other applicable agencies for the CTWS Willamette Basin Program.

- Solitary representative for the CTWS Willamette Basin Program.
- Planned, coordinated and lead meetings for planning and implementation of Willamette Basin Natural Resource management.
- Used independent judgment and creative thinking in implementing work plans, schedules, supervising, management, and policy issues with minimal supervision.
- Directed and/or assisting in the overall planning, development, and administration of CTWS Willamette Program.
- Supervised staff, volunteers, and contractors assisting with maintenance, monitoring and management of properties.
- Planning, development and Management of CTWS Willamette Program budgets (both the overall program and associated project budgets)
- Conducted procurement and contract development and management, ensuring requirements and obligations were met.
- Advocating for and making formal recommendations for CTWS and associated Tribal interests
- Lead formal evaluations with CTWS administration and technical on the Willamette Program to update program goals, objectives and strategies.
- Working with Tribal council and legal staff on policy issues and associated Willamette Basin tasks.

Mitigation: *Overseen all aspects of mitigation projects that focused on protection and enhancement for target fish and wildlife species and their required habitats, primarily through land acquisition, conservation easements and/or other management agreements.*

- Identified properties with high value habitats to CTWS and the Willamette Wildlife Mitigation Program (WWMP) and identify strategic ecological goals
- Prepare habitat project proposals and applications including specific statements of work and budgets
- Supervision of restoration and associated tasks
- Conduct specific habitat project monitoring and reporting
- Writing and implementation habitat management plans
- Direct and manage operations, maintenance and restoration activities
- Implementation of public access and hunting on mitigation properties.
- From 2012-2018 acquired three properties totaling 600 acres that are currently under CTWS ownership
- Acquired grants for restoration of CTWS properties

Partnerships: *Develop cooperative working relationships with collaborating agencies and conservation groups as well as with private landowners to strengthen CTWS' presence and efforts in the Willamette Basin including:*

- Participate in programs, committees, and boards that shape natural resource management in the Willamette Basin. Develop cooperative relationships with partners in the Willamette Basin and assist with program building, technical assistance, policy development and decision making process' which will benefit natural resource management throughout the Willamette.
- Have partnered on over ten WWMP acquisitions.

WWMP Mitigation Program: *Assist Bonneville Power Administration (BPA) and associated partners in acquiring, partnering and supporting projects that fulfill BPA's mitigation requirements under the Willamette Biological Opinion for the WWMP.*

- Work as a member of the WWMP monitoring team, technical review team, and Tribal partners and participate in scoring cultural significance for all WWMP projects.
- Provide strategic guidance and recommendations on strategic goals when appropriate and needed to strengthen or increase the likelihood of success of the WWMP.
- Participate in Identification of both technical and policy issues and conflicts that may impact the likelihood of success of the WWMP mitigation program and work collaboratively to resolve.
- Review and provide input on Willamette Basin plans, programs and policies.

***Natural Resource Specialist 2, Oregon Watershed Enhancement Board, Salem Oregon
June 2007-September 2008, Feb 2012-May 2012 (40 hours/week)***

Assistance with data collection, documentation and management related to conservation easements, mitigation sites and acquisitions.

- Communication and interaction with landowners and other participating entities (federal, state and private)
Collaboration with OWEB staff to improve monitoring plans to be focus on priority habitat suitability data
- Conducted monitoring of land acquisitions and conservation easement projects.
- Assisted in mapping and data entry of acquisitions funded through the Pacific Coastal Salmon Recovery Fund
- Monitored and wrote baseline reports for 25 acquisition sites.
- Data entry and analysis, GIS mapping
- Evaluated and provided documentation on acquisition sites including recommendations on habitat restoration actions
- Assisted with the initial launch of the Effectiveness Monitoring Program for the State of Oregon
- Communication and interaction with landowners and other participating organizations (federal, state, Tribal and NGOs)
- Provided education to landowners and partnering agencies and entities for the conservation easement process
- Assisted interested landowners with the OWEB grant application process.

Owner/Principal, Wild Spirit Resources, LLC, Philomath, Oregon 2006 to present (4 to 8 hours/week)

Business focusing on natural resource documentation and nature photography.

- Authored and published *Identification Field Guide to the Geese of the Willamette Valley and Lower Columbia River, 2nd Edition* in cooperation with Oregon Department of Fish and Wildlife, Washington Department of Fish and Wildlife, and U.S. Fish and Wildlife Service.
- Development of training materials and presentations to meet client's requests and needs
- Provided education and outreach to state and federal agencies, the public and private hunting organizations
- Provided goose identification training and seminars to private entities and the public.
- Conducted needed business management needs including budgets.

Field Biologist, U.S. Fish and Wildlife Service (USFWS)

September 2009-July 2011

Conduct nest plot surveys for waterfowl on the Yukon Kuskokwim Delta in Alaska. (Summer, Fall, Spring)

- Conducted remote field survey work in remote areas on a tightly scheduled, time dependent basis
- Collected migratory bird data and use data cards
- Analyzed and record collected data
- Organization and maintenance of field gear, equipment and supplies for conducting remote field surveys

- Provided training to volunteer support staff on methods and protocols for nest plot surveys.
- Supervised survey activities conducted by volunteer staff
- Use of boats and GPS in estuary areas to navigate to and from plots

VOLUNTEER PROJECTS AND EXPERIENCE

Streams, Wetlands, and Riparian Zones

- Conducted stream surveys for Oregon Department of Fish and Wildlife, Alsea, OR (2003)
- Helped with a riparian zone reconstruction for Mary's River Watershed Council, Philomath, OR (2003)
- Conducted an aquatic invertebrate collection for Oregon Department of Environmental Quality, Philomath, OR (2003)
- Conducted stream surveys on Baker Creek, McMinnville, OR (2006)
- Provided support for a wetland analysis related to permitting a \$50 million development project, Philomath, OR (2005)

Wildlife and Upland Vegetation

- Completed a Roosevelt Elk survey and population study, William L. Finley National Wildlife Refuge, ODFW, Monroe, OR (2003)
- Conducted volunteer support for banding migratory birds at Fern Ridge Wildlife Refuge, OR (2003)
- Field Observer for annual migratory waterfowl surveys and data collection for US Fish and Wildlife Service in the Willamette Valley. (2007-present)
- Cackling goose collar surveyor and survey trainer in Yamhill County for ODFW. (2011-2014)
- Cackling goose banding on Sauvie Island in cooperation with ODFW and USFWS (2014).
- Significant duck banding experience in Oregon, Alaska, and Arkansas.
- Landowner representative negotiating with ODFW on changes to Roosevelt elk regulations for the Finley Subunit

Agriculture:

- From a fifth generation Oregon farming family
- Manages a family agricultural and wildlife management property.
- Assisted 35 farmers/landowners as a voice for damage on Elk in the Finley Subunit.

ACADEMIC AWARDS AND ACHIEVEMENTS

- Outstanding Linfield Environmental Science Senior, Linfield Environmental Science Department (2007)
- Team Captain, Cross Country, Linfield College (2006)
- Top Cat Award for Cross Country, Most Inspirational Team member, Linfield College (2004)
- KATU Channel 2 coverage of Identification Field Guide to the Geese of the Willamette Valley and Lower Columbia River, 2nd Edition by Kelly Warren
- KGW Channel 8 (Grants Getaways) coverage of Wild Spirit Resources and Identification Field Guide to the Geese of the Willamette Valley and Lower Columbia River, 2nd Edition by Kelly Warren
- Masters thesis: Climate change and its Impact on Migration Patterns of Cackling and White Fronted Geese and implications for Management.

ACTIVITIES

- Leisure activities include hunting, fishing, decoy carving, traveling, farming, wildlife/nature photography, bird watching and banding, and field dog training.
-

THE CONFEDERATED TRIBES OF WARM SPRINGS RESERVATION OF OREGON

**BRANCH OF NATURAL RESOURCES
4223 HOLLIDAY STREET
P.O. BOX C
WARM SPRINGS, OREGON 97761
(541) 553-2001**



November 4, 2024

To: ODFW Commission

RE: Letter of Support for Oregon Agricultural Heritage Program; Board Application for Interests of Fish and Wildlife

The Confederated Tribes of Warm Springs Branch of Natural Resources (CTWSBNR) supports the application of Kelly Warren for appointment to the 12-member Oregon Agricultural and Heritage Commission as a representative for Interests of Fish and Wildlife. The Oregon Agricultural Heritage Program (OAHP) and the CTWSBNR's Conservation Lands Program are connected by the shared purpose of enhancing and protecting natural resources, including fish and wildlife habitat and water quality throughout Oregon. Kelly's professional and personal life experiences will serve him well in the role of an OAHP Commissioner. For example, we employed Kelly from 2012 – 2018 to be our Willamette Wildlife Mitigation Project (WWMP) Coordinator. The WWMP is funded by the Bonneville Power Administration and managed by the State of Oregon. While working for us, Kelly had several admirable accomplishments conducting work as follows: 1) finding, funding acquiring and managing land with high quality habitats for fish and wildlife under CTWS ownership; 2) forming working collaborative partnerships on other WWMP properties that were acquired by other tribes, state, and other non-governmental agencies; and 3) assisting partners in programmatic processes, policy, planning and natural resource management that impacted the entire Willamette River basin. Currently, Kelly works for Ducks Unlimited where he oversees their Western Oregon programs and projects. Finally, Kelly was raised in Oregon's agricultural community by a Willamette Valley farming family, and he manages the working lands on the family property. I gladly support Kelly's application for a Commission Seat because he is a great advocate and has worked with and for the Tribes in the past with interests of CTWS in mind.

Respectfully,

Austin L. Smith Jr
General Manager - Branch of Natural Resources
Confederated Tribes of Warm Springs
(541)553-2046, austin.smithjr2@ctwsbnr.org
4223 Holliday St / P.O. Box C, Warm Springs, OR 97761



OREGON HUNTERS ASSOCIATION

Protecting Oregon's Wildlife, Habitat and Hunting Heritage

P.O. Box 1706, Medford, OR 97501 • (541) 772-7313
oha@oregonhunters.org • oregonhunters.org

November 4, 2024

To: Oregon Department of Fish & Wildlife Commission

RE: Letter of Support for Oregon Agricultural Heritage Program; Board Application

I am writing on behalf of the Oregon Hunters Association (OHA) to offer support for Kelly Warren, Western Regional Biologist for Ducks Unlimited for the Fish & Wildlife Interests board position as a part of the Oregon Agricultural Heritage Commission.

OHA is the largest state-centric hunter conservationist organization with a membership of over 12,000 sportsmen and women in the state. OHA's mission is to protect Oregon's wildlife, habitat, and hunter heritage; to that end OHA supports science-based wildlife management and habitat protection. In both the 2023 and 2024 legislative sessions, OHA testified in support of the funding requests for the Oregon Agricultural Heritage Program.

Kelly comes from a fifth generation Willamette Valley farming family and manages working lands on his family's property. Growing up in the agricultural community he understands the intricacies of farm management, has built trust in this community, and knows how to communicate and collaborate with farmers. Kelly also has seen and understands the hardships that agricultural communities face. This is why he has supported OAHP since 2013 as a critical tool for agricultural communities across Oregon.

As a natural resources professional, Kelly has a diverse background that will bring needed expertise to the Commission. He has worked for an Oregon Tribe as a coordinator in the Willamette Valley where he identified and implemented acquisitions which will provide important experience to the Commission. He partnered with many organizations including federal, state, tribal and non-governmental organizations on programs and projects in the Willamette Valley.

In his current role at Ducks Unlimited, Kelly oversees their Western Oregon programs and projects. He partners and implements many private lands projects including a past funded OAHP project. There is strong overlap in his work in working lands and agricultural (protection and advocacy), water management and quality and enhancing fish and wildlife habitat. Kelly has been a strong supporter of OAHP and recognizes its integral need as a match funding source for federal funding that can be leveraged to provide more opportunities and tools for private landowners. Ducks Unlimited has been a strong supporter of OAHP both in utilizing the program and advocating for the program and funding.

Kelly brings a strong commitment to protecting habitat while working in partnership with landowners. This approach is strongly supporting by OHA and we believe Kelly would be an incredible asset to the OAHP commission and program mission.

Sincerely,

Amy Patrick
Policy Director



11/5/2024

Greenbelt Land Trust
PO Box 1721
Corvallis, OR 97339

To: ODFW Commission

RE: Letter of Support for Oregon Agricultural Heritage Program; Board Application

I am writing on behalf of Greenbelt Land Trust to offer support for Kelly Warren, Western Regional Biologist for Ducks Unlimited for the Natural Resource Value Interests board position as a part of the Oregon Agricultural Heritage Commission.

As a natural resources professional, Kelly has a background that will bring expertise to the Commission. He has worked for an Oregon Tribe as a coordinator in the Willamette Valley where he implemented acquisitions which will provide important experience to the Commission. He partnered with organizations including federal, state, tribal and non-governmental organizations on programs and projects in the Willamette Valley.

In his current role at Ducks Unlimited, Kelly oversees their Western Oregon programs and projects. There is an overlap in his work in working lands and agricultural, water management and quality and enhancing fish and wildlife habitat. Kelly has been a supporter of OAHP and recognizes its integral need as a match funding source for federal funding that can be leveraged to provide more opportunities and tools for private landowners.

Greenbelt Land Trust is a strong supporter and advocate of OAHP, and we feel that it is important for the OAHP Commission to include members that have direct experience in land acquisition, conservation and working lands. Kelly is a candidate that meets these marks and we endorse his application to serve on the OAHP Commission.

Sincerely,

Jessica McDonald
Executive Director, Greenbelt Land Trust
jessica@greenbeltlandtrust.org (541) 752.9609



**Benton Soil and Water
CONSERVATION DISTRICT**

136 SW Washington Ave., Suite 201
Corvallis, Oregon 97333
541.753.7208
bentonswcd.org

October 28, 2024

ODFW Commission
Oregon Department of Fish and Wildlife
4034 Fairview Industrial Drive SE
Salem, OR 97302

To: ODFW Commission

RE: Letter of Support for Oregon Dept of Fish and Wildlife Commission; Board Application

I am writing on behalf of the Benton Soil and Water Conservation District and the Willamette Mainstem Cooperative to offer support for Kelly Warren, Western Regional Biologist for Ducks Unlimited for the Fish and Wildlife Interests position as a part of the ODFW Commission.

We work with Kelly through our Willamette Mainstem Cooperative (WMC) which tries to build relationships with the farmers who manage land along the Willamette River in Benton County. Kelly has deep relationships with several of these farmers while also having a grasp on the programming, funding mechanisms, and technical resources available to conserve habitat on these landscapes. Kelly frequently highlights wetland conservation projects and emerging opportunities to the partners who connect through the WMC.

Kelly comes from a fifth generation Willamette Valley farming family and manages working lands on his family's property. Growing up in the agricultural community he understands the intricacies of farm management, has built trust in this community, and knows how to communicate and collaborate with farmers. Kelly also has seen and understands the hardships that agricultural communities face.

As a natural resources professional, Kelly has a diverse background that will bring needed expertise to the Commission. He has worked for an Oregon Tribe as a coordinator in the Willamette Valley where he identified and implemented acquisitions which will provide important experience to the Commission. He partnered with many organizations including federal, state, tribal and non-governmental organizations on programs and projects in the Willamette Valley.

My first conversation with Kelly took place in Walla Walla, WA in 2019 at the Northwest Land Camp gathering. I was very inspired by the multiple perspectives that Kelly had on conservation from the viewpoint of a farm family as well as the plight of the tribal communities in the Pacific Northwest. Kelly is a dedicated, hard-working person who is always trying to do right for these communities. When we advocate for habitat, we sometimes forget the needs of those who manage working lands, or our ancestors who have worked the land for hundreds or thousands of years. Kelly has a unique perspective and ability to keep this in mind as he works towards common goals. Please consider Kelly Warren for an ODFW Commission seat.

Sincerely,

Michael Ahr Digitally signed by Michael Ahr
Date: 2024.10.31 12:56:54 -07'00'

Michael Ahr

The Benton SWCD's mission is engage Benton County residents in the conservation and stewardship of natural resources for current and future generations.

page 1

Tualatin Soil and Water Conservation District
7175 NE Evergreen Parkway, #400
Hillsboro, OR 97124

October 28, 2024

To: ODFW Commission

RE: Letter of Support for Fish and Wildlife representation on the ODFW Commission

I am writing on behalf of Tualatin Soil and Water Conservation District to offer support for Kelly Warren, Western Regional Biologist for Ducks Unlimited for the Fish and Wildlife Interests position as a part of the Oregon Department of Fish and Wildlife Commission.

Tualatin SWCD services the residents of Washington County by providing technical, financial, and educational support for conserving and enhancing natural resources. The conservation of fish and wildlife habitat on our working lands is a key element in our strategic plan. We recognize the importance of the Oregon Department of Fish and Wildlife in helping us, and other organizations across the state, to achieve those goals.

Kelly comes from a fifth generation Willamette Valley farming family and manages working lands on his family's property. Growing up in the agricultural community he understands the intricacies of farm management, has built trust in this community, and knows how to communicate and collaborate with farmers. Kelly also has seen and understands the hardships that agricultural communities face. This is why he has supported the Oregon Agricultural Heritage Program since 2013 as a critical tool for agricultural communities across Oregon.

As a natural resources professional, Kelly has a diverse background that will bring needed expertise to the Commission. He has worked for an Oregon Tribe as a coordinator in the Willamette Valley where he identified and implemented acquisitions which will provide important experience to the Commission. He partnered with many organizations including federal, state, tribal and non-governmental organizations on programs and projects in the Willamette Valley.

In his current role at Ducks Unlimited, Kelly oversees their Western Oregon programs and projects. There is strong overlap in his work in working lands and agricultural (protection and advocacy), water management and quality and enhancing fish and wildlife habitat. Kelly thrives on partnership and is excellent at finding connection with people. He would bring the perfect

balance between agriculture and wildlife habitat interests to this position. TSWCD strongly supports Kelly as a member of the Oregon Department of Fish and Wildlife Commission.

Sincerely,

A handwritten signature in black ink that reads "Lacey M. Townsend". The signature is written in a cursive, flowing style.

Lacey Townsend

Executive Director

Tualatin Soil and Water Conservation District



Oregon Fish and Wildlife Commission
4034 Fairview Industrial Drive SE
Salem, OR 97302

Friday, October 25, 2024

Re: Letter of Support for Kelly Warren to Oregon Fish and Wildlife Commission

Dear Chair Wahl, Vice Chair Hatfield-Hyde, and Commissioners:

I am writing on behalf of Oregon Agricultural Trust (OAT) to strongly support Kelly Warren for the Oregon Fish and Wildlife Commission. OAT is a 501(c)(3) nonprofit land trust that serves the state of Oregon. We have partnered with Kelly on conservation efforts for years, first in his role at the Confederated Tribes of Grand Ronde, and now in his role at Ducks Unlimited.

Kelly is knowledgeable about conservation needs, strategies, and grants across the state. He has extensive experience working with private landowners and many relevant conservation partners. Kelly would be an excellent voice on the Commission.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Nellie McAdams'.

Nellie McAdams
Executive Director



**ROCKY MOUNTAIN
ELK FOUNDATION**

November 1, 2024

To: ODFW Commission
odfw.commission@odfw.oregon.gov

RE: Oregon Agricultural Heritage Program; Board Application

I am writing on behalf of the Rocky Mountain Elk Foundation to offer support for Kelly Warren, Western Regional Biologist for Ducks Unlimited, for the interests of Fish and Wildlife board position as a part of the Oregon Agricultural Heritage Commission.

Kelly comes from a fifth generation Willamette Valley farming family and manages working lands on his family's property. Growing up in the agricultural community he understands the intricacies of farm management, has built trust in the ag community, knows how to communicate and collaborate with farmers. He also has seen and understands the hard ships that agricultural communities face. This is why he has supported the OAHP since 2013 as a critical tool for the agricultural communities across Oregon.

As a natural resources professional, Kelly has a diverse background that will bring needed expertise to the commission. He has worked for an Oregon Tribe as a coordinator in the Willamette Valley where he identified and implemented acquisitions which will provide important experience to the commission. He partnered with many organizations including federal, state, tribal and non-governmental organizations on programs and projects in the Willamette Valley.

In his current role at Ducks Unlimited Kelly oversees their Western Oregon programs and projects. He partners and implements many private lands projects including a past funded OAHP project. Kelly has been a strong supporter of OAHP since 2013 and recognizes the integral need as a match funding source for federal funding that can offer more opportunities and tools for private landowners. Ducks Unlimited has been a strong supporter of OAHP both in utilizing the program and advocating for the program and funding.

Kelly's agriculture family background and experience in working with private landowners and public agencies to improve wildlife habitat make him an ideal candidate for the Fish and Wildlife board position as part of the Oregon Agricultural Heritage Commission.

The Rocky Mountain Elk Foundation is a non-profit conservation organization whose mission is to ensure the future of elk, other wildlife, their habitat, and our hunting heritage. The Elk Foundation also works to open, secure, and improve public access for hunting, fishing, and other recreation.

Thank you for the opportunity to provide support for Kelly Warren serving on the Oregon Agricultural Heritage Commission.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Richardson", with a stylized, flowing script.

Bill Richardson
Sr. Conservation Program Manager - Western
Rocky Mountain Elk Foundation



*Watersheds of the Salmon River, Siletz River,
Yaquina River, Alsea River, Yachats River, and
Ocean Tributaries*

Date: 10/23/2024

From: MidCoast Watersheds Council
Evan Hayduk, Executive Director
PO Box 2273, Newport, OR 97365
(541) 265-9195

To: Oregon Department of Fish and Wildlife (ODFW) Commission

RE: Letter of Support to Represent Interests of Fish and Wildlife

I am writing on behalf of MidCoast Watersheds Council to offer support for Kelly Warren, Western Regional Biologist for Ducks Unlimited for the representative of interests fish and wildlife for the ODFW Commission.

MidCoast Watersheds Council is a 501(c)(3) non-profit organization dedicated to improving the health of streams and watersheds of Oregon's central coast to produce clean water, rebuild healthy salmon populations, and support healthy ecosystems, communities, and economies. MidCoast administers and manages the OWEB funded Focused Investment Partnership (FIP) "Restoring Resilience in Two Estuaries". Kelly is a Core Partner on the FIP and we have been impressed with his active participation, input, in-kind support, and ability to leverage expertise from Ducks Unlimited to achieve project successes from permitting to engineering support, and beyond.

Kelly comes from a fifth generation Willamette Valley farming family and manages working lands on his family's property. Growing up in the agricultural community he understands the intricacies of farm management, has built trust in this community, and knows how to communicate and collaborate with farmers. Kelly also has seen and understands the hardships that agricultural communities face. This is why he has supported OAHP since 2013 as a critical tool for agricultural communities across Oregon.

As a natural resources professional, Kelly has a diverse background that will bring needed expertise to the Commission. He has worked for an Oregon Tribe as a coordinator in the Willamette Valley where he identified and implemented acquisitions which will provide important experience to the Commission. He partnered with many organizations including federal, state, tribal and non-governmental organizations on programs and projects in the Willamette Valley.

In his current role at Ducks Unlimited, Kelly oversees their Western Oregon programs and projects. He partners and implements many private lands projects including a past funded OAHP project. There is strong overlap in his work in working lands and agricultural (protection and advocacy), water management and quality and enhancing fish and wildlife habitat. Kelly has been a strong supporter of

914 SW Coast Highway, Newport, OR 97365
(541)265-9195 www.midcoastwatersheds.org



*Watersheds of the Salmon River, Siletz River,
Yaquina River, Alsea River, Yachats River, and
Ocean Tributaries*

OAHP and recognizes its integral need as a match funding source for federal funding that can be leveraged to provide more opportunities and tools for private landowners. Ducks Unlimited has been a strong supporter of OAHP both in utilizing the program and advocating for the program and funding.

We highly recommend Kelly for this position. He is engaged, enthusiastic, and well versed in the issues facing central and western Oregon.

Sincerely,

A handwritten signature in black ink that reads 'Evan Hayduk'. The script is fluid and cursive, with the first letters of 'Evan' and 'Hayduk' being capitalized and prominent.

Evan Hayduk

Executive Director, MidCoast Watersheds Council



COALITION OF OREGON LAND TRUSTS

2540 NE MLK JR BLVD, PORTLAND, OR 97212 • 503-719-4732 • OREGONLANDTRUSTS.ORG

October 30th, 2024

To: Oregon Department of Fish and Wildlife
4034 Fairview Industrial Drive SE
Salem, OR 97302

From: Coalition of Oregon Land Trusts
2540 NE Martin Luther King Jr. Blvd.
Portland, OR 97212

RE: Support for Kelly Warren's Appointment to the Oregon Fish and Wildlife Commission

On behalf of the Coalition of Oregon Land Trusts (COLT), I would like to share our strong support for the appointment of Kelly Warren to serve on the Oregon Department of Fish and Wildlife (ODFW) Commission to represent fish and wildlife interests. COLT is a network of 31 land trusts, soil and water conservation districts, and conservation organizations working in Oregon to protect our natural world - our water, wildlife and open space - for all people, forever.

As a natural resource professional, Kelly would bring important and diverse expertise to the Commission. He currently works as the Western Regional Biologist at Ducks Unlimited, implementing on the ground projects to conserve and enhance wetlands and waterfowl habitat. In his previous position he worked to identify and implement strategic acquisitions in the Willamette Valley in partnership with federal, state, tribal and non-governmental organizations.



24 MEMBER ORGANIZATIONS: Blue Mountain Land Trust • Center for Natural Lands Management • Columbia Land Trust
Deschutes Land Trust • Ducks Unlimited • Forest Park Conservancy • Friends of the Columbia Gorge Land Trust
Greenbelt Land Trust • Klamath Lake Land Trust • Lower Nehalem Community Trust • McKenzie River Trust
North Coast Land Conservancy • Northwest Rangeland Trust • Oregon Agricultural Trust • Oregon Desert Land Trust
Pacific Forest Trust • Southern Oregon Land Conservancy • The Conservation Fund • The Nature Conservancy in Oregon
The Trust for Public Land • The Wetlands Conservancy • Wallowa Land Trust • Western Rivers Conservancy • Wild Rivers Land Trust

8 ASSOCIATE MEMBER ORGANIZATIONS: Black Oregon Land Trust • Cerro Gordo Land Conservancy • Clackamas Soil & Water
Conservation District • East Multnomah Soil & Water Conservation District • Helvetia Community Association
Tualatin Soil & Water Conservation District • View the Future • Yamhill Soil & Water Conservation District

Kelly would be an excellent choice to serve on the Oregon Fish and Wildlife Commission. He would provide the Commission with expertise in transactions, natural resource management, and on the ground project implementation benefitting fish and wildlife habitat.

We encourage you to approve his appointment and thank you for your consideration.

Sincerely,

Karsyn Kendrick
Conservation Director
Coalition of Oregon Land Trusts





PACIFIC BIRDS

HABITAT JOINT VENTURE

11/13/2024

Pacific Birds Habitat Joint Venture
2337 NW York St #201C
Portland, OR 97210
(805) 298 8081

To: ODFW Commission

RE: Oregon Agricultural Heritage Program; Board Application

I am writing to offer strong support for Kelly Warren, Western Regional Biologist for Ducks Unlimited, for the Fish and Wildlife Interests board position on the Oregon Agricultural Heritage Commission.

Migratory Bird Habitat Joint Ventures are tasked with conserving habitat for migratory birds across North America. The Pacific Birds Habitat Joint Venture service area spans from Alaska through the Pacific Northwest and the Pacific Islands. This large-scale partnership is focused on the highest-priority conservation needs in the West, in habitats where investments in private, public, and tribal lands will accelerate bird habitat conservation and benefit local communities: resilient coasts and Western forests. Pacific Birds has focused investments in coastal and forest conservation in Oregon for almost 30 years.

Kelly Warren is an invaluable partner in Oregon and a trusted advisor for fish and wildlife in the Pacific Flyway. His collaborative leadership and dedication to conservation on private, public, and tribal lands has resulted in stronger partnerships and innovative approaches. At Ducks Unlimited, Kelly oversees the Western Oregon programs and projects. He identifies and implements private lands projects by integrating and leveraging federal funding with state and private funds which expands conservation opportunities for private landowners. Before Ducks Unlimited, Kelly worked for the Confederated Tribes of Warm Springs as a coordinator in the Willamette Valley. In this role, he identified and implemented acquisitions and facilitated funding and management of lands. His work involved partnership coordination with federal, state, tribal, and non-governmental organizations to benefit fish and wildlife reliant on natural and working lands in the Willamette Valley.

In addition to his professional skills, Kelly comes from a fifth generation Willamette Valley farming family. His experience managing the family's property and living within the agricultural community is reflected in his understanding of the intricacies of farm management, has helped him built working relationships within the agricultural community, and gives him the skills to communicate and collaborate well with farmers.

Kelly is a strong supporter of OAHP. His natural resources expertise coupled with his working lands experience, and his strong roots in Oregon, would be assets to the OAHC and to the fish and wildlife of Oregon.

Sincerely,

Monica Iglecia
United States Coordinator
Pacific Birds Habitat Joint Venture



OREGON
WATERSHED
ENHANCEMENT BOARD

Agenda Item O

Oregon Agricultural Heritage Program

Rule Revisions

Board Meeting January 28-29, 2025



Oregon

Tina Kotek, Governor



OREGON
WATERSHED
ENHANCEMENT BOARD

775 Summer Street NE, Suite 360
Salem OR 97301-1290
www.oregon.gov/oweb
(503) 986-0178

Agenda Item O supports OWEB's Strategic Plan priority #5: Increase investment connecting urban and working lands to watershed health.

MEMORANDUM

TO: Oregon Watershed Enhancement Board

FROM: Renee Davis, Acquisitions and Special Programs Manager
Taylor Larson, Oregon Agricultural Heritage Program Coordinator
Robin Meacher, Oregon Agricultural Heritage Program Easement Specialist
Eric Hartstein, Senior Policy Coordinator

SUBJECT: Agenda Item O – OAHP Rulemaking
[January 28-29, 2025, Board Meeting](#)

I. Introduction

This staff report provides an overview of proposed revisions to OWEB's Oregon Agricultural Heritage Program administrative rules (Chapter 638) and seeks board approval of the revised rules.

II. Background

The Oregon Agricultural Heritage Program (OAHP) aims to protect and enhance farming or ranching on working land throughout the state while maintaining and enhancing wildlife habitat, water quality and other natural resources.

At the April 2024 meeting, the OWEB board authorized rulemaking for OAHP. Since that time, staff have worked with the Oregon Agricultural Heritage Commission Attachment A, which serves as the Rules Advisory Committee (RAC) per statute, to make needed updates to Divisions 5, 10, 15, 20 and 25 of Chapter 698 of Oregon Administrative Rules (OARs) over the course of six meetings. These meetings were open to the public, recorded, and placed on OWEB's website. A public comment period was included in each meeting. The final RAC meeting was held on November 7, 2024, at which time the commission, serving as RAC, recommended revised rules be advanced to the OWEB board for consideration.

Changes to the OAHP rules include the incorporation of the Board's adopted climate evaluation criteria and associated definitions, simplifications and clarifications of evaluation criteria as well as roles of OWEB Staff, the OWEB Board, and the Oregon Agricultural Heritage Commission. The rule changes also adjust the technical review process to better align with statute and agency best practice. A detailed summary of the proposed rule changes recommend by the RAC can be found in Attachment B.

III. Public Comment on Revisions to OAHP Rules

In addition to the public comment opportunities associated with each RAC meeting, OWEB released the draft rule revisions for formal public comment on December 2, 2024. The public comment period was open until January 3, 2025, with a virtual public hearing on December 19, 2024. One written comment from the Oregon Climate & Agriculture Network was received during the public comment period, and it is provided in Attachment C. A summary of the comment received, and OWEB staff response, are provided in Attachment D. There was one verbal comment provided at the public hearing (also from the Oregon Climate & Agriculture Network), and the content of that comment is reflected in both the written comment received in Attachment C and the OWEB staff response in Attachment D.

OWEB solicited comments from the nine federally recognized tribes in Oregon and the Nez Perce Tribe on the draft rule revisions. No comments from tribes were received.

IV. Final Draft OAHP Rules

The final draft of the Oregon Agricultural Heritage Program rules is provided as Attachments E-1 and E-2 to this staff report. During the board meeting, staff will walk through the proposed rule revisions with the board. As the public comment period on the rules has closed, the board will not consider additional comments on the draft rules during the January board meeting.

V. Recommendation

Staff recommends the board approve the Oregon Agricultural Heritage Program administrative rules found in Attachment E.

VI. Attachments

- A. Rulemaking Advisory Committee Members
- B. Staff Summary of Proposed Rule Revisions
- C. Comments Received
- D. Staff Summary and Response to Public Comments
- E-1. Proposed Small Grant Program Rules – Redline
- E-2. Proposed Small Grant Program Rules – Clean

2024 OAHP RAC Members

Doug Krahmer

Bruce Taylor

Lois Loop

Woody Wolfe

Nancy Duhnkrack

Ed Contreras

Laura Masterson

James Robert Collins

Amanda Lowe

Barbara Boyer

Dan Bigelow

Summary of 2024 OAHP Rule Updates

DIVISION 5 – OAHP ADMINISTRATION

698-005-0010

Purpose

- (3) Updated to include statutory language “maintenance or enhancement” instead of just “enhancement”

698-005-0020

Definitions

- Inserted definitions associated with the overall OWEB Div. 5 climate criteria
- Moved definition of CMP holder to Div. 10

698-005-0030

Application Requirements

- Removed most of this section in order to reduce confusion among the four distinct grant programs

698-005-0040

Application Processing

- Removed (2) and replaced with new language

698-005-0045

Climate-Related Evaluation Criteria

- Inserted Climate-Related Evaluation Criteria

698-005-0050

Grant Agreement Conditions

- (2) & (5) added “...for the purposes of the Oregon Agricultural Heritage Program.”
- Removed (6) because this level of detail is unnecessary for rule and will be addressed in the grant agreement and program guidance

698-005-0070

Distribution of Funds

- Cleaned up (2)
- (3) Clarified roles of OWEB and Commission

698-005-0080

Funding Decision Reconsideration by Board

- Removed this section to reduce ambiguity

698-005-0080

Technical Committees

- Simplified and clarified language around the establishment of technical committees for all four OAHP grant types

DIVISION 10 – CONSERVATION MANAGEMENT PLANS

698-010-0010

Purpose

- Changed rule reference to reflect reordering of definitions in Div. 5

698-010-0020

Definitions

- Inserted “Conservation Management Plan holder” definition moved from Div. 5

698-010-0030

Eligible Applicants

- 1(c) Clarified that tax exempt organizations must be a 501(c)(3) to be consistent with ORS

698-010-0040

Eligible Properties

- Inserted this section to be consistent with other divisions and ORS
- Removed previous Section 0040 titled “Application” and moved (2) to 0080

698-010-0060

Use of Funds

- Changed name of section from “Conservation Management Plan Activities”
- Deleted (2) because the issue of agricultural water quality plans is better addressed elsewhere

698-010-0080

Conservation Management Plan Components

- Deleted (4) “Inventory, including site characteristics and current management” because content is duplicative with another component (sub 5)
- Added (11) from 0120
- Added (13) “The duration or terminating event for the plan” moved from 0040

698-010-0090

Evaluation Criteria

- See table in Evaluation Criteria section of Div. 15 for discussion
- Removed Criteria (8) “The level of threat of conversion or fragmentation of the working land”

698-010-0100

Technical Review and Funding Process

- Revised content to better align with actual process

698-010-0110

Grant Agreement Conditions

- Deleted (2) to remove redundant documentation
- Reworded (3) to say all Conservation Management Plan changes must be provided to OWEB, not the Commission

698-010-0120

Conservation Management Plan Mutual Modification

- Inserted new (1) “The conservation management plan holder and the agricultural landowner or operator must review the conservation management plan at least annually and may mutually modify the conservation management plan, if necessary,” which previously was (4)
- Moved (2) to 0080
- Deleted (5)-(7) to create more flexibility for holders and landowners as they work together on CMP implementation

698-010-0130

Conservation Management Plan Monitoring

- (1) removed to lessen ambiguity around frequency of monitoring; if annual payment \$ is being requested, an annual site visit is required
- Deleted (2) to remove directive monitoring
- Clarified roles of OWEB and Commission in (3) and (4)

698-010-0140

Grant Reporting Requirements

- (1)(a) revised to put reporting responsibility on plan holder, instead of landowner or land manager
- All sections included edits to clarify role of OWEB the agency, the Commission, and the OWEB board

DIVISION 15 – WORKING LAND CONSERVATION COVENANTS AND EASEMENTS

698-015-0010

Purpose

- Changed language to match ORS

698-015-0020

Definitions

- (2) and (3) updated definition of “Stewardship” to better align w/ Land Trust Alliance and industry practice related to conservation easement stewardship

698-015-0050

Application Requirements

- Renamed section from “Application”
- Clarified roles of OWEB vs Commission
- Removed all reference to Conservation Management Plans
- Removed qualifier at the beginning of (3) that stated “if there is a stream on the project...”
- Added Criteria (5), “Applications requesting grant funds that would apply to an OAHP conservation covenant or easement Project with an open OAHP conservation covenant or easement grant will not be considered.”

698-015-0070

Use of Grant Funds

- Removed (1)(b) and combined with 1(a)
- Deleted (8), “The cost of securing and maintaining the agriculture and conservation values associated with the property in accordance with the application or a conservation management plan approved by the Director.”

698-015-0090

Evaluation Criteria

OAR	Issue	Short Summary of Proposed Rule Change
698-015-0090(1)	Clarify “significance”	Specified regional significance as the context for the working land property, and added content to further provide specific examples of parameters for regional significance
698-015-0090(2)	Clarify considerations for the extent the proposed easement or covenant will protect farming or ranching	Adjusted considerations to include reduction of conversion and fragmentation, and supporting ongoing use of property for agriculture
698-015-0090(3)	Clarify considerations for the extent the proposed easement will protect natural resources, fish and wildlife habitat, water quality	Removed reference to management plans in evaluation criteria; added reference to stewardship practices that maintain soil health; moved consideration of certain plans into 698-015-0090(1) regarding significance of the property
698-015-0090(4)	Added criteria to refer to integrated management of habitat, natural resources, water quality	Removed reference to existence and/or utilization of management plans and conservation management plans as a criterion for evaluation and instead focused on the project as a whole supporting integrated management
698-015-0090(5)	Clarified agricultural outcomes and investment gains	Moved language regarding contribution of the parcel to the agricultural land base and the significance of the parcels associated operation to the significance section. Reducing sub-criteria in this evaluation consideration leaves the applicant more space to describe the importance of the project for maintaining investments
698-015-0090(6)	Clarify role of “effective governance” as evaluation criterion under capacity and competence	Removed “effective governance” as part of the evaluation considerations
698-015-0090(7)	Clarify “potential for setting an example” as evaluation criterion	Removed as an evaluation criterion
698-015-0090(7)	Clarify relationship between conservation management plans and CE grants	Removed “existence and implementation of a Conservation Management Plan” as a criterion

698-015-0090(8)	Clarify “impacts... on... neighboring lands” as an evaluation criterion	Adjusted criteria language to match statutory language. Now asks about the existence and extent of impacts of only the easement (removed reference to corresponding conservation management plan) on neighboring landowners or operators
698-015-0090(9)	Clarify and consider community support for the proposed project	Added criteria for evaluating the proposed project’s impact on the local community, including a reference to Tribal engagement

698-015-0100

Technical Review and Funding Process

- Changed section to better align with actual process and language in statute

698-015-0110

Board Approval and Delegation of Authority

- In (3), changed the timeline to meet all grant agreement conditions from 18 to 24 months

698-015-0130

Director Funding Approval and Distribution of Funds

- Added new rule (3) that allows for disbursement of funds prior to all conditions being fulfilled for certain due diligence items under certain circumstances

698-015-0150

Grant Reporting Requirements for Covenants

- Revised language to give more flexibility

698-015-0170

Subsequent Conveyances

- (1) Added “and the Board”

DIVISION 20 – WORKING LAND TECHNICAL ASSISTANCE GRANTS

698-020-0030

Eligible Applicants

- Changed title of section from “Eligibility” to be consistent with full OAHP ruleset

698-020-0040

Application Requirements

- Removed this section as it was redundant w/ Div. 5

698-020-0050

Evaluation Criteria

- (1)(b) Removed “appropriate seasonal water flows, appropriate water retention” to remain consistent with rest of ruleset and ORS
- Removed (2)(e) due to uncertainty around who would qualify as a neighboring landowner

698-020-0060

Technical Review and Funding Process

- Adjusted section to match process in Divisions 10 and 15

698-020-0070

Grant Agreement Conditions

- Inserted (1) to require up to 10% of grant funds until final report submitted
- Removed (5), "Rules and conditions in place at the time funding for the Technical Assistance Grant is formally approved shall govern throughout the term of the project unless changes are mutually agreeable to both parties." This language is not included in other divisions of OAHP rules and does not provide clarity

DIVISION 25 – SUCCESSION PLANNING GRANTS

698-025-0070

Technical Review and Funding Process

- Adjusted section to match process in other OAHP rule divisions

698-025-0080

Grant Agreement Conditions

- Inserted (1) to require up to 10% of grant funds until final report submitted
- Deleted section titled "Grant Funding Conditions" and moved "(2) Final reports are due within 60 days of project completion. Any unexpended OAHP funds must be returned to the Commission with the final report." into this section

698-025-0100 Grant Reporting Requirement

- Clarified roles between OWEB and the Commission
- Deleted (3) and (4) to reduce ambiguity



January 2, 2025

To: Oregon Agricultural Heritage Commission and OWEB Staff

From: Oregon Climate and Agriculture Network

Re: OAHP Proposed Rulemaking

We are submitting public comment on the [proposed rule revisions for the Oregon Agricultural Heritage Program \(OAHP\)](#). OrCAN has been previously engaged via public comment during the OAHP Rulemaking Advisory Committee meetings, and this written comment is following up on our verbal comment from the December public hearing.

Language from the proposed rule revisions is in *italics*.

Our suggested modifications are underlined.

DIVISION 5

698-005-0045 Climate-Related Evaluation Criteria

Division 5 section 45 "Climate Evaluation Criteria", line 1, reads:

"How engagement with, and input from, local communities disproportionately impacted by climate change has informed or will inform the project."

Engagement in the project by communities disproportionately impacted by climate change is important and projects that engage those communities should be preferred. The current language is focused on how their engagement has informed the project. In addition to engaging to inform the project, they could actually be engaged *in the* project or be the applicant.

We recommend modifying the language to:

"How local communities disproportionately impacted by climate change are engaged in the project or have informed or will inform the project."

Division 5 section 45, Climate Evaluation Criteria, line 3 reads: *"How consideration of greenhouse gas emissions or long-term carbon sequestration or storage has informed the project."* It is not only desirable for applicants to consider these climate impacts or benefits, or to have them inform the project -- we want to see that the project is likely to actually result in these climate benefits.

We recommend this language instead: "How the project is likely to result in a reduction of greenhouse gas emissions or long-term carbon sequestration or storage."

DIVISION 10

698-010-0090 Evaluation Criteria

Conservation Management Plan Grant applications will be evaluated on:

- 1) The significance of the agricultural, natural resource, and related social values of the working land subject to the Conservation Management Plan(s), as measured by: ...*
 - (b) The land's contribution to long-term conservation of the region's agricultural land base;*
 - (c) The regional significance of the agricultural operation based on location, its associated infrastructure, and other relevant factors including supporting agricultural values important to the region; and*
 - (d) Supporting implementation of local, regional, state, federal or tribal priorities and plans that support fish or wildlife habitat, water quality or other natural resource values including but not limited to the Oregon Conservation Strategy and Oregon's Agricultural Water Quality Management Program;*

Our understanding is that the Conservation Management Plan (CMP) Grant evaluation criteria in section 1 are intended to mirror, or align, with the evaluation criteria for the Covenants and Easements grant and with the overall purpose of OAHP. We are concerned that many of the proposed criteria would be very difficult to evaluate when applied to the CMP grants. Our understanding from communication with staff is that these criteria will be taken into consideration as part of a holistic package, but that applicants will not be scored on each of these criteria. We agree with that approach, and recommend removing "as measured by" (which implies that the application will be scored on this criteria) and replacing it with something like "taking into consideration".

Regarding lines 1 (b), (c), and (d) of the CMP Evaluation Criteria, we are concerned that these criteria would be very difficult to evaluate, and have concerns about some of them and their relevance to CMP grants. If the language is modified in section 1, to clarify that applications will not be scored on these criteria, our concerns are largely addressed.

(2) The extent to which implementation of the plan(s) would protect, maintain, or enhance farming or ranching on working land, including how implementation of the plan(s) would:

(a) Maintain or improve the economic viability of the operation; and

(b) Reduce the potential for future conversion or fragmentation of the property and surrounding working land;

Similar to our comments regarding section 1, we think these two criteria might be difficult to apply to a CMP grant application and we suggest a similar modification. We recommend changing “including how implementation of the plan(s) would” to “including, but not limited to, how implementation of the plan(s) would” or “taking into consideration how implementation of the plan(s) would”.

(4) The extent to which the Conservation Management Plan would protect agricultural outcomes or benefits from other related investments.

We think the existing language is confusing and unclear and could be interpreted to read that the CMP would protect agriculture from other investments. To clarify, we recommend modifying it to read: “The extent to which the Conservation Management Plan would protect agricultural outcomes or benefits that have come from other related investments.” We recommend a similar clarification/change to 698-015-0090 Evaluation Criteria Working Land Covenant and Easement Grants.

Related to Division 10 Conservation Management Plan grants and Division 20 focused on Working Land Technical Assistance Grant Program. In Division 20, section 60 describing the “Evaluation Criteria” for the Working Land Technical Assistance Grant Program, one criterion reads: *“The extent to which the applicant demonstrates a plan to engage one or more underserved populations, including Young or Beginning Farmers or Ranchers, Socially Disadvantaged Farmers or Ranchers, Veteran Farmers or Ranchers, or Limited Resource Farmers or Ranchers.”*

We ask that you consider adding similar language with this list of underserved populations to the Division 10 Evaluation Criteria for the Conservation Management Plan program as well. We believe engaging underserved populations is an important consideration for both grant programs.

DIVISION 20

698-020-0010 Purpose

(2) The purpose of Technical Assistance Grants is to provide assistance to organizations that are eligible to enter into agreements resulting in Conservation Management Plans, or that acquire or propose to acquire Working Land Conservation Covenants or Working Land Conservation Easements. Grant funding must support the public benefits in OAR 698-005-0010.

We think the purpose of the Technical Assistance (TA) grants could be clarified further. We recommend adding “such as outreach and engagement” after “assistance” to clarify the purpose of this grant program.

It may also be helpful to clarify that the purpose is not just to provide general TA to these eligible entities, but to provide support resulting in CMPs or Covenants and/or Easements.

Alternative language could be:

“The purpose of Technical Assistance Grants is to provide assistance, such as outreach and engagement, to eligible entities included in 698-020-0030, to promote, encourage or support development of Conservation Management Plans, or acquisition of Working Land Conservation Covenants or Working Land Conservation Easements. Grant funding must support the public benefits in OAR 698-005-0010”.

698-020-0070 Technical Review and Funding Process

(2) Applications shall be evaluated according to criteria described in OAR 698-020-0050 and 698-005-0045.

One of the OAR numbers is incorrect. Evaluation criteria are in 698-020-0060 (not -0050)

We think the correct language is: “Application's shall be evaluated according to criteria described in OAR 698-020-0060 and 698-005-0045”.

Thank you for your consideration of these comments.

Sophie Els and Megan Kemple, Oregon Climate and Agriculture Network

Summary of Public Comments: OAHP Rules

Rule: 698-005-0045(1) Climate-Related Evaluation Criteria			
Commenter(s)	Comments	Response	Rule Change
Sophie Els & Megan Kemple, Oregon Climate and Agriculture Network	Recommends adding how local communities disproportionately impacted by climate change “are engaged in the project”, in addition to how they have informed or will inform the project.	The climate-related evaluation criteria added to the proposed OAHP rule revisions are identical to the climate-related evaluation criteria adopted by the OWEB Board in July 2023 for the OWEB grant program. These rules were developed and vetted with the assistance of a separate rulemaking advisory committee that intended the evaluation criteria to apply for both OWEB and OAHP grants. Grant applications have been evaluated with criteria beginning in the last year, and the rules will be evaluated for effectiveness within the next four years.	No

Rule: 698-005-0045(3) Climate-Related Evaluation Criteria			
Commenter(s)	Comments	Response	Rule Change
Sophie Els & Megan Kemple, Oregon Climate and Agriculture Network	Recommends changing language to read, “How the project is likely to result in a reduction of greenhouse gas emissions or long-term carbon sequestration or storage”.	See response to comment on 698-005-0045(1).	No

Rule: 698-010-0090(1) Evaluation Criteria			
Commenter(s)	Comments	Response	Rule Change
Sophie Els & Megan Kemple, Oregon Climate and Agriculture Network	Expressed concern that the phrase, “as measured by” implies a quantitative score will be developed for each criterion, rather than viewed holistically. Recommends more qualitative language.	OWEB agrees, and has changed the proposed rule language to, “The significance of the agricultural, natural resource, and related social values of the working land subject to the Conservation Management Plan(s), as measured by including: ”	Yes

Summary of Public Comments: OAHP Rules

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Rule: 698-010-0090(2) Evaluation Criteria			
Commenter(s)	Comments	Response	Rule Change
Sophie Els & Megan Kemple, Oregon Climate and Agriculture Network	Expressed a similar concern as noted in 698-010-0090(1) and recommended more qualitative alternative language.	The proposed existing language provides reviewers flexibility in evaluating how the implementation of Conservation Management Plans would protect, maintain, or enhance farming or ranching on working lands.	No

Rule: 698-010-0090(4) Evaluation Criteria			
Commenter(s)	Comments	Response	Rule Change
Sophie Els & Megan Kemple, Oregon Climate and Agriculture Network	Expressed concern that the proposed language is confusing and could be interpreted to read that a Conservation Management Plan would protect agriculture from other investments. Suggests modifying the language for clarity.	OWEB agrees, and has changed the proposed rule language to, “The extend to which the Conservation Management Plan would protect agricultural outcomes or benefits that have resulted from other related investments”.	Yes

Rule: 698-010-0090 Evaluation Criteria			
Commenter(s)	Comments	Response	Rule Change
Sophie Els & Megan Kemple, Oregon Climate and Agriculture Network	Requests adding an evaluation criterion related to engaging underserved populations, similar to the evaluation criterion found in 698-020-0060 for the Working Land Technical Assistance Grant Program.	OWEB acknowledges that engaging underserved populations is important, and notes that the Division 5 evaluation criteria related to engaging local communities disproportionately impacted by climate change will apply to this grant program as well. The Working Land Technical Assistance Grant Program described in Div. 20 rules has meaningful focus on engaging new partners, given the broader scope of that grant program and its intent to lead to	No

Summary of Public Comments: OAHP Rules

		future OAHP easement and conservation management plan projects. The Div. 10 grant program is targeted at implementation of individual Conservation Management Plans.	
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Rule: 698-020-0010(2) Purpose			
Commenter(s)	Comments	Response	Rule Change
Sophie Els & Megan Kemple, Oregon Climate and Agriculture Network	Suggested clarifying language to make clear the intent of the Working Land Technical Assistance Grant Program.	OWEB agrees, and has changes the proposed rule language to, “The purpose of Technical Assistance Grants is to provide technical assistance grants to eligible entities included in 698-020-0030 to promote, encourage or support development of Conservation Management Plans, or acquisition of Working Land Conservation Covenants or Working Land Conservation Easements.”	Yes

Rule: 698-020-0070(2) Technical Review and Funding Process			
Commenter(s)	Comments	Response	Rule Change
Sophie Els & Megan Kemple, Oregon Climate and Agriculture Network	Noted that there is a reference to an incorrect administrative rule.	OWEB agrees, and has changed the proposed rule language to, “Applications shall be evaluated according to the criteria described in OAR 695-020- 0050-0060 and 695-005-0045.”	Yes

Oregon Agricultural Heritage Program - Chapter 698

Division 5

Oregon Agricultural Heritage Program Administration

698-005-0010

Purpose

These rules guide the Oregon Agricultural Heritage Commission and the Oregon Watershed Enhancement Board in fulfilling their duties in administering the Oregon Agricultural Heritage Program (OAHP) under the provisions of ORS 541.977-ORS 541.989. The OAHP includes grants for ~~conservation management plans~~Conservation Management Plans, working land conservation covenants and easements, technical assistance, and succession planning.

The purpose of OAHP is to contribute to the public benefits of:

- (1) Increased economic viability of Oregon's agricultural operations and economic sector;
- (2) Reduced conversion and fragmentation of Oregon's working land; and
- (3) ~~Enhanced~~The maintenance or enhancement of fish or wildlife habitat, water quality, and other natural resources on Oregon's working land.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019

698-005-0020

Definitions

(1) "Agricultural ~~landowner~~Landowner or ~~operator~~Operator" means a landowner, operator, manager or other person having responsibility for exercising control over the day-to-day operation of a farm or ranch.

(2) "Board" means the Oregon Watershed Enhancement Board created under ORS 541.900.

(3) "Carbon Sequestration" means the ~~process of capturing and storing atmospheric carbon dioxide~~.

(4) "Carbon Storage" means the storage of carbon in plants, soils, geological formations, and the ocean.

(5) "Commission" means the Oregon Agricultural Heritage Commission created under ORS 541.986.

(6) "Conservation ~~management plan~~Management Plan" means specific actions planned for working lands to improve or maintain the agricultural and natural resource values. A ~~conservation management plan~~Conservation Management Plan is independent of a working lands covenant or easement.

(5) "~~Conservation management plan holder~~" means ~~an entity that is eligible to hold a conservation management plan that is or would be responsible for developing, implementing, monitoring or~~

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~~enforcing the agreement under an OAHP grant agreement.~~
~~(6)~~

~~(7) "Conversion":~~

~~(a) "Conversion" means:~~

~~(A) Cessation of accepted farming practices;~~

~~(B) Construction of dwellings not occupied by farm operators or workers or other structures not related to agriculture;~~

~~(C) Removal of infrastructure required for accepted farming practices unless necessary to accommodate a change in accepted farming practices; or~~

~~(D) Cancelling or transferring rights to use water for irrigation in a manner that reduces the long-term viability of agriculture on the working land.~~

~~(b) As used in this definition, "accepted farming practices" shall have the meaning set forth in ORS 215.203(2)(c).~~

~~(7).~~

~~(8) "Director" means the Executive Director of the Oregon Watershed Enhancement Board or the Executive Director's designee.~~

~~(8)~~

~~(9) "Durable Adaptation and Resilience for Ecosystems" means the extent to which a project is expected to help an ecosystem, including human communities, adjust to, respond to, or recover from the effects of a changing climate.~~

~~(10) "Farming and ranching" means "farm use" as defined in ORS 215.203(2).~~

~~(9)~~

~~(11) "Fragmentation" means the division of a working farm or ranch, or the isolation of a farm or ranch from other agricultural operations and/or from the agricultural infrastructure necessary to bring farm products to their appropriate markets.~~

~~(10)~~

~~(12) "Grant agreement" means the legally binding contract between the Board and the grant recipient in which the Board is not substantially involved in the funded program or activity other than involvement associated with monitoring compliance with the grant conditions. It consists of the conditions specified in these rules, the notice of grant award, special conditions to the agreement, a certification to comply with applicable state and federal regulations, the project budget and the approved application for funding the project.~~

~~(11)~~

~~(13) "Grantee" means an organization or individual that is awarded a grant under one or more of OAHP's grant programs.~~

~~(12) "Management plan~~

~~(14) "Limited Resource Farmer or Rancher" means a description an applicant with direct or indirect gross farm sales that are not more than the current indexed value in each of the stewardship, monitoring previous 2 years, and uses who has a total household income at or below the national poverty level for a family of working land intended to carry out the purposes four, or less than 50 percent of a working lands easement or covenant.~~

~~(13) county median household income in each of the previous 2 years. An entity or joint operation can be a Limited Resource Farmer or Rancher if all individual members independently qualify.~~

~~(15) "Local Communities Disproportionately Impacted by Climate Change" includes communities such as Native American tribes, communities of color, rural communities, coastal communities, communities experiencing lower~~

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incomes, and other communities traditionally underrepresented in public processes, including seniors, youth, and persons with disabilities.

(16) "OWEB" means the Oregon Watershed Enhancement Board state agency.

(17) "Socially Disadvantaged Farmer or Rancher" means an Agricultural Landowner or Operator who is a member of a group whose members have been subjected to racial or ethnic prejudice because of their identity as members of a group without regard to their individual qualities. Those groups include African Americans, American Indians or Alaskan natives, Hispanics, and Asians or Pacific Islanders.

(1418) "Technical committeeCommittee" means a team of individuals who have expertise relevant to the ranking of OAHP grants, or other issues before the Commission.

(15)

(19) "Veteran Farmer or Rancher" means a person who served in United States Army, Navy, Marine Corps, Air Force, and Coast Guard, including the reserve components thereof, and who was discharged or released therefrom under conditions other than dishonorable.

(20) "Working landLand" means land that is actively used by an agricultural owner or operator for an agricultural operation that includes, but need not be limited to, active engagement in "farm use" as defined in ORS 215.203541.977(2).

(16)

(21) "Working land-conservation covenantLand Conservation Covenant" means a nonpossessory interest in working land for a fixed term that imposes limitations or affirmative obligations for the purposes that support the use of the land for agricultural production and for the maintenance or enhancement of fish or wildlife habitat, water quality or other natural resource values.

(17) "Working land and must provide for carrying out a purpose of a conservation easement, as defined in ORS 271.715.

(22) "Working Land Conservation Easement" means a permanent nonpossessory interest in working land that imposes limitations or affirmative obligations for purposes that support the use of the land for agricultural production and for the maintenance or enhancements of fish or wildlife habitat, water quality or other natural resource values.

- and must provide for carrying out a purpose of a conservation easement, as defined in ORS 271.715.

(23) "Young or Beginning Farmer or Rancher" means someone who has been an Agricultural Landowner or Operator for 10 consecutive years or fewer, or an Agricultural Landowner or Operator who is 35 years old or younger.

Statutory/Other Authority: ORS 541.979, ORS 541.988, ORS 541.984

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-005-0030](#)

Application Requirements

(1) Applications must be submitted on the most current form. Current applications will be made available on the format required by OWEB website. An explanation must accompany the application if any of the information required on the application cannot be provided.

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Statutory/Other Authority: [ORS 541.984, ORS 541.988, ORS 541.989](#)
Statutes/Other Implemented: [ORS 541.977-541.989](#)
History: [OAHF 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-005-0040

Application Processing

(1) Project applications will be reviewed based on application completeness and the evaluation criteria adopted by the Board for each grant type in these rules. In addition to the information required in the application, an applicant may submit additional information that will aid the Commission in evaluating the project.

(2) All applicants for Oregon Agricultural Heritage Program grants shall supply the following information:

- (a) Names, physical and email addresses, and telephone numbers of the applicant contact person(s) and the fiscal officer(s);
 - (b) Name and address of participating agricultural landowners or operators;
 - (c) Name and location of the proposed project. For conservation management plan and easement/covenant projects the location shall be described in reference to the public land survey, latitude and longitude using decimal degrees, North American Datum 1983, county, watershed, stream, or stream mile, as appropriate;
 - (d) Estimated line item budget for the project using the most current budget form prescribed by the Commission. Current budget forms are available on the OWEB website;
 - (e) Identification of specific project elements for which OAHF funds will be used;
 - (f) A description of any non-OAHF funds, services or materials available or secured for the project and any conditions which may affect the completion of the project;
 - (g) If the project is part of a multi-year project, and a new funding request continues a previously Commission-funded activity, a description of the previous project accomplishments and results as well as an accounting of past expenditures and revenues for the project;
 - (h) Identification of volunteers and partners (if any) and the contribution they will make to the project;
 - (i) A project schedule, including times of project beginning and completion; and
 - (j) Any information requested that is necessary to evaluate the project based on the evaluation criteria for that project type.
- (3)

(2) Applications will be considered complete as submitted. Clarification of information may be sought from the applicant during the evaluation process, but additional, new information will not be accepted after the application deadline.

Statutory/Other Authority: [ORS 541.984, ORS 541.988, ORS 541.989](#)
Statutes/Other Implemented: [ORS 541.977-541.989](#)
History:
[OAHF 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-005-0040

Application Processing

(1) Project applications will be reviewed based on application completeness and the evaluation criteria adopted by the Board for each grant type in these rules.

(2) The Commission may require additional information to aid in evaluating and considering a proposed grant project.

Statutory/Other Authority: [ORS 541.984, ORS 541.988, ORS 541.989](#)
Statutes/Other Implemented: [ORS 541.977-541.989](#)
History:
[OAHF 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

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698-005-0045

Climate-Related Evaluation Criteria

In addition to the evaluation criteria for Conservation Management Plans (OAR 698-010-0090), Working Land Conservation Covenants and Easements (OAR 698-015-0090), Working Land Technical Assistance Grants (OAR 698-020-0160), and Succession Planning Grants (OAR 698-025-0060), grant applications shall also be evaluated, whenever possible, on:

(1) How engagement with, and input from, local communities disproportionately impacted by climate change has informed or will inform the project.

(2) How changing climate conditions are incorporated into the project and how the project will contribute to durable adaptation and resilience for ecosystems, including human communities.

(3) How consideration of greenhouse gas emissions or long-term carbon sequestration or storage has informed the project.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

698-005-0050

Grant Agreement Conditions

(1) ~~The Board~~OWEB will enter into new ~~grant agreements~~Grant Agreements with prior grantees only if all reporting obligations under earlier agreements have been met.

(2) If the ~~grant agreement~~Grant Agreement has not been fully executed by all the parties within one year of Board approval, funding shall be terminated. The money allocated to the grant shall be available for reallocation by the Board:
for purposes of the Oregon Agricultural Heritage Program.

(3) The Director shall establish ~~grant agreement~~Grant Agreement conditions for each grant type. Grantees shall comply with all ~~grant agreement~~Grant Agreement conditions.

(4) The grantee shall comply with all federal, state and local laws and ordinances applicable to the work to be completed under the agreement.

(5) Upon notice to the grantee in writing, the Director may terminate funding for projects not completed in the prescribed time and manner. The money allocated to the project but not used will be available for reallocation by the Board.

~~(6) The grantee will account for funds distributed by the Board, using project expense forms provided by OWEB.~~
~~(7 for purposes of the Oregon Agricultural Heritage Program.~~

~~(6)~~ The grantee will obtain all necessary permits and licenses from local, state or federal agencies or governing bodies and provide a copy of each permit or license to the ~~Board~~.

~~(8) The Board~~OWEB.

(7) OWEB may place additional conditions in the ~~grant agreement~~Grant Agreement as necessary to carry out the purpose of the program, including:

(a) An enforceable agreement by the ~~agricultural landowner or operator~~Agricultural Landowner or Operator for continued access by OWEB and its designees for monitoring the project after completion;

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- (b) An enforceable agreement by the grantee to maintain the project for a period of time commensurate with the project approved by the Board;
- (c) An enforceable agreement to supply future reports on the project as required; and
- (d) Such other conditions as ~~the Board~~**OWEB** deems appropriate to the particular circumstances of the project.

(8) Rules and conditions in place at the time the grant is awarded shall govern throughout the term of the project unless changes are mutually agreeable to all parties.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-005-0060

Use of Restricted Funding

The Board may accept contributions to the Oregon Agricultural Heritage Fund from any public or private source and may agree to any conditions for the expenditure of those contributions that are consistent with the purpose of the fund as specified in ORS 541.977 – ORS 541.989.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-005-0070

Distribution of Funds

(1) The Director may withhold payments to a grantee if there are significant and persistent difficulties with satisfying ~~Board~~**OWEB** requirements.

(2) Funds will be released upon ~~presentation~~**receipt** of a completed ~~fund-release-request-form, as prescribed by OWEB,~~ accompanied by documents as determined by the Director, and proof of completion of specific work elements of the project as identified in the ~~grant agreement.~~
Grant Agreement.

(3) Advance funds may be released upon presentation of a detailed estimate of expenses for up to 120 days. Within 120 days of the date of the advance check, receipts or invoices for the advance must be submitted, a justification to extend the advance must be approved, or the unexpended advance funds must be returned to ~~the Commission.~~**OWEB.** Additional funds will not be released until receipts for expenditures of previous fund releases are submitted, or an estimate of expenditures is approved by the Director.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-005-0080

Funding Decision Reconsideration by Board

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In the event that the Director determines a grantee has not met conditions imposed by the Board, the Director shall forward the determination in writing to the Board for its consideration. The grantee will be provided a copy of the written determination. The conditionally encumbered grant funds will remain encumbered until the Board either affirms the Director's determination or authorizes the continued encumbrance of all or part of the funds in accordance with a modified decision of the Board.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

~~698-005-0090~~

~~698-005-0090~~

Technical Committees

In addition to ~~technical committees~~**Technical Committees** established by the Commission to rank and evaluate ~~conservation management plan and working land conservation covenant and easement~~ grant applications, the Commission may establish any ~~technical committees~~**Technical Committees** it considers necessary to aid and advise the Commission in the performance of its functions, in compliance with ORS 541.988(2).

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

~~698-005-0100~~

~~698-005-0100~~

Waiver and Periodic Review of Rules

The Director may waive the requirements of Division ~~0055~~ unless required by statute, when doing so will result in more efficient or effective implementation of the Oregon Agricultural Heritage Program. Any waiver must be in writing, included in the grant file to which the waiver applies, and reported to the Commission at the next meeting. The administrative rules for the ~~Oregon Agricultural Heritage Program~~**OAHP** shall be periodically reviewed by the Commission, **Board, and OWEB** and revised as necessary and appropriate.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

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Oregon Agricultural Heritage Program - Chapter 698

Division 10

Conservation Management Plans

698-010-0010

Purpose

(1) This Division supplements the Oregon Agricultural Heritage Program Administration rules under OAR 698-005 and provides specific requirements for Conservation Management Plan Grant Program.

(2) The purpose of a ~~conservation-management-plan~~Conservation Management Plan as defined in OAR 698-005-0020(4) is to develop and implement conservation measures or other protections for maintaining or enhancing fish or wildlife habitat, water quality or other natural resource values in a manner consistent with the social and economic interests and abilities of the ~~agricultural landowner~~Agricultural Landowner or ~~operator~~Operator. The plan may include provisions for addressing particular priorities related to natural resource values, including but not limited to soil, water, plants, animals, energy and human need considerations.

(3) The Conservation Management Plan Grant Program funds the development, implementation, and monitoring of ~~conservation-management-plans~~Conservation Management Plans (plans) entered into by agricultural landowners or operators and ~~conservation-management-plan~~Conservation Management Plan holders to manage working land in a manner that contributes to the purpose of the OAHP as defined in OAR 698-005-0010.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019

698-010-0020

Definitions

(1) "Mutual Modification" means a change to a ~~conservation-management-plan~~Conservation Management Plan that is:

(a) Material to the plan as defined in Section 698-010-0120(5); and

(b) Agreed to by the ~~agricultural landowner~~Agricultural Landowner or ~~operator~~Operator implementing the plan and the ~~conservation-management-plan~~Conservation Management Plan holder.

(2) "Project" means the aggregate of ~~eligible~~activities included in Section 698-010-0060 that comprise an application.

(3) "Conservation Management Plan Holder" means an entity that is eligible to hold a Conservation Management Plan that is or would be responsible for developing, implementing, monitoring or enforcing the agreement under an OAHP Grant Agreement.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019

698-010-0030

EligibilityEligible Applicants

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(1) Eligible applicants for Conservation Management Plan Grants are:

- (a) Entities eligible to hold a conservation easement as defined in ORS 271.715, other than a state agency;
- (b) Watershed councils; and
- (c) ~~Not-for-profit~~~~Tax exempt~~ organizations ~~other than a state agency~~ under section 501(c)(3) of the Internal Revenue Code.

(2) Individual agricultural landowners or operators are not eligible to apply for a Conservation Management Plan Grant.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-010-0040

Application

698-010-0045

Eligible Properties

Eligible properties for Conservation Management Plan Grant applications shall:

- (1) Be consistent with OAR 698-005; and
- (2) Include the duration and any terminating events for the plan.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: Grants are working lands as defined in ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

(2).

698-010-0050

Match Contributions

(1) All applicants shall demonstrate that some portion of the ~~proposal~~application is being sought as match.

(2) The following funds and activities qualify as match:

- (a) In-kind contributions to activities listed under OAR 698-010-0060; ~~and~~
- (b) Funding commitments made by others as a result of grant applicant efforts; ~~and~~

(3) The ~~OWEB~~ Director retains the discretion to determine whether specific proposed matching costs not specifically identified above can be recognized as qualifying matching costs.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-010-0060

Conservation Management Plan ActivitiesUse of Funds

- (1) Funding may be utilized to develop, implement, carry out or monitor ~~conservation management plans~~;
- (2) ~~If there is a stream on the project:~~

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(a) The planning process must present the agricultural landowner or operator with alternatives that address the local Agricultural Water Quality Conservation Management Area Plan goals in place at the time of plan preparation;

(b) If the program pays for plan implementation, the selected alternative must address the local Agricultural Water Quality Management Area Plan goals at the time of plan implementation Plans.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-010-0070

Term of Payment for Conservation Management Plan Implementation

(1) If an ~~agricultural landowner~~ **Agricultural Landowner** or ~~operator~~ **Operator** is reimbursed for the implementation of a ~~conservation management plan~~ **Conservation Management Plan**, the plan must be for a term of at least 20 years and no more than 50 years.

(2) If a plan is associated with a ~~working land conservation covenant~~ **Working Land Conservation Covenant** that would also be funded by OAHP, the term of the plan must be the same as the term of the covenant.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-010-0080

Conservation Management Plan Components

At a minimum, ~~conservation management plans~~ **Conservation Management Plans** must include:

(1) A summary describing how the ~~conservation management plan~~ **Conservation Management Plan** meets OAHP's ~~the~~ purpose;
~~of the OAHP as defined in OAR 698-005-0010;~~

(2) The contact and location information for the ~~agricultural landowner~~ **Agricultural Landowner** or ~~operator~~ **Operator** and ~~conservation management plan~~ **Conservation Management Plan** holder;

(3) Relevant background and context of the working land and operation;

(4) ~~Inventory, including site characteristics and current management;~~

(5) ~~Short-~~ and long-term social, economic, and conservation goals of the ~~agricultural landowner~~ **Agricultural Landowner** or ~~operator~~ **Operator**;

(6) ~~Operator;~~

(7) Resource analysis and identification of resource and management concerns;

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(6) Identification of potential plan activities and a justification for the activities that were selected for implementation;

(8)

(7) The implementation plan, including a budget;

(9)

(8) If applicable, a maintenance plan for infrastructure associated with the plan that may affect neighboring lands if not maintained over time;

(10)

(9) The expected agricultural, fish or wildlife, water quality or other natural resource outcomes, and related social outcomes of the plan once implemented;

(11) How the conservation management plan will be evaluated and managed;

(12) A conflict resolution protocol for the agricultural landowner or operator and the conservation management plan holder if the grant program would fund the implementation of the plan; and

(13) The term of the plan.

(10) How the Conservation Management Plan will be monitored and managed;

(11) Provisions for mutual modification as necessary to reflect changes in practices or circumstances;

(12) A conflict resolution protocol for the Agricultural Landowner or Operator and the Conservation Management Plan holder if the grant program would fund the implementation of the plan; and

(13) The term or terminating event for the plan.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-010-0090

Evaluation Criteria

Conservation Management Plan Grant applications will be evaluated on:

(1) The significance of the agricultural, natural resource, and related social values of the working land subject to the conservation management plan(s);

Conservation Management Plan(s) including:

(a) The potential viability of the property for agriculture, including but not limited to soil types, suitability for producing different types of crops, and water availability;

(b) The land's contribution to long-term conservation of the region's agricultural land base;

(c) The regional significance of the agricultural operation based on location, its associated infrastructure, and other relevant factors including supporting agricultural values important to the region; and

(d) Supporting implementation of local, regional, state, federal or Tribal priorities and plans that support fish or wildlife habitat, water quality or other natural resource values.

(2) The extent to which implementation of the plan(s) would protect, maintain, or enhance farming or ranching on working land, including how implementation of the plan(s) would;

(a) Maintain or improve the economic viability of the operation; and

(b) Reduce the potential for future conversion or fragmentation of the property and surrounding working land

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(3) The extent to which implementation of the plan would protect, maintain, or enhance significant fish or wildlife habitat, water quality, or other natural resource values by including:

- (a) Protecting, maintaining, or improving the land, including soil, water, plants, animals, energy, and human needs considerations;
- (b) Supporting implementation of the Oregon Conservation Strategy, Oregon's Agricultural Water Quality Management Program, or other local, regional, state, federal or tribal priorities or plans that support fish or wildlife habitat, water quality, or other natural resource values;
- (c) Protecting, maintaining or improving the quality and connectivity of plant or wildlife habitat on and around the working land; and
- (b) Utilizing land subject to the plan;
- (d) Protecting, maintaining, or improving water quality or quantity; and
- (e) Sustaining ecological values, as evidenced by the conservation management plan or inherent site condition: stewardship practices that maintain or enhance soil health.

(4) The extent to which implementation of the plan(s) Conservation Management Plan would protect, maintain or enhance significant agricultural outcomes, or benefits, or other investment gains, including the regional significance of the agricultural operation, or its suitability based on soils, slope, location or other relevant factors: that have resulted from other related investments.

(5) The capacity and competence of the prospective conservation management plan Conservation Management Plan holder to enter into and (if implementation funding is awarded) monitor and carry out implementation of a conservation management plan Conservation Management Plan, including:

- (a) The financial capability to manage the plan(s) over time; and
- (b) The demonstrated relevant commitment, expertise, and track record to successfully develop, implement, carry out, and monitor plan(s); and
- (c) The strength of the conservation management plan holder as measured by effective governance.

(6) The extent to which the benefit to the state may be maximized, based on:

- (a) The ability to leverage grant moneys from other funding sources;
- (b) The duration and extent of the conservation management plan, with a preference for longer term agreements if implementation funding is awarded; and
- (c) The potential for setting an example that will encourage additional working land projects.

(7) The impacts of plan implementation on owners or operators of neighboring lands, including:

- (a) A plan for communicating with neighboring owners and operators once a conservation management plan is ready to be implemented about how to mitigate potential impacts; and
- (b) A maintenance plan for infrastructure that may impact neighboring lands if not maintained over time.

8) The level of threat of conversion or fragmentation of the working land:
- and
(b) The duration and extent of the Conservation Management Plan.

(7) The extent and nature of the plan impacts on owners or operators of neighboring lands.

(8) The extent to which the project will benefit the local area, as evidenced by engagement with and support from the local community and Tribes.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989
 Statutes/Other Implemented: ORS 541.977-541.989
 History:
[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

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698-010-0100

Technical Review and Funding Process

(1) Technical review of Conservation Management Plan Grant applications shall occur based on information provided in the grant application and technical review team expertise about the area and the project. The Commission and OWEB shall jointly appoint one or more technical committees Technical Committees to evaluate and rank applications for grants for conservation management plans. Those rankings will be provided to the commission to inform the commission's final ranking and funding recommendations to the OWEB board. Conservation Management Plans.

(2) Applications shall be evaluated according to criteria described in OAR 698-010-0090, and 698-005-0045.

(3) OWEB shall convene the Technical Committee(s) to evaluate and rank applications for grants. OWEB will provide Technical Committee rankings to the Commission, along with a funding recommendation.

(4) The ranking system shall provide for the ranking of conservation management plans Conservation Management Plans alone and not as part of an application that includes a working land conservation covenant Working Land Conservation Covenant or easement.

(4) The technical committee(s) shall provide ranking recommendations to OWEB staff. OWEB staff will review technical committee recommendations and provide funding recommendations to the Commission. Working Land Conservation Easement.

(5) The Commission shall review and consider the Technical Committee(s) rankings and the recommendations of the technical committee(s) OWEB staff, and consult with the Board concerning grant applications.

(6) The Commission shall make funding recommendations to the Board based on the availability of funding from the Oregon Agricultural Heritage Fund.

(7) The Board approves awards Conservation Management Plan Grants. The Board may fund a grant application in whole or in part.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHF 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-010-0110

Grant Agreement Conditions

(1) Grant funding is subject to the signed statement of understanding and agreement by the participating agricultural landowner(s) or operator(s) to the roles and responsibilities under the conservation management plan.

(2) All conservation management plan grant agreements for conservation management plan (1) All Conservation Management Plan Grant Agreements for Conservation Management Plan development authorized by the Board shall have a clause that requires the retention of up to 10 percent of project funds until the final report, as required in the grant agreement Grant Agreement, has been approved. Any unexpended program project funds must be returned to the Commission.

(3)

(2) The grantee must agree to complete the project as approved by the Board and within the timeframe specified in the grant agreement Grant Agreement unless proposed amendments are submitted and approved by

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the Director prior to the beginning of any work proposed in the amendment.

(4)

(3) The Director will consider project amendments, including expansion of funded projects with moneys remaining from the original project allocation, if the purpose and intent of the amendment remains the same as the original project.

(5) All changes to the conservation management plan must be reflected in writing and provided to the Commission.

(4) All changes to the Conservation Management Plan must be reflected in writing and provided to the Commission.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-010-0120

Conservation Management Plan Mutual Modification

If funding is provided for conservation management plan implementation:

(1) Any changes to conservation management plans must achieve the same or greater level of benefits as the original plan, as evaluated by the criteria in OAR 698-010-0090.

(2) Conservation management plans must include provisions that provide for flexibility and allow for mutual modification as necessary to reflect changes in practices or circumstances.

(3) Any change in the conservation management plan must be mutually agreed to by both the agricultural landowner or operator and the conservation management plan holder.

(4) To ensure consistent review of all conservation management plans, the conservation management plan holder and the agricultural landowner or operator must review the conservation management plan at least annually and may mutually modify the conservation management plan if necessary.

(5) The agricultural landowner or operator must contact the conservation management plan holder immediately if any of the following changes occur that will impact either implementation of the conservation management plan or its expected outcomes:

(a) Changes in management or ownership of the property;

(b) Changes in the grazing or cropping system(s) not identified in the plan. For changes in grazing or cropping systems, the landowner must notify the conservation management plan holder in advance;

(c) A natural disaster occurs that will impact implementation of the conservation management plan; or

(d) Other changes that are outside the agricultural landowner's or operator's control.

(6) The conservation management plan holder must contact the agricultural landowner or operator if changes in site conditions significantly affect the expected outcomes of conservation management plan implementation.

(7) Modifications to the plan may include:

(a) The addition of new conservation practices, measures or benefits; or

(b) Changes to practices, measures, or benefits in response to:

(A) Changes in management approaches based on new scientific understanding of expected outcomes;

(B) Changes in management or ownership of the working land;

(C) Changes in the grazing or cropping system;

(D) A natural disaster; or

(E) Other changes outside the agricultural landowner's or operator's control.

If funding is provided for Conservation Management Plan implementation:

(1) The Conservation Management Plan holder and the Agricultural Landowner or Operator must review the Conservation Management Plan at least annually and may request to mutually modify the Conservation Management Plan if necessary.

(2) Any changes to Conservation Management Plans must achieve the same or greater level of benefits as the original plan and be consistent with OAR 698-010-0090.

(3) Any change in the Conservation Management Plan must be mutually agreed to by both the Agricultural Landowner or Operator, the Conservation Management Plan holder, and OWEB.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAH 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-010-0130

Conservation Management Plan Monitoring

If funding is provided for ~~conservation-management-plan~~Conservation Management Plan implementation:

(1) ~~Notwithstanding (2), the conservation-management-plan-holder~~The Conservation Management Plan Holder must conduct at least one site visit to the property every ~~three years, or as prescribed by a match funder if their interval for site visits is shorter than three years~~year, to document the implementation of the ~~conservation management plan~~.

(2) ~~The agricultural landowner or operator and the conservation management plan holder may agree to establish specific monitoring protocols and site visit intervals more frequent than once every three years to identify trends in fish or wildlife habitat, water quality or other natural resource values, and must establish protocols if a modification of the conservation management plan results in specific monitoring or site visit needs. Protocols must be in writing and agreed to by both the agricultural landowner or operator and the conservation management plan holder. The Commission may provide guidance for consistent monitoring protocols.~~

(3) ~~The Commission~~Conservation Management Plan.

(2) OWEB or its designees may conduct ~~spot checks~~monitoring to ensure ~~management plan~~Conservation Management Plan implementation as ~~identified~~described in the plan and associated reporting. The agricultural landowner~~Agricultural Landowner~~ or operator~~Operator~~ shall allow site access to ~~the Commission~~, OWEB, or their contractors or representatives upon reasonable notification by ~~the Commission~~.

(4) ~~OWEB~~.

(3) The Commission may also ~~develop~~provide guidance to OWEB for the development of monitoring protocols to evaluate the outcomes of ~~conservation-management-plan~~Conservation Management Plan implementation on a programmatic level.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAH 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-010-0140

Grant Reporting Requirements

(1) For grants that include funding for ~~conservation-management-plan~~Conservation Management Plan implementation:

(a) At least once per year, the ~~agricultural landowner or operator~~Conservation Management Plan holder must meet with the ~~conservation-management-plan-holder~~Agricultural Landowner or Operator and provide this holder~~OWEB~~ with a written report of the ~~conservation-management-plan~~Conservation Management Plan activities completed that year on a form approved by ~~the Commission~~. Reports~~OWEB~~. OWEB may also~~require reports~~ include photo points or other methods that appropriately track plan implementation.

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(b) Annual reporting must identify any mutual modifications to the ~~conservation-management-plan~~Conservation Management Plan.

(c) Reports must be submitted to ~~the Commission~~OWEB on a date set by ~~the Commission~~OWEB.

(2) Upon development of a ~~conservation-management-plan~~Conservation Management Plan or completion of ~~conservation-management-plan~~Conservation Management Plan implementation, the grantee will provide ~~the Commission and OWEB's Board~~OWEB with a copy of the project completion report. ~~Final project accounting and reporting are due no later than 60 days following the project completion date specified in the grant agreement.~~

(3) Upon receipt of the final report, ~~the Commission~~OWEB shall ~~have 90 days to~~ approve the completed report or notify the grantee of any concerns that must be addressed or missing information that must be submitted before the report is considered complete and reviewed for approval. Once the final report has been approved, the final payment shall be promptly processed.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-010-0150

Waiver and Periodic Review of Rules

The Director may waive the requirements of Division ~~01010~~ unless required by statute, when doing so will result in more efficient or effective implementation of the Conservation Management Plan Grant Program. Any waiver must be in writing, included in the grant file to which the waiver applies, and reported to the Commission at the next meeting. The administrative rules for Conservation Management Planning Grants shall be periodically reviewed by the Commission, ~~Board, and OWEB~~ and revised as necessary and appropriate.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

Oregon Agricultural Heritage Program - Chapter 698

Division 15

Working Land Conservation Covenants and Easements

698-015-0010

Purpose

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The purpose of a working land conservation covenant or easement is to preserve ~~(1) This Division supplements the Oregon Agricultural Heritage Program Administration rules under OAR 698-005, and protect~~ provides specific requirements for the Working Land Conservation Covenants and Easements Grant Program.

(2) A Working Land Conservation Covenant or Working Land Conservation Easement must ensure the continued use of ~~a working~~ the land for agricultural purposes, ~~and maintain while maintaining or enhance~~ enhancing fish or wildlife habitat, ~~improving~~ water quality, or ~~supporting~~ other natural resource values on the land.

Covenants and easements funded under this program:

(1) Must contribute to the public benefits in OAR 698-005-0010; and

(2) Must provide for carrying out a purpose of a conservation easement, as defined in ORS 271.715.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-015-0020

Definitions

(1) "Project" means the aggregate of eligible activities included in sections 698-015-0060 and 698-015-0070 that comprise an application.

(2) "Stewardship" means ~~the management of the Working Land Conservation Covenant or Working Land Conservation Easement after its acquisition, including: monitoring, maintaining recordkeeping, processing amendments and landowner correspondence, managing, and improving land protected by an easement or covenant, including providing signage, controlling access, providing stewardship funds, resolution of violations, enforcement actions, and resolving violations.~~ defense.

(3) "Stewardship ~~fund~~Fund" means a ~~restricted~~ fund that is used to cover the holder's long-term costs for stewardship of the ~~land protected by the covenant~~ Working Land Conservation Covenant or easement and ~~payment of taxes and insurance associated with that land.~~ Working Land Conservation Easement. If the funding source allows investment of ~~stewardship funds~~ Stewardship Funds, funds may be used for investment management costs. ~~Stewardship funds may not be used for overhead or indirect costs.~~

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-015-0030

Eligible Applicants

Eligible applicants for Working Land Conservation Covenant and Easement Grants are holders as defined in ORS 271.715 other than state agencies. Individual owners of working land are not eligible to apply for a Working Land Conservation Covenant and Easement Grant.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

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698-015-0040

Eligible Properties

Eligible properties for Working Land Conservation Covenant and Easement Grants are working lands as defined in ORS 541.977(2).

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-015-0050

Application Requirements

(1) In accordance with ORS 541.977(3) and (4), OWEB may consider Working Land Conservation Covenant and Easement Grant applications to acquire a nonpossessory interest in working land for a permanent or fixed term that imposes limitations or affirmative obligations.

(2) Working Land Conservation Covenant and Easement Grant applications shall:

(a) Be consistent with OAR 698-005;

(b) Be submitted on the most current ~~form and format that conforms with the~~ process prescribed by the ~~Commission; OWEB,~~

~~(c) State the amount and type of match contribution; and~~

~~(e) State the amount and type of match contribution; and~~

(d) If the application is for a ~~covenant~~ Working Land Conservation Covenant, include the duration of the covenant.

~~(3) If the covenant is identical in duration to a conservation management plan for the working land that is funded by the OAHP Conservation Management Plan Grant Program, the covenant must refer to the conservation management plan in the text of the covenant.~~

~~(4) If there is a stream on the project, the covenant or easement application shall describe how either the easement or the management plan and associated monitoring addresses the local Agricultural Water Quality Management Area Plan goals. Easement monitoring shall include any riparian monitoring identified in the application.~~

~~(5) If a pre-existing or new conservation management plan is proposed as part of an application for a covenant or easement under this program, the proposed plan must be agreed to by the landowner, applicant, and commission before closing.~~

~~(6)(3)~~ The Commission may consider proposals that are received for ~~covenants or easements a~~ Working Land Conservation Covenant or Working Land Conservation Easement that were acquired by the applicant after the previous application deadline.

~~(4) Applications for grant funds that would apply to an OAHP Working Land Conservation Covenant or Working Land Conservation Easement Project with an open, active OAHP Working Land Conservation Covenant or Working Land Conservation Easement funded grant will not be considered.~~

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-015-0060

Matching Contributions

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(1) All applicants shall demonstrate that at least 25% match is being sought, based on the total OAHP grant request for ~~the covenant or easement~~ Working Land Conservation Covenant or Working Land Conservation Easement project.

(2) The following funds and activities qualify as match:

~~(a)~~ In-kind contributions to activities listed under OAR 698-015-0070;

~~(ba)~~ Funding commitments toward the Project made by others as a result of grant applicant efforts;

~~(eb)~~ A donated portion of ~~a~~the sale of the Working Land Conservation Covenant or Working Land Conservation Easement; and

~~(ec)~~ Funds deposited in a ~~stewardship fund~~ Stewardship Fund before the time that OWEB funds are released for acquisition of the ~~covenant or easement~~ Working Land Conservation Covenant or Working Land Conservation Easement.

(3) The ~~OWEB~~ Director retains the discretion to determine whether specific proposed match contributions not specifically identified above can be recognized as qualifying match.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-015-0070

Use of Grant Funds

Working Land Conservation Covenant and Easement Grant funds may be applied towards costs related to purchasing, implementing, holding, monitoring, stewarding, or enforcing the ~~covenant or easement~~ Working Land Conservation Covenant or Working Land Conservation Easement, including:

(1) The purchase price and the purchase option fees associated with the ~~working land conservation covenant~~ Working Land Conservation Covenant or easement:

~~(a)~~ Working Land Conservation Easement. The purchase price for ~~easements~~ A Working Land Conservation Covenant or Working Land Conservation Easement shall be based on an appraisal and review appraisal completed in accordance with applicable appraisal standards, including the Uniform Standards of Professional Appraisal Practice, and if required by other funding sources or the Internal Revenue Service, the Uniform Appraisal Standards for Federal Land Acquisitions.

~~(b)~~ The purchase price for covenants shall be based on an assessment of fair market value using methodologies similar to those described in OAR 698-015-0070 (1)(a);

(2) The interest on bridge loans needed to secure closure on the ~~property~~ Working Land Conservation Covenant or Working Land Conservation Easement prior to when funding will be available for distribution through the program;

(3) The staff costs incurred as part of the ~~covenant or easement~~ Working Land Conservation Covenant or Working Land Conservation Easement acquisition process related to the property;

(4) The cost of due diligence activities, including appraisal, environmental site assessment, survey, title review, and other customary due diligence activities;

(5) The cost of baseline inventory preparation;

(6) The legal fees incurred by the grantee related to the proposed transaction;

(7) The closing fees, including recording and title insurance costs; and

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(8) The cost of securing and maintaining the agriculture and conservation values associated with the property in accordance with the application or a conservation management plan approved by the Director; and

(9) Up to 50% match for the value of a stewardship fund funding necessary for stewardship of the Working Land Conservation Covenant or Working Land Conservation Easement, but program funds contributed to a stewardship fund Stewardship Fund may not exceed 5% of the total appraised value of the covenant Working Land Conservation Covenant or easement Working Land Conservation Easement.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHF 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-015-0080

Terms of Covenants and Easements

(1) A ~~working land conservation easement~~ Working Land Conservation Easement shall last in perpetuity.

(2) A ~~working land conservation covenant~~ Working Land Conservation Covenant shall last for a term of no less than twenty and no more than fifty years.

(3) The ~~covenant~~ Working Land Conservation Covenant term shall be set at 12-month increments only and not partial years.

(4) The first day of the term of a ~~covenant~~ Working Land Conservation Covenant shall be the date that both of these events have occurred:

(a) The ~~covenant~~ Working Land Conservation Covenant holder and the owner of working land conveying the covenant sign the agreement; and

(b) The owner of ~~working land~~ Working Land has received Working Land Conservation Covenant and Easement Grant funding from this program for the ~~covenant~~ Working Land Conservation Covenant.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHF 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-015-0090

Evaluation Criteria

Working Land Covenant and Easement Grant applications will be evaluated on:

(1) The ~~regional~~ significance of the agricultural, natural resource, and related social values of the working land that will be subject to the ~~working land~~ Working Land Conservation Covenant or Working Land Conservation Easement, including:

(a) The potential viability of the property for agriculture, including but not limited to soil types, suitability for producing different types of crops, and water availability;

(b) The land's contribution to long-term conservation ~~covenant or easement~~ of the region's agricultural land base;

(c) The regional significance of the agricultural operation based on location, its associated infrastructure, and other relevant factors including supporting agricultural values important to the region; and

(d) Supporting implementation of local, regional, state, federal or Tribal priorities and plans that support fish or wildlife habitat, water quality or other natural resource values.

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(2) The extent to which the ~~working-land-conservation-covenant-or-easement~~Working Land Conservation Covenant or Working Land Conservation Easement would protect, maintain, or enhance farming or ranching on regionally significantthe working land, including:

(a) Reducing the potential for future conversion or fragmentation of the property and surrounding working land; and

(b) Maintaining or enhancing the ability of the land to be in productive agricultural use after the covenant or easement is in place;

(c) The potential viability of the property for agriculture; and

(d) Improving or maintaining the economic viability of thethatsupports a viable agricultural operation, including future transfer of ownership.

(3) The extent to which the ~~covenant-or-easement~~Working Land Conservation Covenant or Working Land Conservation Easement would protect, maintain or enhance significant fish or wildlife habitat, water quality or other natural resource values by, including:

(a) Protecting, maintaining, or improving the land, including soil, water, plants, animals, energy, and human needs considerations;

(b) Supporting implementation of the Oregon Conservation Strategy, Oregon's Agricultural Water Quality Management Program, or other local, regional, state, federal or tribal priorities or plans that support fish or wildlife habitat, water quality or other natural resource values;

(c) Protecting, maintaining, or improving the quality and connectivity of plant or wildlife habitat on and around the working land; and

(d) Protecting, maintaining, or improving water quality and/or quantity; and

(e) Implementing a management plan that is likely to sustain ecological values, as evidenced by a management plan, easement or covenant terms, or inherent site condition.

(b) Utilizing land stewardship practices that maintain or enhance soil health.

(4) The extent to which the ~~covenant-or-easement~~project supports the integrated management, maintenance or enhancement of the agricultural and natural resource values on the working land.

(5) The extent to which the Working Land Conservation Covenant or Working Land Conservation Easement would protect, maintain or enhance significant agricultural outcomes, or benefits or other agricultural or conservation values important to the region, including:from other related investments.

(a) The parcel's contribution to long-term conservation of the region's agricultural land base; and

(b) The regional significance of the agricultural operation, or its suitability based on soils, slope, location or other relevant factors, and its associated infrastructure.

(5) The (6) The capacity and competence of the applicant and the proposed ~~easement-or-covenant~~Working Land Conservation Covenant or Working Land Conservation Easement holder to purchase, accept, implement, hold, monitor, steward, and enforce a working-land-conservation-covenantWorking Land Conservation Covenant or easementWorking Land Conservation Easement, including:

(a) Accreditation from the Land Trust Accreditation Commission, or implementation of standards and practices that are similar to an organization that is eligible for accreditation;

(b) Inclusion of working land preservation in the organization's mission, vision or other organizational documents;

(c) The financial capability of the organization to steward conservation covenants and easementsWorking Land Conservation Covenants or Working Land Conservation Easements over time; and

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~~(d) Demonstrated relevant commitment, ability, expertise, and track record to purchase, accept, implement, hold, monitor, steward, and enforce conservation covenants and easements~~ Working Land Conservation Covenant or Working Land Conservation Easement or other relevant projects; and.

(e) The strength of the organization as measured by effective governance.

~~(6)(7)~~ The extent to which the benefit to the state from the investment may be maximized, based on:

(a) The ability to leverage grant moneys with other funding sources;

(b) The duration and extent of the agreement, with a preference for longer term agreements;

(c) The cumulative effect of similar conservation or agricultural investments in the community, including other OAHF funded plans, covenants, or easements; and

(d) Consistency with local comprehensive plans and statewide planning goals;

~~(e) The potential for setting an example that will encourage additional working lands projects in the region; (8)~~
The extent and

(f) The existence and implementation nature of a conservation management plan.

~~(7) The impacts of the covenant~~ Working Land Conservation Covenant or easement or the associated conservation management plan Working Land Conservation Easement on owners or operators of neighboring lands, and the extent to which there is a plan of engagement with neighboring landowners about how to mitigate any impacts resulting from the covenant or easement, if necessary;

~~(8) The~~ (9) The extent to which project will benefit the local area, as evidenced by engagement with and support from the local community and Tribes.

(10) The level of threat of conversion or fragmentation of the working land.

~~(9)(11)~~ The soundness of the legal and financial terms of the proposed real estate transaction.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHF 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-015-0100

Technical Review and Funding Process

(1) The Commission and OWEB shall jointly appoint one or more technical committees Technical Committees to evaluate and rank applications for grants for working land conservation covenants and easements. Those rankings will be provided to OWEB staff. Working Land Conservation Covenant or Working Land Conservation Easement. To fulfill this responsibility, the Commission shall coordinate with OWEB staff will review technical committee recommendations and provide funding recommendations to the commission on Technical Committee appointments.

(2) Applications shall be evaluated according to criteria described in OAR 698-015-0090 and 698-005-0045.

~~(3)(3)~~ OWEB shall convene the Technical Committee(s) to evaluate and rank applications for grants. OWEB will provide Technical Committee rankings to the Commission, along with a funding recommendation.

(4) The Commission shall review and consider the Technical Committee(s) rankings and the recommendations of OWEB staff and consult with the Board concerning grant applications.

~~(45)~~ The Commission shall make funding recommendations to the Board based on the availability of funding from the Oregon Agricultural Heritage Fund.

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(56) The Board ~~approves~~~~awards~~ Working Land Conservation Covenant and Easement Grants. The Board may fund a grant application in whole or in part.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-015-0110](#)

Board Approval and Delegation of Authority

(1) The Commission shall recommend, and the Board shall approve grants in accordance with ~~guidance adopted by the Board and made available to the public~~~~this OAR Chapter 698, Division 15,~~

(2) The Director is delegated the responsibility of ensuring that funding conditions required by the Board are fully satisfied by the grantee.

(3) Conditionally approved grant funds shall be encumbered for disbursement only after all conditions are fulfilled. The encumbered funds may be made available for other uses by OWEB ~~for purposes of the OAHP~~ if all conditions required by the Board are not satisfied within ~~18~~~~24~~ months of the conditional Board approval, unless recommended by the Commission and approved by the OWEB Board.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-015-0120](#)

Public Involvement

The public shall be provided with meaningful opportunities to comment on grant applications being considered by the Board or Commission. In a manner consistent with this requirement, the governing bodies of cities and counties with jurisdiction in the area of the proposed ~~covenant~~~~Working Land Conservation Covenant~~ or ~~easement~~~~Working Land Conservation Easement~~ acquisition, as well as affected governmental agencies and ~~tribes~~~~Tribes~~, will be provided with written notice of the Board's or Commission's intent to consider:

(1) Written comments received prior to the Board or Commission meeting at which the Board or Commission will consider the application;

(2) Comments made at public hearings held and ~~publicized~~~~noticed~~ in accordance with ORS 271.735; and

(3) Comments made at the Board or Commission meeting at which the grant application is considered.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-015-0130](#)

Director Funding Approval and Distribution of Funds

(1) The Director may approve the distribution of grant funds. Funds may be distributed throughout the time between approval by the Board and the ~~covenant~~~~Working Land Conservation Covenant~~ or ~~easement~~~~Working Land Conservation Easement~~ closing ~~as~~~~when~~ the following conditions are met:

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~~(a) A grant agreement is executed by the Director and the grantee that includes a signed statement of understanding and agreement to the roles and responsibilities under the working land conservation covenant or easement by the participating owner of working land;~~

~~(b)(a)~~ The funding conditions, if any, imposed by the Board are satisfied to the full satisfaction of the Director;

~~(c)(b)~~ The legal and financial terms of the proposed real estate transaction are approved by the Director;

~~(d)(c)~~ The ~~required title restrictions are Working Land Conservation Covenant or Working Land Conservation Easement deed is~~ approved by the Director;

~~(e)(d)~~ The Director has reconciled conditionally approved funding with actual project costs;

~~(f)(e)~~ The grantee has satisfied the match requirements under OAR 698-015-0060;

~~(g)(f)~~ The Board is notified in writing ~~of if~~ the ~~Director's intent~~ ~~Director intends~~ to hold or recover the grant funds, pending Board consideration under OAR 698-015-0140(1).

(2) For grants established under these rules, the Director is authorized to reimburse the grantee for allowable costs identified in OAR 698-015-0070 and to recognize match contributions under OAR 698-015-0060 that were incurred no earlier than 18 months before the applicable grant application deadline.

~~(3) Notwithstanding OAR 698-015-0130(1)(a)-(f), funds may be distributed prior the full satisfaction of all funding conditions and the transaction closing for due diligence activities specified in OAR 698-015-0070(4) and included in the application budget.~~

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-015-0140

Compliance and Enforcement

(1) The ongoing use of the property encumbered by a ~~covenant or easement~~ Working Land Conservation Covenant or Working Land Conservation Easement that received funding from the Working Land Conservation Covenant and Easement Grant Program shall be consistent with the purposes specified in ORS 541.977-ORS 541.989. If significant compliance issues cannot be resolved to the full satisfaction of the Director, the Director, after informing the Commission and the Board and providing reasonable written notice to the Grantee, may in ~~his or her~~ their discretion initiate any and all legal remedies available to OWEB, including recovery of the OAHP grant funds that were used to purchase the covenant or easement, and reasonable interest and penalties at the option of the Director.

(2) OWEB and its designees will be provided sufficient legal access to property encumbered by a ~~covenant~~ Working Land Conservation Covenant or ~~easement~~ Working Land Conservation Easement acquired with OAHP funds, given reasonable notice, for the purpose of completing ~~covenant~~ Working Land Conservation Covenant or ~~easement~~ Working Land Conservation Easement inspections.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

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[698-015-0150](#)

Grant Reporting Requirements for [Working Land Conservation Covenants](#)

Upon completion of the term of a ~~working land conservation covenant~~[Working Land Conservation Covenant](#), the ~~grantee~~[Grantee](#) will provide ~~the Commission and OWEB's Board~~[OWEB](#) with a copy of the project completion report. ~~Final project accounting and reporting are due no later than 60 days following the project completion date, in the manner prescribed by OWEB.~~

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-015-0160](#)

Payment Relationship Between Covenants and Easements

If a ~~working land conservation covenant~~[Working Land Conservation Covenant](#) is funded through the ~~Oregon Agricultural Heritage Program~~[OAHP](#) and a later application is submitted to the Commission for the same property for a ~~working land conservation easement~~[Working Land Conservation Easement](#),

(1) If the term of the covenant has not expired, the fair market value of the easement will be reduced by a proportion equivalent to the time remaining on the covenant.

(2) If the term of the covenant has expired, no reduction of fair market value will be taken for the subsequent easement.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-015-0170](#)

Subsequent Conveyances

If a covenant or easement acquired with OAHP funds is subsequently transferred, it must:

(1) Be made subject to prior approval by the Commission ~~and the Board~~; and

(2) Strictly comply with the requirements of ORS 541.977 ~~--~~ ORS 541.989 and OAR 698-~~010 and OAR 698-~~015.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-015-0180](#)

Waiver and Periodic Review of Rules

The Director may waive the requirements of [OAR Chapter 698](#), Division ~~01515~~ unless required by statute, when doing so will result in more efficient or effective implementation of the Working Land Conservation Covenant and Easement Grant. Any waiver must be in writing, included in the grant file to which the waiver applies, and reported to the Commission by the next meeting. The administrative rules for Working Land

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Conservation Covenant and Easement Grants shall be periodically reviewed by the Commission, **Board, and OWEB** and revised as necessary and appropriate.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989
Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

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Oregon Agricultural Heritage Program - Chapter 698

Division 20

Working Land Technical Assistance Grants

698-020-0010

Purpose

(1) This Division supplements the Oregon Agricultural Heritage Program Administration rules under OAR 698-005 and provides specific requirements for the Working Land Technical Assistance Grant Program.

(2) The purpose of Technical Assistance Grants is to provide technical assistance grants to organizations that are eligible to enter into agreements resulting in conservation management plans, 698-020-0030 to promote, encourage or that acquire or propose to acquire working land conservation covenants or working land conservation easements. Grant funding must support the public benefits in OAR 698-005-0010 development of Conservation Management Plans, or acquisition of Working Land Conservation Covenants or Working Land Conservation Easements.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019

698-020-0020

Definitions

(1) "Technical assistance" means supporting the development of working land projects or programs as described in ORS 541-981 and division 010 (conservation management plans) Division 10 (Conservation Management Plans) and ORS 541-982 and division 015 (working land conservation covenants) Division 15 (Working Land Conservation Covenants and easements).

(2) "Young or beginning farmer or rancher" means someone who has been an agricultural landowner or operator for 10 consecutive years or fewer, or an agricultural landowner or operator who is 35 years old or younger.

(3) "Socially disadvantaged farmer or rancher" means an agricultural landowner or operator who is a member of a group whose members have been subjected to racial or ethnic prejudice because of their identity as members of a group without regard to their individual qualities. Those groups include African Americans, American Indians or Alaskan natives, Hispanics, and Asians or Pacific Islanders.

(4) "Veteran farmer or rancher" means a person who served in United States Army, Navy, Marine Corps, Air Force, and Coast Guard, including the reserve components thereof, and who was discharged or released therefrom under conditions other than dishonorable.

(5) "Limited Resource Farmer or Rancher" means an applicant with direct or indirect gross farm sales that are not more than the current indexed value in each of the previous 2 years, and who has a total household income at or below the national poverty level for a family of four, or less than 50 percent of county median household income in each of the previous 2 years. An entity or joint operation can be a Limited Resource Farmer or Rancher if all individual members independently qualify.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

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[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-020-0030

EligibilityEligible Applicants

- (1) Eligible applicants for Technical Assistance Grants are entities that are eligible to enter into agreements resulting in a conservation-management-planConservation Management Plan under division-010Division 10 or acquire a working-land-conservation-covenantWorking Land Conservation Covenant or easementEasement under division-015Division 15.
- (2) Individual agricultural-landowners-or-operatorsAgricultural Landowners or Operators are not eligible to apply for a Technical Assistance Grant.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-020-0050

Technical Assistance Activities

- (1) Technical Assistance Grant funding cannot be used to fund specific Conservation Management Plans, Working Land Conservation Covenants, or Working Land Conservation Easements.
- (2) The Commission will only consider Technical Assistance projects that will lead to or are likely to lead to the development of Conservation Management Plans, Working Land Conservation Covenants, or Working Land Conservation Easements.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-020-0060

Evaluation Criteria

698-020-0040

Application Requirements

Working Land Technical Assistance Grant applications will be evaluated on:

- (1) The extent to which the proposed project will improve upon the ability of the entity or its partners to enter into Conservation Management Plans or acquire Working Land Conservation Covenants or Easements.
- (2) The extent to which the outcomes of the Technical Assistance project would lead to activities that:
- (a) Protect, maintain, or enhance farming or ranching on Working Land;
 - (b) Protect, maintain, or enhance significant fish or wildlife habitat, water quality, or other natural resource values;
 - (c) Protect, maintain, or enhance significant agricultural outcomes, benefits, or other investment gains; and
 - (d) Maximize the benefit to the state based on the ability to leverage grant moneys.

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(3) The extent to which the applicant demonstrates a plan to engage one or more underserved populations, including Young or Beginning Farmers or Ranchers, Socially Disadvantaged Farmers or Ranchers, Veteran Farmers or Ranchers, or Limited Resource Farmers or Ranchers.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019

698-020-0070

Technical Review and Funding Process

(1) The Commission and OWEB shall be consistent with jointly appoint one or more Technical Committees to evaluate and rank applications for grants for technical assistance. To fulfil this responsibility, the Commission shall coordinate with OWEB on Technical Committee appointments.

(2) Applications shall be evaluated according to criteria described in OAR 698-020-0060 and 698-005-0045.

(2) OWEB shall convene the Technical Committee(s) to evaluate and rank applications for grants. OWEB will provide Technical Committee rankings to the Commission, along with a funding recommendation.

(3) The Commission shall review and consider the Technical Committee(s) rankings and the recommendations of OWEB staff and consult with the Board concerning grant applications.

(4) The Commission shall make funding recommendations to the Board based on the availability of funding from the Oregon Agricultural Heritage Fund.

(5) The Board awards Technical Assistance Grants.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019

698-020-0050

Technical Assistance Activities

(1) Technical Assistance Grant funding cannot be used to fund specific conservation management plans, working land conservation covenants, or working land conservation easements.

(2) The Commission will only consider technical assistance projects that will lead to or are likely to lead to the development of conservation management plans, working land conservation covenants, or working land conservation easements.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019

698-020-0060

Evaluation Criteria

(1) The extent to which the proposal will improve upon the ability of the entity or its partners to enter into conservation management plans, or acquire working land conservation covenants or easements.

(2) The extent to which the outcomes of the technical assistance project would lead to activities that:

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- (a) Protect, maintain, or enhance farming or ranching on working land;
 - (b) Protect, maintain, or enhance significant fish or wildlife habitat, water quality, appropriate seasonal water flows, appropriate water retention, or other natural resource values;
 - (c) Protect, maintain, or enhance significant agricultural outcomes, benefits, or other investment gains;
 - (d) Maximize the benefit to the state based on the ability to leverage grant moneys; and
 - (e) Limit negative and maximize positive impacts on owners or operators of neighboring lands.
- (3) The extent to which the applicant demonstrates a plan to engage one or more underserved populations, including young or beginning farmers or ranchers, socially disadvantaged farmers or ranchers, veteran farmers or ranchers, or limited resource farmers or ranchers.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019

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698-020-0070

Technical Review and Funding Process

- (1) Applications shall be evaluated according to criteria described in OAR 698-020-0060.
- (2) The Commission shall appoint one or more technical committees to evaluate and rank applications for grants for working land conservation covenants and easements. Those rankings will be provided to the commission to inform the commission's final ranking and funding recommendations to the OWEB Board.
- (3) If a technical committee is used, the technical committee shall provide ranking recommendations to OWEB staff, who will review technical committee recommendations and provide funding recommendations to the Commission. If a technical committee is not used, OWEB staff will provide funding recommendations to the Commission.

(4) The Commission shall make funding recommendations to the Board based on the availability of funding from the Oregon Agricultural Heritage Fund.

(5) The Board approves Technical Assistance Grants. The Board may fund a grant application in whole or in part.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019

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698-020-0080

Grant Agreement Conditions

(1) All Grant Agreements for technical assistance authorized by the Board shall have a clause that requires the retention of up to 10 percent of project funds until the final report, as required in the Grant Agreement, has been approved. Any unexpended project funds must be returned to the Commission.

(2) The grantee must agree to complete the project as approved by the Board and within the timeframe specified in the ~~grant agreement~~ Grant Agreement unless proposed modifications are submitted and approved by the Director prior to the beginning of any work proposed in the modification.

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(23) The Director may consider project modifications, including expansion of funded projects with moneys remaining from the original project allocation, if the purpose and intent of the amendment remains the same as the original project and the proposed activity is within the same geographic area.

(34) The Director may authorize minor changes within the scope of the original project plan.

(45) The grantee must submit a report at completion of the project in accordance with reporting requirements described in the ~~grant agreement~~ Grant Agreement.

~~(5) Rules and conditions in place at the time funding for the Technical Assistance Grant is formally approved shall govern throughout the term of the project unless changes are mutually agreeable to both parties.~~

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-020-0090

Waiver and Periodic Review of Rules

The Director may waive the requirements of Division ~~02020~~ unless required by statute, when doing so will result in more efficient or effective implementation of the Technical Assistance Grant program. Any waiver must be in writing, included in the grant file to which the waiver applies, and reported to the Commission by the next meeting. The administrative rules for Technical Assistance Grants shall be periodically reviewed by the Commission, ~~Board, and OWEB~~ and revised as necessary and appropriate.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

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Oregon Agricultural Heritage Program - Chapter 698

Division 25

Succession Planning Grants

698-025-0010

Purpose

(1) This Division supplements the Oregon Agricultural Heritage Program Administration rules under OAR 698-005 and provides specific requirements for the Succession Planning Grant Program.

(2) The purpose of ~~succession-planning~~the Succession Planning Grant Program is to help ensure the continued use of ~~working-lands~~Working Lands for agricultural purposes when the land changes ownership. The Oregon Agricultural Heritage Commission may provide funding recommendations to the Oregon Legislative Assembly, or recommendations for grant funding to the Oregon Watershed Enhancement Board, to provide training and support to agricultural landowners or operators or persons advising them regarding succession planning for the lands. Recommendations and grant funding must support the program purpose in OAR 698-005-0010.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019

698-025-0020

Definitions

(1) "Agricultural ~~cooperative~~Cooperative" means a cooperative corporation formed in accordance with the Oregon Cooperative Corporation Act for the benefit of agricultural landowners or operators.

(2) "Succession ~~planning~~Planning" means an ongoing process for ensuring the continuation and economic viability of a business over generations of owners or operators. It may include strategies to identify, develop, and empower the next generation of owners or operators, a plan to transfer business and family assets, and arrangements for each generation's retirement and long-term care. Succession plans are fluid and may be reviewed and updated throughout the existence of the business.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019

698-025-0030

Applicant Eligibility

(1) Eligible applicants for Succession Planning Grants are:

(a) Public institutions of higher learning.

(b) Nonprofit entities.

(c) Political subdivisions of the state that are not state agencies.

(d) Tribes, and

(e) Agricultural ~~cooperatives~~Cooperatives.

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(2) Individual ~~agricultural landowners~~Agricultural Landowners or ~~operators~~Operators and individual persons or business entities not listed above that are advising them are not eligible to apply for a Succession Planning Grant.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-025-0040

Application Requirements

Succession Planning Grant applications shall:

- (1) Not require match contributions; and
- (2) Comply with ~~Oregon Agricultural Heritage Program~~OAHP general grant application requirements in OAR 698-005.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-025-0050

Eligible Activities

The following activities ~~benefitting~~benefiting agricultural landowners or operators in Oregon and the persons who advise them are eligible for Succession Planning Grants:

- (1) Education and outreach about the importance of ~~succession planning~~Succession Planning and available resources;
- (2) Trainings on topics related to ~~succession planning~~Succession Planning;
- (3) Development and distribution of educational materials and curriculum related to ~~succession planning~~Succession Planning; and
- (4) Advising ~~agricultural landowners~~Agricultural Landowners or ~~operators~~Operators on ~~succession planning~~Succession Planning.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-025-0060

Evaluation Criteria

Succession Planning Grant applications will be evaluated on:

- (1) The extent to which the proposed project would help achieve the purpose of this grant program as identified in OAR 698-005-0010;
- (2) The capacity and competence of the applicant to deliver the proposed ~~program~~project;

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(3) The applicant's relevant background and experience in delivering successful ~~succession planning~~ Succession Planning programs, including prior projects funded through this or other grant programs:

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(4) The cost-effectiveness of the proposed project;

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~~(4) The cost-effectiveness of the proposed project;~~

(5) The extent to which the ~~application-proposed project~~ reaches diverse audiences, including: producers of diverse commodities, ~~agricultural landowners~~ Agricultural Landowners or ~~operators~~ Operators in diverse geographic locations in Oregon, ~~young~~ Young or ~~beginning farmers~~ Beginning Farmers or ~~ranchers, socially disadvantaged farmers~~ Ranchers, Socially Disadvantaged Farmers or ~~ranchers, veteran farmer~~ Ranchers, Veteran Farmer or ~~ranchers, limited resource farmers~~ Ranchers, Limited Resource Farmers or ~~ranchers~~ Ranchers, and participants in diverse stages of succession planning. The Commission may also consider the extent to which a ~~suite of approved grant projects will combine to reflect this diversity~~ Succession Planning; and

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(6) The extent to which the project introduces participants to conservation tools as resources for ~~succession planning~~ Succession Planning.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019

698-025-0070

Succession Planning Grant Application Technical Review and Funding Process

~~(1) The Commission may fund projects submitted through an open solicitation for applications, or by requesting applications from one or more specific eligible entities.~~

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~~(2) Applications shall be evaluated according to criteria in OAR 698-025-0060.~~

~~(3) The Commission shall and OWEB shall jointly appoint one or more technical committees~~ Technical Committees ~~to evaluate and rank applications for grants for working land conservation covenants and easements. To fulfill this responsibility, the Commission shall coordinate with OWEB on Technical Committee appointments.~~

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~~(2) Applications shall be evaluated according to criteria in OAR 698-025-0060 and 698-005-0045.~~

~~(3) OWEB shall convene the Technical Committee(s) to evaluate and rank applications for grants. Those rankings will be provided to the commission to inform the commission's final ranking and OWEB. OWEB will provide Technical Committee rankings to the Commission, along with a funding recommendation.~~

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~~(4) The Commission shall review and consider the Technical Committee(s) rankings and the recommendations to the OWEB board of OWEB staff and consult with the Board concerning grant applications.~~

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~~(45) The Commission shall make funding recommendations to the Board based on the availability of funding from the Oregon Agricultural Heritage Fund.~~

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~~(56) The Board may fund a grant application in whole or in part awards Succession Planning Grants.~~

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019

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698-025-0080

Grant Agreement Conditions

(1) All Grant Agreements for succession planning authorized by the Board shall have a clause that requires the retention of up to 10 percent of project funds until the final report, as required in the Grant Agreement, has been approved. Any unexpended project funds must be returned to the Commission.

(2) The grantee must agree to complete the project as approved by the Board and within the timeframe specified in the ~~grant agreement~~ Grant Agreement unless proposed modifications are submitted and approved by the Director prior to the beginning of any work proposed in the modification.

(23) The Director will consider project modifications, including expansion of funded projects with moneys remaining from the original project allocation, if the purpose and intent of the amendment remains the same as the original project.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019

698-025-0090

Grant Funding Conditions

(1) All Succession Planning Grant agreements authorized by the Board shall have a clause that requires the retention of up to ten percent of project funds until the final report, as required in the grant agreement, has been approved.

(2) Final reports are due within 60 days of project completion. Any unexpended OAHP funds must be returned to the Commission with the final report.

(3) Upon receipt of the final report, the Commission shall have 90 days to approve the completed report or notify the Grantee of any concerns that must be addressed or missing information that must be submitted before the report is considered complete and reviewed for approval.

(4) Once the final report has been approved the final payment shall be promptly processed.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019

698-025-0100

Grant Reporting Requirements

(1) Upon project completion, the grantee will provide ~~the Commission and OWEB's Board~~ OWEB with a copy of the project completion report. ~~Final project accounting and reporting are due no later than 60 days following the project completion date.~~

(2) The project completion report ~~and annual reports~~ shall demonstrate how the grantee's funded project(s) demonstrated clear succession planning benefits to Oregon agricultural landowners or operators and their service providers. Evidence of this may include, but is not limited to:

(a) The number of people who participated in the ~~program~~ project;

(b) The geographic, commodity, and other demographic indicators of participation in the ~~program~~ project;

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(c) Documented improved understanding of ~~succession-planning~~Succession Planning by ~~program~~project participants;

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(d) Documented measurable changes in behavior of participants, including the percentage or number of agricultural landowners or operators who take the next step toward ~~succession-planning~~Succession Planning, complete a plan, and implement the plan;

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(e) Documented improved understanding by participants of tools to reduce conversion or prevent fragmentation of working land, and promote economic viability and ecological sustainability of agricultural operations; and

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(f) Other documentation of the project's success in contributing to achieve the purpose of this grant program.

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~~(3) The Director or the Commission may authorize an independent performance audit of any Succession Planning Grant grantee. The Director may restrict future grant funds if the Director determines the grantee is not complying with the rules of the Succession Planning Grant Program.~~

~~(4) In addition to project reports, the Commission may conduct program evaluations that may include:~~

~~(a) Changes in USDA Census of Agriculture or similar data that would indicate a change in adoption of succession planning by Oregon agricultural landowners or operators;~~

~~(b) Surveys of agricultural landowners or operators on the status of succession plans; or~~

~~(c) Other trends in working land ownership and use.~~

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-025-0110

Waiver and Periodic Review of Rules

The Director may waive the requirements of Division ~~02525~~ unless required by statute, when doing so will result in more efficient or effective implementation of the Succession Planning Grant Program. Any waiver must be in writing, included in the grant file to which the waiver applies, and reported to the Commission by the next meeting. The administrative rules for Succession Planning Grants shall be periodically reviewed by the Commission and revised as necessary and appropriate.

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Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

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Oregon Agricultural Heritage Program - Chapter 698

Division 5

Oregon Agricultural Heritage Program Administration

698-005-0010

Purpose

These rules guide the Oregon Agricultural Heritage Commission and the Oregon Watershed Enhancement Board in fulfilling their duties in administering the Oregon Agricultural Heritage Program (OAHP) under the provisions of ORS 541.977-ORS 541.989. The OAHP includes grants for Conservation Management Plans, working land conservation covenants and easements, technical assistance, and succession planning. The purpose of OAHP is to contribute to the public benefits of:

- (1) Increased economic viability of Oregon's agricultural operations and economic sector;
- (2) Reduced conversion and fragmentation of Oregon's working land; and
- (3) The maintenance or enhancement of fish or wildlife habitat, water quality, and other natural resources on Oregon's working land.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-005-0020

Definitions

- (1) "Agricultural Landowner or Operator" means a landowner, operator, manager or other person having responsibility for exercising control over the day-to-day operation of a farm or ranch.
- (2) "Board" means the Oregon Watershed Enhancement Board created under ORS 541.900.
- (3) "Carbon Sequestration" means the process of capturing and storing atmospheric carbon dioxide.
- (4) "Carbon Storage" means the storage of carbon in plants, soils, geological formations, and the ocean.
- (5) "Commission" means the Oregon Agricultural Heritage Commission created under ORS 541.986.
- (6) "Conservation Management Plan" means specific actions planned for working lands to improve or maintain the agricultural and natural resource values. A Conservation Management Plan is independent of a working lands covenant or easement.
- (7) "Conversion":
 - (a) "Conversion" means:
 - (A) Cessation of accepted farming practices;
 - (B) Construction of dwellings not occupied by farm operators or workers or other structures not related to agriculture;
 - (C) Removal of infrastructure required for accepted farming practices unless necessary to accommodate a change in accepted farming practices; or
 - (D) Cancelling or transferring rights to use water for irrigation in a manner that reduces the long-term viability of agriculture on the working land.
 - (b) As used in this definition, "accepted farming practices" shall have the meaning set forth in ORS 215.203(2)(c).

- (8) "Director" means the Executive Director of the Oregon Watershed Enhancement Board or the Executive Director's designee.
- (9) "Durable Adaptation and Resilience for Ecosystems" means the extent to which a project is expected to help an ecosystem, including human communities, adjust to, respond to, or recover from the effects of a changing climate.
- (10) "Farming and Ranching" means "farm use" as defined in ORS 215.203(2).
- (11) "Fragmentation" means the division of a working farm or ranch, or the isolation of a farm or ranch from other agricultural operations and/or from the agricultural infrastructure necessary to bring farm products to their appropriate markets.
- (12) "Grant Agreement" means the legally binding contract between the Board and the grant recipient in which the Board is not substantially involved in the funded program or activity other than involvement associated with monitoring compliance with the grant conditions. It consists of the conditions specified in these rules, the notice of grant award, special conditions to the agreement, a certification to comply with applicable state and federal regulations, the project budget and the approved application for funding the project.
- (13) "Grantee" means an organization or individual that is awarded a grant under one or more of OAHP's grant programs.
- (14) "Limited Resource Farmer or Rancher" means an applicant with direct or indirect gross farm sales that are not more than the current indexed value in each of the previous 2 years, and who has a total household income at or below the national poverty level for a family of four, or less than 50 percent of county median household income in each of the previous 2 years. An entity or joint operation can be a Limited Resource Farmer or Rancher if all individual members independently qualify.
- (15) "Local Communities Disproportionately Impacted by Climate Change" includes communities such as Native American tribes, communities of color, rural communities, coastal communities, communities experiencing lower incomes, and other communities traditionally underrepresented in public processes, including seniors, youth, and persons with disabilities.
- (16) "OWEB" means the Oregon Watershed Enhancement Board state agency.
- (17) "Socially Disadvantaged Farmer or Rancher" means an Agricultural Landowner or Operator who is a member of a group whose members have been subjected to racial or ethnic prejudice because of their identity as members of a group without regard to their individual qualities. Those groups include African Americans, American Indians or Alaskan natives, Hispanics, and Asians or Pacific Islanders.
- (18) "Technical Committee" means a team of individuals who have expertise relevant to the ranking of OAHP grants, or other issues before the Commission.
- (19) "Veteran Farmer or Rancher" means a person who served in United States Army, Navy, Marine Corps, Air Force, and Coast Guard, including the reserve components thereof, and who was discharged or released therefrom under conditions other than dishonorable.
- (20) "Working Land" means land that is actively used by an agricultural owner or operator for an agricultural operation that includes, but need not be limited to, active engagement in "farm use" as defined in ORS 541.977(2).
- (21) "Working Land Conservation Covenant" means a nonpossessory interest in working land for a fixed term that imposes limitations or affirmative obligations for the purposes that support the use of the land for agricultural production and for the maintenance or enhancement of fish or wildlife habitat, water quality or other natural resource values and must provide for carrying out a purpose of a conservation easement, as defined in ORS 271.715.

(22) “Working Land Conservation Easement” means a permanent nonpossessory interest in working land that imposes limitations or affirmative obligations for purposes that support the use of the land for agricultural production and for the maintenance or enhancements of fish or wildlife habitat, water quality or other natural resource values and must provide for carrying out a purpose of a conservation easement, as defined in ORS 271.715.

(23) “Young or Beginning Farmer or Rancher” means someone who has been an Agricultural Landowner or Operator for 10 consecutive years or fewer, or an Agricultural Landowner or Operator who is 35 years old or younger.

Statutory/Other Authority: ORS 541.979, ORS 541.988, ORS 541.984

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-005-0030](#)

Application Requirements

Applications must be submitted on the most current format required by OWEB. An explanation must accompany the application if any of the information required on the application cannot be provided.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-005-0040](#)

Application Processing

(1) Project applications will be reviewed based on application completeness and the evaluation criteria adopted by the Board for each grant type in these rules.

(2) Applications will be considered complete as submitted. Clarification of information may be sought from the applicant during the evaluation process, but additional, new information will not be accepted after the application deadline.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-005-0045](#)

Climate-Related Evaluation Criteria

In addition to the evaluation criteria for Conservation Management Plans (OAR 698-010-0090), Working Land Conservation Covenants and Easements (OAR 698-015-0090), Working Land Technical Assistance Grants (OAR 698-020-0160), and Succession Planning Grants (OAR 698-025-0060), grant applications shall also be evaluated, whenever possible, on:

(1) How engagement with, and input from, local communities disproportionately impacted by climate change has informed or will inform the project.

(2) How changing climate conditions are incorporated into the project and how the project will contribute to durable adaptation and resilience for ecosystems, including human communities.

(3) How consideration of greenhouse gas emissions or long-term carbon sequestration or storage has informed the project.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[698-005-0050](#)

Grant Agreement Conditions

(1) OWEB will enter into new Grant Agreements with prior grantees only if all reporting obligations under earlier agreements have been met.

(2) If the Grant Agreement has not been fully executed by all the parties within one year of Board approval, funding shall be terminated. The money allocated to the grant shall be available for reallocation by the Board for purposes of the Oregon Agricultural Heritage Program.

(3) The Director shall establish Grant Agreement conditions for each grant type. Grantees shall comply with all Grant Agreement conditions.

(4) The grantee shall comply with all federal, state and local laws and ordinances applicable to the work to be completed under the agreement.

(5) Upon notice to the grantee in writing, the Director may terminate funding for projects not completed in the prescribed time and manner. The money allocated to the project but not used will be available for reallocation by the Board for purposes of the Oregon Agricultural Heritage Program.

(6) The grantee will obtain all necessary permits and licenses from local, state or federal agencies or governing bodies and provide a copy of each permit or license to the OWEB.

(7) OWEB may place additional conditions in the Grant Agreement as necessary to carry out the purpose of the program, including:

- (a) An enforceable agreement by the Agricultural Landowner or Operator for continued access by OWEB and its designees for monitoring the project after completion;
- (b) An enforceable agreement by the grantee to maintain the project for a period of time commensurate with the project approved by the Board;
- (c) An enforceable agreement to supply future reports on the project as required; and
- (d) Such other conditions as OWEB deems appropriate to the particular circumstances of the project.

(8) Rules and conditions in place at the time the grant is awarded shall govern throughout the term of the project unless changes are mutually agreeable to all parties.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-005-0060](#)

Use of Restricted Funding

The Board may accept contributions to the Oregon Agricultural Heritage Fund from any public or private source and may agree to any conditions for the expenditure of those contributions that are consistent with the purpose of the fund as specified in ORS 541.977 – ORS 541.989.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-005-0070

Distribution of Funds

- (1) The Director may withhold payments to a grantee if there are significant and persistent difficulties with satisfying OWEB requirements.
- (2) Funds will be released upon receipt of a completed request, as prescribed by OWEB, accompanied by documents as determined by the Director, and proof of completion of specific work elements of the project as identified in the Grant Agreement.
- (3) Advance funds may be released upon presentation of a detailed estimate of expenses for up to 120 days. Within 120 days of the date of the advance check, receipts or invoices for the advance must be submitted, a justification to extend the advance must be approved, or the unexpended advance funds must be returned to OWEB. Additional funds will not be released until receipts for expenditures of previous fund releases are submitted, or an estimate of expenditures is approved by the Director.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-005-0090

Technical Committees

In addition to Technical Committees established by the Commission to rank and evaluate grant applications, the Commission may establish any Technical Committees it considers necessary to aid and advise the Commission in the performance of its functions, in compliance with ORS 541.988(2).

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-005-0100

Waiver and Periodic Review of Rules

The Director may waive the requirements of Division 5 unless required by statute, when doing so will result in more efficient or effective implementation of the Oregon Agricultural Heritage Program. Any waiver must be in writing, included in the grant file to which the waiver applies, and reported to the Commission at the next meeting. The administrative rules for the OAHP shall be periodically reviewed by the Commission, Board, and OWEB and revised as necessary and appropriate.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

Oregon Agricultural Heritage Program - Chapter 698

Division 10

Conservation Management Plans

698-010-0010

Purpose

(1) This Division supplements the Oregon Agricultural Heritage Program Administration rules under OAR 698-005 and provides specific requirements for Conservation Management Plan Grant Program.

(2) The purpose of a Conservation Management Plan as defined in OAR 698-005-0020(6) is to develop and implement conservation measures or other protections for maintaining or enhancing fish or wildlife habitat, water quality or other natural resource values in a manner consistent with the social and economic interests and abilities of the Agricultural Landowner or Operator. The plan may include provisions for addressing particular priorities related to natural resource values, including but not limited to soil, water, plants, animals, energy and human need considerations.

(3) The Conservation Management Plan Grant Program funds the development, implementation, and monitoring of Conservation Management Plans (plans) entered into by agricultural landowners or operators and Conservation Management Plan holders to manage working land in a manner that contributes to the purpose of the OAHP as defined in OAR 698-005-0010.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-010-0020

Definitions

(1) "Mutual Modification" means a change to a Conservation Management Plan that is:

- (a) Material to the plan as defined in 698-010-0120(5); and
- (b) Agreed to by the Agricultural Landowner or Operator implementing the plan and the Conservation Management Plan holder.

(2) "Project" means the aggregate of activities included in 698-010-0060 that comprise an application.

(3) "Conservation Management Plan Holder" means an entity that is eligible to hold a Conservation Management Plan that is or would be responsible for developing, implementing, monitoring or enforcing the agreement under an OAHP Grant Agreement.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-010-0030

Eligible Applicants

(1) Eligible applicants for Conservation Management Plan Grants are:

- (a) Entities eligible to hold a conservation easement as defined in ORS 271.715, other than a state agency;
- (b) Watershed councils; and
- (c) Tax exempt organizations under section 501(c)(3) of the Internal Revenue Code.

(2) Individual agricultural landowners or operators are not eligible to apply for a Conservation Management Plan Grant.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989
Statutes/Other Implemented: ORS 541.977-541.989
History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-010-0045](#)

Eligible Properties

Eligible properties for Conservation Management Plan Grants are working lands as defined in ORS 541.977(2).

[698-010-0050](#)

Match Contributions

- (1) All applicants shall demonstrate that some portion of the application is being sought as match.
- (2) The following funds and activities qualify as match:
 - (a) In-kind contributions to activities listed under OAR 698-010-0060; and
 - (b) Funding commitments made by others as a result of grant applicant efforts.
- (3) The Director retains the discretion to determine whether specific proposed matching costs not specifically identified above can be recognized as qualifying matching costs.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989
Statutes/Other Implemented: ORS 541.977-541.989
History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-010-0060](#)

Use of Funds

Funding may be utilized to develop, implement, carry out or monitor Conservation Management Plans.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989
Statutes/Other Implemented: ORS 541.977-541.989
History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-010-0070](#)

Term of Payment for Conservation Management Plan Implementation

- (1) If an Agricultural Landowner or Operator is reimbursed for the implementation of a Conservation Management Plan, the plan must be for a term of at least 20 years and no more than 50 years.
- (2) If a plan is associated with a Working Land Conservation Covenant that would also be funded by OAHP, the term of the plan must be the same as the term of the covenant.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989
Statutes/Other Implemented: ORS 541.977-541.989
History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-010-0080](#)

Conservation Management Plan Components

At a minimum, Conservation Management Plans must include:

- (1) A summary describing how the Conservation Management Plan meets the purpose of the OAHP as defined in OAR 698-005-0010;

- (2) The contact and location information for the Agricultural Landowner or Operator and Conservation Management Plan holder;
- (3) Relevant background and context of the working land and operation;
- (4) Short and long-term social, economic, and conservation goals of the Agricultural Landowner or Operator;
- (5) Resource analysis and identification of resource and management concerns;
- (6) Identification of potential plan activities and a justification for the activities that were selected for implementation;
- (7) The implementation plan, including a budget;
- (8) If applicable, a maintenance plan for infrastructure associated with the plan that may affect neighboring lands if not maintained over time;
- (9) The expected agricultural, fish or wildlife, water quality or other natural resource outcomes, and related social outcomes of the plan once implemented;
- (10) How the Conservation Management Plan will be monitored and managed;
- (11) Provisions for mutual modification as necessary to reflect changes in practices or circumstances;
- (12) A conflict resolution protocol for the Agricultural Landowner or Operator and the Conservation Management Plan holder if the grant program would fund the implementation of the plan; and
- (13) The term or terminating event for the plan.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989
Statutes/Other Implemented: ORS 541.977-541.989
History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-010-0090

Evaluation Criteria

Conservation Management Plan Grant applications will be evaluated on:

- (1) The significance of the agricultural, natural resource, and related social values of the working land subject to the Conservation Management Plan(s) including:
 - (a) The potential viability of the property for agriculture, including but not limited to soil types, suitability for producing different types of crops, and water availability;
 - (b) The land's contribution to long-term conservation of the region's agricultural land base;
 - (c) The regional significance of the agricultural operation based on location, its associated infrastructure, and other relevant factors including supporting agricultural values important to the region; and
 - (d) Supporting implementation of local, regional, state, federal or Tribal priorities and plans that support fish or wildlife habitat, water quality or other natural resource values.
- (2) The extent to which implementation of the plan(s) would protect, maintain, or enhance farming or ranching on working land, including how implementation of the plan(s) would:
 - (a) Maintain or improve the economic viability of the operation; and
 - (b) Reduce the potential for future conversion or fragmentation of the property and surrounding working land.
- (3) The extent to which implementation of the plan would protect, maintain, or enhance significant fish or wildlife habitat, water quality, or other natural resource values including:

- (a) Protecting, maintaining, or improving the quality and connectivity of plant or wildlife habitat on and around the working land; and
 - (b) Utilizing land stewardship practices that maintain or enhance soil health.
- (4) The extent to which the Conservation Management Plan would protect agricultural outcomes or benefits that have resulted from other related investments.
- (5) The capacity and competence of the prospective Conservation Management Plan holder to enter into and (if implementation funding is awarded) monitor and carry out implementation of a Conservation Management Plan, including:
- (a) The financial capability to manage the plan(s) over time; and
 - (b) The demonstrated relevant commitment, expertise, and track record to successfully develop, implement, carry out, and monitor plan(s).
- (6) The extent to which the benefit to the state may be maximized, based on:
- (a) The ability to leverage grant moneys from other funding sources; and
 - (b) The duration and extent of the Conservation Management Plan.
- (7) The extent and nature of the plan impacts on owners or operators of neighboring lands.
- (8) The extent to which the project will benefit the local area, as evidenced by engagement with and support from the local community and Tribes.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHF 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-010-0100](#)

Technical Review and Funding Process

- (1) The Commission and OWEB shall jointly appoint one or more Technical Committees to evaluate and rank applications for grants for Conservation Management Plans.
- (2) Applications shall be evaluated according to criteria described in OAR 698-010-0090 and 698-005-0045.
- (3) OWEB shall convene the Technical Committee(s) to evaluate and rank applications for grants. OWEB will provide Technical Committee rankings to the Commission, along with a funding recommendation.
- (4) The ranking system shall provide for the ranking of Conservation Management Plans alone and not as part of an application that includes a Working Land Conservation Covenant or Working Land Conservation Easement.
- (5) The Commission shall review and consider the Technical Committee(s) rankings and the recommendations of OWEB staff and consult with the Board concerning grant applications.
- (6) The Commission shall make funding recommendations to the Board based on the availability of funding from the Oregon Agricultural Heritage Fund.
- (7) The Board awards Conservation Management Plan Grants. The Board may fund a grant application in whole or in part.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHF 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-010-0110

Grant Agreement Conditions

- (1) All Conservation Management Plan Grant Agreements for Conservation Management Plan development authorized by the Board shall have a clause that requires the retention of up to 10 percent of project funds until the final report, as required in the Grant Agreement, has been approved. Any unexpended project funds must be returned to the Commission.
- (2) The grantee must agree to complete the project as approved by the Board and within the timeframe specified in the Grant Agreement unless proposed amendments are submitted and approved by the Director prior to the beginning of any work proposed in the amendment.
- (3) The Director will consider project amendments, including expansion of funded projects with moneys remaining from the original project allocation, if the purpose and intent of the amendment remains the same as the original project.
- (4) All changes to the Conservation Management Plan must be reflected in writing and provided to the Commission.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-010-0120

Conservation Management Plan Mutual Modification

If funding is provided for Conservation Management Plan implementation:

- (1) The Conservation Management Plan holder and the Agricultural Landowner or Operator must review the Conservation Management Plan at least annually and may request to mutually modify the Conservation Management Plan if necessary.
- (2) Any changes to Conservation Management Plans must achieve the same or greater level of benefits as the original plan and be consistent with OAR 698-010-0090.
- (3) Any change in the Conservation Management Plan must be mutually agreed to by both the Agricultural Landowner or Operator, the Conservation Management Plan holder, and OWEB.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-010-0130

Conservation Management Plan Monitoring

If funding is provided for Conservation Management Plan implementation:

- (1) The Conservation Management Plan Holder must conduct at least one site visit to the property every year, to document the implementation of the Conservation Management Plan.
- (2) OWEB or its designees may conduct monitoring to ensure Conservation Management Plan implementation as described in the plan and associated reporting. The Agricultural Landowner or Operator shall allow site access to OWEB, or their contractors or representatives upon reasonable notification by OWEB.
- (3) The Commission may also provide guidance to OWEB for the development of monitoring protocols to evaluate the outcomes of Conservation Management Plan implementation on a programmatic level.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989
Statutes/Other Implemented: ORS 541.977-541.989
History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-010-0140

Grant Reporting Requirements

- (1) For grants that include funding for Conservation Management Plan implementation:
 - (a) At least once per year, the Conservation Management Plan holder must meet with the Agricultural Landowner or Operator and provide OWEB with a written report of the Conservation Management Plan activities completed that year on a form approved by OWEB. OWEB may require reports include photo points or other methods that appropriately track plan implementation.
 - (b) Annual reporting must identify any mutual modifications to the Conservation Management Plan.
 - (c) Reports must be submitted to OWEB on a date set by OWEB.
- (2) Upon development of a Conservation Management Plan or completion of Conservation Management Plan implementation, the grantee will provide OWEB with a copy of the project completion report.
- (3) Upon receipt of the final report, OWEB shall approve the completed report or notify the grantee of any concerns that must be addressed or missing information that must be submitted before the report is considered complete and reviewed for approval. Once the final report has been approved, the final payment shall be promptly processed.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989
Statutes/Other Implemented: ORS 541.977-541.989
History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-010-0150

Waiver and Periodic Review of Rules

The Director may waive the requirements of Division 10 unless required by statute, when doing so will result in more efficient or effective implementation of the Conservation Management Plan Grant Program. Any waiver must be in writing, included in the grant file to which the waiver applies, and reported to the Commission at the next meeting. The administrative rules for Conservation Management Planning Grants shall be periodically reviewed by the Commission, Board, and OWEB and revised as necessary and appropriate.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989
Statutes/Other Implemented: ORS 541.977-541.989
History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

Oregon Agricultural Heritage Program - Chapter 698

Division 15

Working Land Conservation Covenants and Easements

[698-015-0010](#)

Purpose

(1) This Division supplements the Oregon Agricultural Heritage Program Administration rules under OAR 698-005 and provides specific requirements for the Working Land Conservation Covenants and Easements Grant Program.

(2) A Working Land Conservation Covenant or Working Land Conservation Easement must ensure the continued use of the land for agricultural purposes while maintaining or enhancing fish or wildlife habitat, improving water quality or supporting other natural resource values on the land.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-015-0020](#)

Definitions

(1) "Project" means the aggregate of eligible activities included in sections 698-015-0060 and 698-015-0070 that comprise an application.

(2) "Stewardship" means the management of the Working Land Conservation Covenant or Working Land Conservation Easement after its acquisition, including: monitoring, recordkeeping, processing amendments and landowner correspondence, managing stewardship funds, resolution of violations, enforcement actions, and defense.

(3) "Stewardship Fund" means a fund that is used to cover the holder's long-term costs for stewardship of the Working Land Conservation Covenant or Working Land Conservation Easement. If the funding source allows investment of Stewardship Funds, funds may be used for investment management costs.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-015-0030](#)

Eligible Applicants

Eligible applicants for Working Land Conservation Covenant and Easement Grants are holders as defined in ORS 271.715 other than state agencies. Individual owners of working land are not eligible to apply for a Working Land Conservation Covenant and Easement Grant.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-015-0040](#)

Eligible Properties

Eligible properties for Working Land Conservation Covenant and Easement Grants are working lands as defined in ORS 541.977(2).

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-015-0050](#)

Application Requirements

- (1) In accordance with ORS 541.977(3) and (4), OWEB may consider Working Land Conservation Covenant and Easement Grant applications to acquire a nonpossessory interest in working land for a permanent or fixed term that imposes limitations or affirmative obligations.
- (2) Working Land Conservation Covenant and Easement Grant applications shall:
 - (a) Be consistent with OAR 698-005;
 - (b) Be submitted on the most current format that conforms with the process prescribed by OWEB.
 - (c) State the amount and type of match contribution; and
 - (d) If the application is for a Working Land Conservation Covenant, include the duration of the covenant.
- (3) The Commission may consider proposals that are received for a Working Land Conservation Covenant or Working Land Conservation Easement that were acquired by the applicant after the previous application deadline.
- (4) Applications for grant funds that would apply to an OAHP Working Land Conservation Covenant or Working Land Conservation Easement Project with an open, active OAHP Working Land Conservation Covenant or Working Land Conservation Easement funded grant will not be considered.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-015-0060](#)

Matching Contributions

- (1) All applicants shall demonstrate that at least 25% match is being sought, based on the total OAHP grant request for a Working Land Conservation Covenant or Working Land Conservation Easement project.
- (2) The following funds and activities qualify as match:
 - (a) In-kind contributions to activities listed under OAR 698-015-0070;
 - (a) Funding commitments toward the Project made by others as a result of grant applicant efforts;
 - (b) A donated portion of the sale of the Working Land Conservation Covenant or Working Land Conservation Easement; and
 - (c) Funds deposited in a Stewardship Fund before the time that OWEB funds are released for acquisition of the Working Land Conservation Covenant or Working Land Conservation Easement.
- (3) The Director retains the discretion to determine whether specific proposed match contributions not specifically identified above can be recognized as qualifying match.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-015-0070](#)

Use of Grant Funds

Working Land Conservation Covenant and Easement Grant funds may be applied towards costs related to purchasing, implementing, holding, monitoring, stewarding, or enforcing the Working Land Conservation Covenant or Working Land Conservation Easement, including:

- (1) The purchase price and the purchase option fees associated with the Working Land Conservation Covenant or Working Land Conservation Easement. The purchase price for A Working Land Conservation Covenant or Working Land Conservation Easement shall be based on an appraisal and review appraisal completed in accordance with applicable appraisal standards, including the Uniform Standards of Professional Appraisal Practice, and if required by other funding sources or the Internal Revenue Service, the Uniform Appraisal Standards for Federal Land Acquisitions.
- (2) The interest on bridge loans needed to secure closure on the Working Land Conservation Covenant or Working Land Conservation Easement prior to when funding will be available for distribution through the program;
- (3) The staff costs incurred as part of the Working Land Conservation Covenant or Working Land Conservation Easement acquisition process related to the property;
- (4) The cost of due diligence activities, including appraisal, environmental site assessment, survey, title review, and other customary due diligence activities;
- (5) The cost of baseline inventory preparation;
- (6) The legal fees incurred by the grantee related to the proposed transaction;
- (7) The closing fees, including recording and title insurance costs; and
- (8) Up to 50% match for stewardship funding necessary for stewardship of the Working Land Conservation Covenant or Working Land Conservation Easement, but program funds contributed to a Stewardship Fund may not exceed 5% of the total appraised value of the Working Land Conservation Covenant or Working Land Conservation Easement.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-015-0080

Terms of Covenants and Easements

- (1) A Working Land Conservation Easement shall last in perpetuity.
- (2) A Working Land Conservation Covenant shall last for a term of no less than twenty and no more than fifty years.
- (3) The Working Land Conservation Covenant term shall be set at 12-month increments only and not partial years.
- (4) The first day of the term of a Working Land Conservation Covenant shall be the date that both of these events have occurred:
 - (a) The Working Land Conservation Covenant holder and the owner of working land conveying the covenant sign the agreement; and
 - (b) The owner of Working Land has received Working Land Conservation Covenant and Easement Grant funding from this program for the Working Land Conservation Covenant.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

698-015-0090

Evaluation Criteria

Working Land Covenant and Easement Grant applications will be evaluated on:

- (1) The regional significance of the agricultural, natural resource, and related social values of the working land that will be subject to the Working Land Conservation Covenant or Working Land Conservation Easement, including:
 - (a) The potential viability of the property for agriculture, including but not limited to soil types, suitability for producing different types of crops, and water availability;
 - (b) The land's contribution to long-term conservation of the region's agricultural land base;
 - (c) The regional significance of the agricultural operation based on location, its associated infrastructure, and other relevant factors including supporting agricultural values important to the region; and
 - (d) Supporting implementation of local, regional, state, federal or Tribal priorities and plans that support fish or wildlife habitat, water quality or other natural resource values.
- (2) The extent to which the Working Land Conservation Covenant or Working Land Conservation Easement would protect, maintain, or enhance farming or ranching on the working land, including:
 - (a) Reducing the potential for future conversion or fragmentation of the property and surrounding working land; and
 - (b) Maintaining or enhancing the ability of the land to be in productive agricultural use that supports a viable agricultural operation.
- (3) The extent to which the Working Land Conservation Covenant or Working Land Conservation Easement would protect, maintain or enhance significant fish or wildlife habitat, water quality or other natural resource values, including:
 - (a) Protecting, maintaining, or improving the quality and connectivity of plant or wildlife habitat on and around the working land; and
 - (b) Utilizing land stewardship practices that maintain or enhance soil health.
- (4) The extent to which the project supports the integrated management, maintenance or enhancement of the agricultural and natural resource values on the working land.
- (5) The extent to which the Working Land Conservation Covenant or Working Land Conservation Easement would protect agricultural outcomes or benefits from other related investments.
- (6) The capacity and competence of the applicant and the proposed Working Land Conservation Covenant or Working Land Conservation Easement holder to purchase, accept, implement, hold, monitor, steward, and enforce a Working Land Conservation Covenant or Working Land Conservation Easement, including:
 - (a) Accreditation from the Land Trust Accreditation Commission, or implementation of standards and practices that are similar to an organization that is eligible for accreditation;
 - (b) Inclusion of working land preservation in the organization's mission, vision or other organizational documents;
 - (c) The financial capability of the organization to steward conservation Working Land Conservation Covenants or Working Land Conservation Easements over time; and
 - (d) Demonstrated relevant commitment, ability, expertise, and track record to purchase, accept, implement, hold, monitor, steward, and enforce Working Land Conservation Covenant or Working Land Conservation Easement or other relevant projects.
- (7) The extent to which the benefit to the state from the investment may be maximized, based on:
 - (a) The ability to leverage grant moneys with other funding sources;

- (b) The duration and extent of the agreement, with a preference for longer term agreements;
- (c) The cumulative effect of similar conservation or agricultural investments in the community, including other OAHP funded plans, covenants, or easements; and
- (d) Consistency with local comprehensive plans and statewide planning goals.

(8) The extent and nature of the impacts of the Working Land Conservation Covenant or Working Land Conservation Easement on owners or operators of neighboring lands.

(9) The extent to which project will benefit the local area, as evidenced by engagement with and support from the local community and Tribes.

(10) The level of threat of conversion or fragmentation of the working land.

(11) The soundness of the legal and financial terms of the proposed real estate transaction.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-015-0100](#)

Technical Review and Funding Process

(1) The Commission and OWEB shall jointly appoint one or more Technical Committees to evaluate and rank applications for grants for Working Land Conservation Covenant or Working Land Conservation Easement. To fulfill this responsibility, the Commission shall coordinate with OWEB on Technical Committee appointments.

(2) Applications shall be evaluated according to criteria described in OAR 698-015-0090 and 698-005-0045.

(3) OWEB shall convene the Technical Committee(s) to evaluate and rank applications for grants. OWEB will provide Technical Committee rankings to the Commission, along with a funding recommendation.

(4) The Commission shall review and consider the Technical Committee(s) rankings and the recommendations of OWEB staff and consult with the Board concerning grant applications.

(5) The Commission shall make funding recommendations to the Board based on the availability of funding from the Oregon Agricultural Heritage Fund.

(6) The Board awards Working Land Conservation Covenant and Easement Grants. The Board may fund a grant application in whole or in part.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-015-0110](#)

Board Approval and Delegation of Authority

(1) The Commission shall recommend, and the Board shall approve grants in accordance with this OAR Chapter 698, Division 15.

(2) The Director is delegated the responsibility of ensuring that funding conditions required by the Board are fully satisfied by the grantee.

(3) Conditionally approved grant funds shall be encumbered for disbursement only after all conditions are fulfilled. The encumbered funds may be made available for other uses by OWEB for purposes of the OAHP if all conditions required by the Board are not satisfied within 24 months of the conditional Board approval, unless recommended by the Commission and approved by the OWEB Board.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-015-0120](#)

Public Involvement

The public shall be provided with meaningful opportunities to comment on grant applications being considered by the Board or Commission. In a manner consistent with this requirement, the governing bodies of cities and counties with jurisdiction in the area of the proposed Working Land Conservation Covenant or Working Land Conservation Easement acquisition, as well as affected governmental agencies and Tribes, will be provided with written notice of the Board's or Commission's intent to consider:

- (1) Written comments received prior to the Board or Commission meeting at which the Board or Commission will consider the application;
- (2) Comments made at public hearings held and noticed in accordance with ORS 271.735; and
- (3) Comments made at the Board or Commission meeting at which the grant application is considered.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-015-0130](#)

Director Funding Approval and Distribution of Funds

(1) The Director may approve the distribution of grant funds. Funds may be distributed throughout the time between approval by the Board and the Working Land Conservation Covenant or Working Land Conservation Easement closing when the following conditions are met:

- (a) The funding conditions, if any, imposed by the Board are satisfied to the full satisfaction of the Director;
- (b) The legal and financial terms of the proposed real estate transaction are approved by the Director;
- (c) The Working Land Conservation Covenant or Working Land Conservation Easement deed is approved by the Director;
- (d) The Director has reconciled conditionally approved funding with actual project costs;
- (e) The grantee has satisfied the match requirements under OAR 698-015-0060;
- (f) The Board is notified in writing if the Director intends to hold or recover the grant funds, pending Board consideration under OAR 698-015-0140(1).

(2) For grants established under these rules, the Director is authorized to reimburse the grantee for allowable costs identified in OAR 698-015-0070 and to recognize match contributions under OAR 698-015-0060 that were incurred no earlier than 18 months before the applicable grant application deadline.

(3) Notwithstanding OAR 698-015-0130(1)(a)-(f), funds may be distributed prior the full satisfaction of all funding conditions and the transaction closing for due diligence activities specified in OAR 698-015-0070(4) and included in the application budget.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-015-0140

Compliance and Enforcement

(1) The ongoing use of the property encumbered by a Working Land Conservation Covenant or Working Land Conservation Easement that received funding from the Working Land Conservation Covenant and Easement Grant Program shall be consistent with the purposes specified in ORS 541.977-ORS 541.989. If significant compliance issues cannot be resolved to the full satisfaction of the Director, the Director, after informing the Commission and the Board and providing reasonable written notice to the Grantee, may in their discretion initiate any and all legal remedies available to OWEB, including recovery of the OAHP grant funds that were used to purchase the covenant or easement, and reasonable interest and penalties at the option of the Director.

(2) OWEB and its designees will be provided sufficient legal access to property encumbered by a Working Land Conservation Covenant or Working Land Conservation Easement acquired with OAHP funds, given reasonable notice, for the purpose of completing Working Land Conservation Covenant or Working Land Conservation Easement inspections.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-015-0150

Grant Reporting Requirements for Working Land Conservation Covenants

Upon completion of the term of a Working Land Conservation Covenant, the Grantee will provide OWEB with a copy of the project completion report in the manner prescribed by OWEB.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-015-0160

Payment Relationship Between Covenants and Easements

If a Working Land Conservation Covenant is funded through the OAHP and a later application is submitted to the Commission for the same property for a Working Land Conservation Easement:

(1) If the term of the covenant has not expired, the fair market value of the easement will be reduced by a proportion equivalent to the time remaining on the covenant.

(2) If the term of the covenant has expired, no reduction of fair market value will be taken for the subsequent easement.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-015-0170

Subsequent Conveyances

If a covenant or easement acquired with OAHP funds is subsequently transferred, it must:

- (1) Be made subject to prior approval by the Commission and the Board; and
- (2) Strictly comply with the requirements of ORS 541.977–ORS 541.989 and OAR 698-015.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-015-0180

Waiver and Periodic Review of Rules

The Director may waive the requirements of OAR Chapter 698, Division 15 unless required by statute, when doing so will result in more efficient or effective implementation of the Working Land Conservation Covenant and Easement Grant. Any waiver must be in writing, included in the grant file to which the waiver applies, and reported to the Commission by the next meeting. The administrative rules for Working Land Conservation Covenant and Easement Grants shall be periodically reviewed by the Commission, Board, and OWEB and revised as necessary and appropriate.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

Oregon Agricultural Heritage Program - Chapter 698

Division 20

Working Land Technical Assistance Grants

698-020-0010

Purpose

- (1) This Division supplements the Oregon Agricultural Heritage Program Administration rules under OAR 698-005 and provides specific requirements for the Working Land Technical Assistance Grant Program.
- (2) The purpose of Technical Assistance Grants is to provide technical assistance grants to eligible entities included in 698-020-0030 to promote, encourage or support development of Conservation Management Plans, or acquisition of Working Land Conservation Covenants or Working Land Conservation Easements.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-020-0020

Definitions

"Technical Assistance" means supporting the development of working land projects or programs as described in ORS 541-981 and Division 10 (Conservation Management Plans) and ORS 541-982 and Division 15 (Working Land Conservation Covenants and Easements).

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-020-0030

Eligible Applicants

- (1) Eligible applicants for Technical Assistance Grants are entities that are eligible to enter into agreements resulting in a Conservation Management Plan under Division 10 or acquire a Working Land Conservation Covenant or Easement under Division 15.
- (2) Individual Agricultural Landowners or Operators are not eligible to apply for a Technical Assistance Grant.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-020-0050

Technical Assistance Activities

- (1) Technical Assistance Grant funding cannot be used to fund specific Conservation Management Plans, Working Land Conservation Covenants, or Working Land Conservation Easements.
- (2) The Commission will only consider Technical Assistance projects that will lead to or are likely to lead to the development of Conservation Management Plans, Working Land Conservation Covenants, or Working Land Conservation Easements.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989
Statutes/Other Implemented: ORS 541.977-541.989
History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-020-0060

Evaluation Criteria

Working Land Technical Assistance Grant applications will be evaluated on:

- (1) The extent to which the proposed project will improve upon the ability of the entity or its partners to enter into Conservation Management Plans or acquire Working Land Conservation Covenants or Easements.
- (2) The extent to which the outcomes of the Technical Assistance project would lead to activities that:
 - (a) Protect, maintain, or enhance farming or ranching on Working Land;
 - (b) Protect, maintain, or enhance significant fish or wildlife habitat, water quality, or other natural resource values;
 - (c) Protect, maintain, or enhance significant agricultural outcomes, benefits, or other investment gains; and
 - (d) Maximize the benefit to the state based on the ability to leverage grant moneys.
- (3) The extent to which the applicant demonstrates a plan to engage one or more underserved populations, including Young or Beginning Farmers or Ranchers, Socially Disadvantaged Farmers or Ranchers, Veteran Farmers or Ranchers, or Limited Resource Farmers or Ranchers.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989
Statutes/Other Implemented: ORS 541.977-541.989
History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-020-0070

Technical Review and Funding Process

- (1) The Commission and OWEB shall jointly appoint one or more Technical Committees to evaluate and rank applications for grants for technical assistance. To fulfil this responsibility, the Commission shall coordinate with OWEB on Technical Committee appointments.
- (2) Applications shall be evaluated according to criteria described in OAR 698-020-0060 and 698-005-0045
- (2) OWEB shall convene the Technical Committee(s) to evaluate and rank applications for grants. OWEB will provide Technical Committee rankings to the Commission, along with a funding recommendation.
- (3) The Commission shall review and consider the Technical Committee(s) rankings and the recommendations of OWEB staff and consult with the Board concerning grant applications.
- (4) The Commission shall make funding recommendations to the Board based on the availability of funding from the Oregon Agricultural Heritage Fund.
- (5) The Board awards Technical Assistance Grants.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989
Statutes/Other Implemented: ORS 541.977-541.989
History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-020-0080

Grant Agreement Conditions

- (1) All Grant Agreements for technical assistance authorized by the Board shall have a clause that requires the retention of up to 10 percent of project funds until the final report, as required in the Grant Agreement, has been approved. Any unexpended project funds must be returned to the Commission.
- (2) The grantee must agree to complete the project as approved by the Board and within the timeframe specified in the Grant Agreement unless proposed modifications are submitted and approved by the Director prior to the beginning of any work proposed in the modification.
- (3) The Director may consider project modifications, including expansion of funded projects with moneys remaining from the original project allocation, if the purpose and intent of the amendment remains the same as the original project and the proposed activity is within the same geographic area.
- (4) The Director may authorize minor changes within the scope of the original project plan.
- (5) The grantee must submit a report at completion of the project in accordance with reporting requirements described in the Grant Agreement.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-020-0090

Waiver and Periodic Review of Rules

The Director may waive the requirements of Division 20 unless required by statute, when doing so will result in more efficient or effective implementation of the Technical Assistance Grant program. Any waiver must be in writing, included in the grant file to which the waiver applies, and reported to the Commission by the next meeting. The administrative rules for Technical Assistance Grants shall be periodically reviewed by the Commission, Board, and OWEB and revised as necessary and appropriate.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

Oregon Agricultural Heritage Program - Chapter 698

Division 25

Succession Planning Grants

698-025-0010

Purpose

(1) This Division supplements the Oregon Agricultural Heritage Program Administration rules under OAR 698-005 and provides specific requirements for the Succession Planning Grant Program.

(2) The purpose of the Succession Planning Grant Program is to help ensure the continued use of Working Lands for agricultural purposes when the land changes ownership. The Oregon Agricultural Heritage Commission may provide funding recommendations to the Oregon Legislative Assembly, or recommendations for grant funding to the Oregon Watershed Enhancement Board, to provide training and support to agricultural landowners or operators or persons advising them regarding succession planning for the lands. Recommendations and grant funding must support the program purpose in OAR 698-005-0010.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History:

[OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-025-0020

Definitions

(1) “Agricultural Cooperative” means a cooperative corporation formed in accordance with the Oregon Cooperative Corporation Act for the benefit of agricultural landowners or operators.

(2) “Succession Planning” means an ongoing process for ensuring the continuation and economic viability of a business over generations of owners or operators. It may include strategies to identify, develop, and empower the next generation of owners or operators, a plan to transfer business and family assets, and arrangements for each generation’s retirement and long-term care. Succession plans are fluid and may be reviewed and updated throughout the existence of the business.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-025-0030

Applicant Eligibility

(1) Eligible applicants for Succession Planning Grants are:

- (a) Public institutions of higher learning,
- (b) Nonprofit entities,
- (c) Political subdivisions of the state that are not state agencies,
- (d) Tribes, and
- (e) Agricultural Cooperatives.

(2) Individual Agricultural Landowners or Operators and individual persons or business entities not listed above that are advising them are not eligible to apply for a Succession Planning Grant.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-025-0040](#)

Application Requirements

Succession Planning Grant applications shall:

- (1) Not require match contributions; and
- (2) Comply with OAHP general grant application requirements in OAR 698-005.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-025-0050](#)

Eligible Activities

The following activities benefiting agricultural landowners or operators in Oregon and the persons who advise them are eligible for Succession Planning Grants:

- (1) Education and outreach about the importance of Succession Planning and available resources;
- (2) Trainings on topics related to Succession Planning;
- (3) Development and distribution of educational materials and curriculum related to Succession Planning; and
- (4) Advising Agricultural Landowners or Operators on Succession Planning.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

[698-025-0060](#)

Evaluation Criteria

Succession Planning Grant applications will be evaluated on:

- (1) The extent to which the proposed project would help achieve the purpose of this grant program as identified in OAR 698-005-0010;
- (2) The capacity and competence of the applicant to deliver the proposed project;
- (3) The applicant's relevant background and experience in delivering successful Succession Planning programs, including prior projects funded through this or other grant programs;
- (4) The cost-effectiveness of the proposed project;
- (5) The extent to which the proposed project reaches diverse audiences, including: producers of diverse commodities, Agricultural Landowners or Operators in diverse geographic locations in Oregon, Young or

Beginning Farmers or Ranchers, Socially Disadvantaged Farmers or Ranchers, Veteran Farmer or Ranchers, Limited Resource Farmers or Ranchers, and participants in diverse stages of Succession Planning; and

(6) The extent to which the project introduces participants to conservation tools as resources for Succession Planning.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-025-0070

Technical Review and Funding Process

(1) The Commission and OWEB shall jointly appoint one or more Technical Committees to evaluate and rank applications for grants for working land conservation covenants and easements. To fulfill this responsibility, the Commission shall coordinate with OWEB on Technical Committee appointments.

(2) Applications shall be evaluated according to criteria in OAR 698-025-0060 and 698-005-0045.

(3) OWEB shall convene the Technical Committee(s) to evaluate and rank applications for grants. Those rankings will be provided to OWEB. OWEB will provide Technical Committee rankings to the Commission, along with a funding recommendation.

(4) The Commission shall review and consider the Technical Committee(s) rankings and the recommendations of OWEB staff and consult with the Board concerning grant applications.

(5) The Commission shall make funding recommendations to the Board based on the availability of funding from the Oregon Agricultural Heritage Fund.

(6) The Board awards Succession Planning Grants.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-025-0080

Grant Agreement Conditions

(1) All Grant Agreements for succession planning authorized by the Board shall have a clause that requires the retention of up to 10 percent of project funds until the final report, as required in the Grant Agreement, has been approved. Any unexpended project funds must be returned to the Commission.

(2) The grantee must agree to complete the project as approved by the Board and within the timeframe specified in the Grant Agreement unless proposed modifications are submitted and approved by the Director prior to the beginning of any work proposed in the modification.

(3) The Director will consider project modifications, including expansion of funded projects with moneys remaining from the original project allocation, if the purpose and intent of the amendment remains the same as the original project.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-025-0100

Grant Reporting Requirements

- (1) Upon project completion, the grantee will provide OWEB with a copy of the project completion report.
- (2) The project completion report shall demonstrate how the grantee's funded project(s) demonstrated clear succession planning benefits to Oregon agricultural landowners or operators and their service providers. Evidence of this may include, but is not limited to:
 - (a) The number of people who participated in the project;
 - (b) The geographic, commodity, and other demographic indicators of participation in the project;
 - (c) Documented improved understanding of Succession Planning by project participants;
 - (d) Documented measurable changes in behavior of participants, including the percentage or number of agricultural landowners or operators who take the next step toward Succession Planning, complete a plan, and implement the plan;
 - (e) Documented improved understanding by participants of tools to reduce conversion or prevent fragmentation of working land, and promote economic viability and ecological sustainability of agricultural operations; and
 - (f) Other documentation of the project's success in contributing to achieve the purpose of this grant program.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)

698-025-0110

Waiver and Periodic Review of Rules

The Director may waive the requirements of Division 25 unless required by statute, when doing so will result in more efficient or effective implementation of the Succession Planning Grant Program. Any waiver must be in writing, included in the grant file to which the waiver applies, and reported to the Commission by the next meeting. The administrative rules for Succession Planning Grants shall be periodically reviewed by the Commission and revised as necessary and appropriate.

Statutory/Other Authority: ORS 541.984, ORS 541.988, ORS 541.989

Statutes/Other Implemented: ORS 541.977-541.989

History: [OAHP 1-2019, adopt filed 01/28/2019, effective 02/01/2019](#)



OREGON
WATERSHED
ENHANCEMENT BOARD

Agenda Item P

Engagement and Monitoring Grants

Rule Revisions

Board Meeting January 28-29, 2025



Oregon

Tina Kotek, Governor



OREGON
WATERSHED
ENHANCEMENT BOARD

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Agenda Item P supports OWEB's Strategic Plan priority #1: Through our grantmaking, build awareness of the relationship between people and watershed protection and restoration and priority #4: Advance learning about watershed protection and restoration effectiveness through coordinated monitoring.

MEMORANDUM

TO: Oregon Watershed Enhancement Board
FROM: Eric Hartstein, Senior Policy Coordinator
Eric Williams, Restoration Grants Manager
Courtney Shaff, Monitoring and Reporting Manager
SUBJECT: Agenda Item P – Rule Revisions for OWEB Engagement Grants and Monitoring Grants
[January 28-29, 2025, Board Meeting](#)

I. Introduction

This staff report provides an overview of proposed technical changes to the administrative rules in OWEB's Engagement and Monitoring grants. At the January 2025 meeting, OWEB staff will seek board approval of the rule revisions.

II. Background

OWEB's Engagement grants provide support for grantees to communicate and engage with landowners, organizations, and communities about the need for, feasibility of, and benefits of a specific eligible restoration, acquisition, or resource assessment/planning project within an identified geography, in order to successfully plan or implement the project. At the October 2023 meeting, the board affirmed a Grants Committee recommendation to remove the term "stakeholder" from the Engagement grant offering as the term's historical context refers to Western colonial settlers staking claims on land stolen from Indigenous people. OWEB staff have removed the term from the Engagement grant program materials; however, the term persists in the administrative rules (Division 15) for the program.

OWEB's Monitoring grants provide funding for monitoring activities necessary for carrying out projects that either protect or restore native fish or wildlife habitats or protect or restore natural watershed or ecosystem functions in order to improve water quality or stream flows. Recent process improvements implemented by staff have streamlined the evaluation and review process for monitoring grant applications submitted through the Open Solicitation grant program. Previously, Monitoring grant applications would be evaluated by a statewide team (Oregon Plan Monitoring Team) before being evaluated separately by regional technical review teams. With the growth in the number of OWEB grant offerings and the number of review

teams, OWEB decided to adjust to how monitoring grant applications submitted through the Open Solicitation grant program are reviewed. After weighing options, staff decided on having the statewide monitoring team alone evaluate the applications. However, the two-phase review process is still reflected in the administrative rules (Division 25) for the program.

At the October 2024 meeting, the board authorized rulemaking to remove “stakeholder” and update the review process noted above in the Engagement and Monitoring grants administrative rules. As the proposed revisions were identified by staff and the board, a rulemaking advisory committee was not established to assist in developing the revised rule language.

III. Tribal and Public Comment on Revisions to FIP Rule Revisions

OWEB released the draft rule revisions for formal public comment on December 2, 2024. At the same time, OWEB solicited comments from the nine federally recognized tribes in Oregon and the Nez Perce Tribe on the draft rule revisions. The comment period was open until January 3, 2025, with a virtual public hearing on December 16, 2024. There were no verbal or written tribal or public comments provided to proposed Engagement Grants and Monitoring Grants rule revisions.

IV. Recommendation

Staff recommend that the board approve the Engagement Grants and Monitoring Grants found in Attachment A.

V. Attachments

- A-1. Proposed Engagement Grants and Monitoring Grants Rules – Redline
- A-2. Proposed Engagement Grants and Monitoring Grants Rules – Clean

DIVISION 15 - ENGAGEMENT GRANTS

695-015-0010

Purpose

The Board shall provide outreach grants, as funds are available, for ~~stakeholder E~~engagement ~~P~~projects that are necessary for carrying out eligible restoration and acquisition projects, or programs that lead to development of eligible projects, as required by ORS 541.956(4) and OR CONST Art. XV, §4b(2)(d).

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.956

History:

OWEB 2-2017, f. & cert. ef. 7-31-17

695-015-0020

Definitions

“~~Stakeholder~~ Engagement Project” means a project whose purpose is to communicate and engage with landowners, organizations, and the community about the need for, feasibility, and benefits of a specific eligible restoration or acquisition project or program that leads to development of eligible projects within an identified geography.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.956

History:

OWEB 2-2017, f. & cert. ef. 7-31-17

OWEB 4-2004, f. 11-2-04, cert. ef. 2-1-05

695-015-0050

Application Requirements

Applications must be submitted on the most current form prescribed by the Board. In accordance with Section 4(b)(2)(d) of Article XV of the Oregon Constitution and ORS 541.956(4), funds used for outreach activities are required to be necessary for carrying out eligible restoration or acquisition projects. These are described in OAR 695-010 and 695-045. ~~Stakeholder E~~engagement applications must include the following:

(1) The eligible project type, or program that leads to development of eligible project types, that the ~~Stakeholder~~ Engagement ~~P~~project intends to develop. Eligible project types include:

- (a) Acquiring, from willing owners, interests in land or water that will protect or restore native fish or wildlife habitats;
- (b) Projects to protect or restore native fish or wildlife habitat;
- (c) Projects to protect or restore natural watershed or ecosystem functions in order to improve water quality or streamflow; or
- (d) Resource assessment or planning for the above project types.

(2) A description of the direct connection the ~~Stakeholder~~ Engagement ~~P~~project has with future restoration or acquisition projects or programs.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.956

History:

OWEB 2-2017, f. & cert. ef. 7-31-17

695-015-0070

Evaluation Criteria

~~Stakeholder~~ Engagement ~~P~~projects will be evaluated on:

- (1) The degree to which applicants engage with the appropriate ~~stakeholder~~audiences~~interested parties~~ in the appropriate geography;
- (2) The likely effectiveness of multi-directional communication among the applicant and ~~stakeholder~~audiences~~interested parties~~;
- (3) The proposed evidence base linking the ~~stakeholder~~_ ~~E~~engagement ~~P~~project and the resulting restoration or acquisition projects, or program that leads to development of eligible project types;
- (4) The timeliness of the resulting restoration or acquisition projects, or program that leads to development of eligible project types;
- (5) Cost effectiveness;
- (6) The qualifications and experience of applicant; and
- (7) The expected outcomes of the resulting restoration or acquisition project with respect to protecting or restoring fish or wildlife habitat, watershed function, and water quality or quantity.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.956

History:

OWEB 2-2017, f. & cert. ef. 7-31-17

OWEB 4-2004, f. 11-2-04, cert. ef. 2-1-05

695-015-0080

Technical Review Process

- (1) Prior to the technical review team meeting, the technical review team:
 - (a) Shall receive each application, past evaluations for projects resubmitted in the current grant cycle, and an evaluation sheet to complete for each application;
 - (b) Shall evaluate each application based on the information provided. During this process, team members are encouraged to contact the applicants, Board staff, or other agency staff to clarify information in the application or to get expert review.
- (2) At the technical review team meeting, the team shall:
 - (a) Review and evaluate each project individually based on how well the proposed project meets the criteria in OAR 695-015-0070;
 - (b) Recommend the project as:
 - (A) Do fund;
 - (B) Do fund with conditions;
 - (C) Do not fund; or
 - (D) Defer to staff or the Board with an explanation, if there is a policy issue or budget issue that needs to be addressed by the Board prior to a funding decision; and
 - (c) Rank order all projects recommended for funding based on:
 - (A) How well the project meets the criteria established in OAR 695-015-0070; and

(B) The certainty of success of the ~~stakeholder~~ Engagement ~~P~~project, based on the organizational capacity of the applicant and the likelihood the project will meet its ~~stakeholder~~ engagement objectives.

(3) The project description, summary evaluation and funding recommendation for all projects, and the rank order of projects recommended for funding shall be forwarded from the regional review team to Board staff for their consideration. This information will be sent to all applicants within a region for their region and for all regions to the Board.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.956

History:

OWEB 4-2018, minor correction filed 08/24/2018, effective 08/24/2018

OWEB 2-2017, f. & cert. ef. 7-31-17

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.956

History:

OWEB 2-2017, f. & cert. ef. 7-31-17

695-015-0120

Waiver and Periodic Review of Rules

The Director may waive the requirements of Division 15 for individual grant applications unless required by statute, when doing so will result in more efficient or effective implementation of the Board's ~~stakeholder~~ engagement grant program. Any waiver must be in writing and included in the grant file to which the waiver applies.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.956

History:

OWEB 2-2017, f. & cert. ef. 7-31-17

DIVISION 25 - MONITORING GRANTS

695-025-0140

Evaluation Criteria

Monitoring grant applications will be evaluated on the following criteria and to the extent to which the proposed project clearly addresses:

- (1) The need, relevance, applicability, and timeliness of the proposed monitoring project to inform future planning, implementation or adaptive management of restoration or acquisition projects;
- (2) Monitoring or information needs related to limiting factors, habitat conditions, watershed processes or actions described in federal, tribal, regional, state, or local plans or assessments, or that would inform development of a federal, tribal, regional, state, or local plan or assessment;
- (3) Existing data, including historical data and indigenous knowledge, or current or planned monitoring efforts that this project will complement;
- (4) The monitoring questions and how the proposed monitoring methods and activities (including study design, data collection and management, and analysis procedures) will answer these questions;
- (5) Professionally accepted monitoring and analysis protocols, including quality assurance / quality control procedures to be utilized;
- (6) Proposed costs that are appropriate for the work necessary to accomplish the objectives;
- (7) The organizational capacity of the applicant as it relates to past experience and successful implementation of monitoring projects, relative to the proposed monitoring activities;
- (8) The qualifications, ability, and performance history of the technical staff of the applicant, consultants to be retained, or project partners to apply appropriate monitoring approaches and the proposed data collection and analysis methods in a manner that will successfully complete the monitoring activities;
- (9) How the appropriate technical experts and community stakeholder audiences in the community are engaged; and
- (10) The process by which data and results will be stored, reported, and made publicly available.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890 - 541.969

History:

OWEB 1-2020, amend filed 04/22/2020, effective 05/01/2020

OWEB 4-2004, f. 11-2-04, cert. ef. 2-1-05

695-025-0150

Technical Review Process

- (1) For monitoring grant applications seeking grant funds that require the Board to make a funding decision:
 - (a) A statewide team with monitoring expertise from natural resource agencies will be convened to review monitoring grant applications using the following process:
 - (A) Prior to meeting, the statewide team shall receive each application, past evaluations for resubmitted projects and an evaluation sheet that references criteria as described in OAR 695-025-0140 to complete for each application; and
 - (B) The statewide team will evaluate each application individually based on the information provided

and in accordance with criteria in OAR 695-025-0140.

~~(b) A technical review team will be convened to review monitoring grant applications.~~

~~(c) Prior to the technical review team meeting, the technical review team shall receive each application, past evaluations for resubmitted projects, the feedback from the statewide team and an evaluation sheet that references criteria as described in OAR 695-025-0140 to complete for each application;~~

~~(Cd) At the statewide team meeting, the statewide team shall: At the technical review team meeting, the technical review team shall:~~

~~(A) Review and evaluate each application individually based on the statewide team's feedback and how well the proposed project meets the criteria in OAR 695-025-0140;~~

~~(B) Recommend each project as:~~

(i) ~~Recommend f~~Fund;

(ii) ~~Recommend f~~Fund with conditions;

(iii) Do not ~~recommend~~ funding; or

(iv) Defer to staff or the Board with an explanation if there is a policy issue or budget issue that needs to be addressed by the Board prior to a funding decision; and

~~(DE)~~ Rank order of projects recommended for funding based on how well the project meet the criteria established in OAR 695-025-0140.

~~(be)~~ The project description, summary evaluation and funding recommendation for all projects, and the rank order of projects recommended for funding shall be provided from the ~~technical review~~statewide team to staff for their consideration. This information will be provided to all applicants and to the Board.

(2) For monitoring grant applications seeking grant funds that have been delegated to the Director:

(a) A statewide team with monitoring expertise from natural resource agencies may be convened to review monitoring grant applications using the following process:

(A) Prior to meeting, the statewide team shall receive each application, past evaluations for resubmitted projects, and an evaluation sheet that references criteria as described in OAR 695-025-0140 to complete for each application; and

(B) The statewide team will evaluate each application individually based on the information provided and in accordance with criteria in OAR 695-025-0140.

(b) A technical review team will be convened to review monitoring grant applications and evaluate each application individually based on any statewide team feedback and how well the proposed project meets the criteria in OAR 695-025-0140; this information will be provided to the applicants and the Director.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2020, adopt filed 04/22/2020, effective 05/01/2020

695-025-0160

Staff Funding Recommendation Process

(1) For monitoring grant applications seeking grant funds that require the Board to make a funding decision:

(a) Staff shall review the recommendations from ~~the statewide each technical review~~ team and make a statewide funding recommendation to the Board based on available resources for the grant offering and type. The recommendation shall include any suggested conditions placed on individual projects and may include proposed budget adjustments. The staff recommendation, as represented in the staff report to the Board, shall be sent to applicants and members of the ~~technical review~~statewide teams at least two weeks before the Board meeting where funding decisions are to be made.

(b) Applicants may provide written comment to the Board on the staff recommendation prior to the Board decision or oral comment to the Board during the meeting at which the Board decision will be made.

(2) For monitoring grant applications seeking grant funds that have been delegated to the Director, staff shall review the recommendations from each technical review team and make a funding recommendation to the Director based on available resources for the grant offering and type. The recommendation shall include any conditions placed on individual projects and may include proposed budget adjustments. The staff recommendation shall be provided to the applicants.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2020, adopt filed 04/22/2020, effective 05/01/2020

DIVISION 15 - ENGAGEMENT GRANTS

695-015-0010

Purpose

The Board shall provide outreach grants, as funds are available, for Engagement Projects that are necessary for carrying out eligible restoration and acquisition projects, or programs that lead to development of eligible projects, as required by ORS 541.956(4) and OR CONST Art. XV, §4b(2)(d).

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.956

History:

OWEB 2-2017, f. & cert. ef. 7-31-17

695-015-0020

Definitions

“Engagement Project” means a project whose purpose is to communicate and engage with landowners, organizations, and the community about the need for, feasibility, and benefits of a specific eligible restoration or acquisition project or program that leads to development of eligible projects within an identified geography.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.956

History:

OWEB 2-2017, f. & cert. ef. 7-31-17

OWEB 4-2004, f. 11-2-04, cert. ef. 2-1-05

695-015-0050

Application Requirements

Applications must be submitted on the most current form prescribed by the Board. In accordance with Section 4(b)(2)(d) of Article XV of the Oregon Constitution and ORS 541.956(4), funds used for outreach activities are required to be necessary for carrying out eligible restoration or acquisition projects. These are described in OAR 695-010 and 695-045. Engagement applications must include the following:

(1) The eligible project type, or program that leads to development of eligible project types, that the Engagement Project intends to develop. Eligible project types include:

- (a) Acquiring, from willing owners, interests in land or water that will protect or restore native fish or wildlife habitats;
- (b) Projects to protect or restore native fish or wildlife habitat;
- (c) Projects to protect or restore natural watershed or ecosystem functions in order to improve water quality or streamflow; or
- (d) Resource assessment or planning for the above project types.

(2) A description of the direct connection the Engagement Project has with future restoration or acquisition projects or programs.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.956

History:

OWEB 2-2017, f. & cert. ef. 7-31-17

695-015-0070

Evaluation Criteria

Engagement Projects will be evaluated on:

- (1) The degree to which applicants engage with the appropriate audiences in the appropriate geography;
- (2) The likely effectiveness of multi-directional communication among the applicant and audiences;
- (3) The proposed evidence base linking the Engagement Project and the resulting restoration or acquisition projects, or program that leads to development of eligible project types;
- (4) The timeliness of the resulting restoration or acquisition projects, or program that leads to development of eligible project types;
- (5) Cost effectiveness;
- (6) The qualifications and experience of applicant; and
- (7) The expected outcomes of the resulting restoration or acquisition project with respect to protecting or restoring fish or wildlife habitat, watershed function, and water quality or quantity.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.956

History:

OWEB 2-2017, f. & cert. ef. 7-31-17

OWEB 4-2004, f. 11-2-04, cert. ef. 2-1-05

695-015-0080

Technical Review Process

- (1) Prior to the technical review team meeting, the technical review team:
 - (a) Shall receive each application, past evaluations for projects resubmitted in the current grant cycle, and an evaluation sheet to complete for each application;
 - (b) Shall evaluate each application based on the information provided. During this process, team members are encouraged to contact the applicants, Board staff, or other agency staff to clarify information in the application or to get expert review.
- (2) At the technical review team meeting, the team shall:
 - (a) Review and evaluate each project individually based on how well the proposed project meets the criteria in OAR 695-015-0070;
 - (b) Recommend the project as:
 - (A) Do fund;
 - (B) Do fund with conditions;
 - (C) Do not fund; or
 - (D) Defer to staff or the Board with an explanation, if there is a policy issue or budget issue that needs to be addressed by the Board prior to a funding decision; and
 - (c) Rank order all projects recommended for funding based on:
 - (A) How well the project meets the criteria established in OAR 695-015-0070; and
 - (B) The certainty of success of the Engagement Project, based on the organizational capacity of the applicant and the likelihood the project will meet its engagement objectives.

(3) The project description, summary evaluation and funding recommendation for all projects, and the rank order of projects recommended for funding shall be forwarded from the regional review team to Board staff for their consideration. This information will be sent to all applicants within a region for their region and for all regions to the Board.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.956

History:

OWEB 4-2018, minor correction filed 08/24/2018, effective 08/24/2018

OWEB 2-2017, f. & cert. ef. 7-31-17

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.956

History:

OWEB 2-2017, f. & cert. ef. 7-31-17

695-015-0120

Waiver and Periodic Review of Rules

The Director may waive the requirements of Division 15 for individual grant applications unless required by statute, when doing so will result in more efficient or effective implementation of the Board's engagement grant program. Any waiver must be in writing and included in the grant file to which the waiver applies.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.956

History:

OWEB 2-2017, f. & cert. ef. 7-31-17

DIVISION 25 - MONITORING GRANTS

695-025-0140

Evaluation Criteria

Monitoring grant applications will be evaluated on the following criteria and to the extent to which the proposed project clearly addresses:

- (1) The need, relevance, applicability, and timeliness of the proposed monitoring project to inform future planning, implementation or adaptive management of restoration or acquisition projects;
- (2) Monitoring or information needs related to limiting factors, habitat conditions, watershed processes or actions described in federal, tribal, regional, state, or local plans or assessments, or that would inform development of a federal, tribal, regional, state, or local plan or assessment;
- (3) Existing data, including historical data and indigenous knowledge, or current or planned monitoring efforts that this project will complement;
- (4) The monitoring questions and how the proposed monitoring methods and activities (including study design, data collection and management, and analysis procedures) will answer these questions;
- (5) Professionally accepted monitoring and analysis protocols, including quality assurance / quality control procedures to be utilized;
- (6) Proposed costs that are appropriate for the work necessary to accomplish the objectives;
- (7) The organizational capacity of the applicant as it relates to past experience and successful implementation of monitoring projects, relative to the proposed monitoring activities;
- (8) The qualifications, ability, and performance history of the technical staff of the applicant, consultants to be retained, or project partners to apply appropriate monitoring approaches and the proposed data collection and analysis methods in a manner that will successfully complete the monitoring activities;
- (9) How the appropriate technical experts and audiences in the community are engaged; and
- (10) The process by which data and results will be stored, reported, and made publicly available.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890 - 541.969

History:

OWEB 1-2020, amend filed 04/22/2020, effective 05/01/2020

OWEB 4-2004, f. 11-2-04, cert. ef. 2-1-05

695-025-0150

Technical Review Process

- (1) For monitoring grant applications seeking grant funds that require the Board to make a funding decision:
 - (a) A statewide team with monitoring expertise from natural resource agencies will be convened to review monitoring grant applications using the following process:
 - (A) Prior to meeting, the statewide team shall receive each application, past evaluations for resubmitted projects and an evaluation sheet that references criteria as described in OAR 695-025-0140 to complete for each application; and
 - (B) The statewide team will evaluate each application individually based on the information provided and in accordance with criteria in OAR 695-025-0140.

(C) At the statewide team meeting, the statewide team shall:

(i) Recommend fund;

(ii) Recommend fund with conditions;

(iii) Do not recommend funding; or

(iv) Defer to staff or the Board with an explanation if there is a policy issue or budget issue that needs to be addressed by the Board prior to a funding decision; and

(D) Rank order of projects recommended for funding based on how well the project meet the criteria established in OAR 695-025-0140.

(b) The project description, summary evaluation and funding recommendation for all projects, and the rank order of projects recommended for funding shall be provided from the statewide team to staff for their consideration. This information will be provided to all applicants and to the Board.

(2) For monitoring grant applications seeking grant funds that have been delegated to the Director:

(a) A statewide team with monitoring expertise from natural resource agencies may be convened to review monitoring grant applications using the following process:

(A) Prior to meeting, the statewide team shall receive each application, past evaluations for resubmitted projects, and an evaluation sheet that references criteria as described in OAR 695-025-0140 to complete for each application; and

(B) The statewide team will evaluate each application individually based on the information provided and in accordance with criteria in OAR 695-025-0140.

(b) A technical review team will be convened to review monitoring grant applications and evaluate each application individually based on any statewide team feedback and how well the proposed project meets the criteria in OAR 695-025-0140; this information will be provided to the applicants and the Director.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2020, adopt filed 04/22/2020, effective 05/01/2020

695-025-0160

Staff Funding Recommendation Process

(1) For monitoring grant applications seeking grant funds that require the Board to make a funding decision:

(a) Staff shall review the recommendations from the statewide team and make a statewide funding recommendation to the Board based on available resources for the grant offering and type. The recommendation shall include any suggested conditions placed on individual projects and may include proposed budget adjustments. The staff recommendation, as represented in the staff report to the Board, shall be sent to applicants and members of the statewide team at least two weeks before the Board meeting where funding decisions are to be made.

(b) Applicants may provide written comment to the Board on the staff recommendation prior to the Board decision or oral comment to the Board during the meeting at which the Board decision will be made.

(2) For monitoring grant applications seeking grant funds that have been delegated to the Director, staff

shall review the recommendations from each technical review team and make a funding recommendation to the Director based on available resources for the grant offering and type. The recommendation shall include any conditions placed on individual projects and may include proposed budget adjustments. The staff recommendation shall be provided to the applicants.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2020, adopt filed 04/22/2020, effective 05/01/2020

DRAFT



OREGON
WATERSHED
ENHANCEMENT BOARD

Agenda Item Q

Focused Investment Partnerships

2023-2025 Reports

Board Meeting January 28-29, 2025



Oregon

Tina Kotek, Governor



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Agenda Item Q supports OWEB's Strategic Plan priority # 3: Use our funding to strengthen and leverage capacity of people and organizations to achieve healthy watersheds.

MEMORANDUM

TO: Oregon Watershed Enhancement Board
FROM: Eric Williams, Restoration Grants Manager
Jillian McCarthy, Partnerships Coordinator
Denise Hoffert, Partnerships Coordinator
Audrey Hatch, Conservation Outcomes Coordinator
Eric Hartstein, Senior Policy Coordinator
SUBJECT: Agenda Item Q – 2023-2025 FIP Reporting
[January 28-29, 2025, Board Meeting](#)

I. Introduction

This report provides an update on active Focused Investment Partnership (FIP) initiatives and helps fulfill biennial reporting requirements to the board. At the January 2025 board meeting, staff will introduce Progress Tracking Reports for each of the FIP Cohort 2 and 3 partnerships, and partners from Cohort 3 will present on their initiative progress. For the Cohort 4 FIP initiatives, staff will update the board on progress made since the partnerships were awarded in April 2024.

II. Background

In January 2019, the board selected five partnerships for FIP funding beginning in the 2019-2021 biennium. These partnerships comprise OWEB's second cohort of FIP initiatives. In July 2022, the board selected five additional partnerships for FIP funding beginning in the 2021-2023 biennium, which is the third cohort of FIP initiatives. In April 2024, the board selected four partnerships for the fourth cohort of FIP initiatives to begin in the 2023-2025 biennium.

Attachment A includes a table of Cohort 2-4 FIP initiatives, and the biennial funding associated with each partnership. Attachment B is a map displaying the initiatives, as well as the FIP priority they are implementing.

FIP administrative rules require a report to the board on the progress of initiatives at the end of each biennium. The purpose of the progress updates is to inform the board's decision on whether to allocate funds in the next biennium spending plan for Cohorts 3 and 4. Staff and FIP partnerships from Cohort 3 will update the board at the January 2025 meeting on progress

made in the initiatives, as well as provide budget and work plan updates at the April 2025 meeting.

III. FIP Progress Reporting

Cohort 2 and 3 FIP initiatives have worked with staff to develop Progress Tracking Reports (Attachment C) that provide a written and visual account of each partnership's progress in implementing their initiatives. Progress Tracking Reports are the primary tool to communicate with the board about the progress and evolution of each FIP initiative as they proceed with strategic action plan implementation, monitoring, and adaptive management of the partnership. The reports summarize each partnership's work and synthesize actions to provide a high-level portrait of progress. In addition, at the January 2025 board meeting, partners from each of the Cohort 3 FIP initiatives will present a progress update to the board. Cohort 2 FIP initiatives are in their final biennium of funding, and these partnerships will present to the board at a future meeting as their initiatives close.

As the Cohort 4 FIP initiatives were awarded funding by the board in April 2024, FIP progress has been mainly organizational and includes (1) the development of a Partnership Technical Assistance grant that will help provide for partnership capacity to implement their FIP initiative in the first biennium; (2) executing a partnership agreement with OWEB that outlines roles, responsibilities, and expectations for each FIP, and (3) meeting with OWEB staff and helping establish technical review teams to evaluate project-level grant applications that each partnership will submit as the biennium progresses. All Cohort 4 FIP initiatives have begun submitting project-level applications and are implementing projects.

IV. Recommendation

This is an information item only. At the April 2025 meeting, staff will provide the board with updated work plans and budgets for each Cohort 3 and Cohort 4 FIP initiative as a part of the broader 2025-2027 Spending Plan discussion.

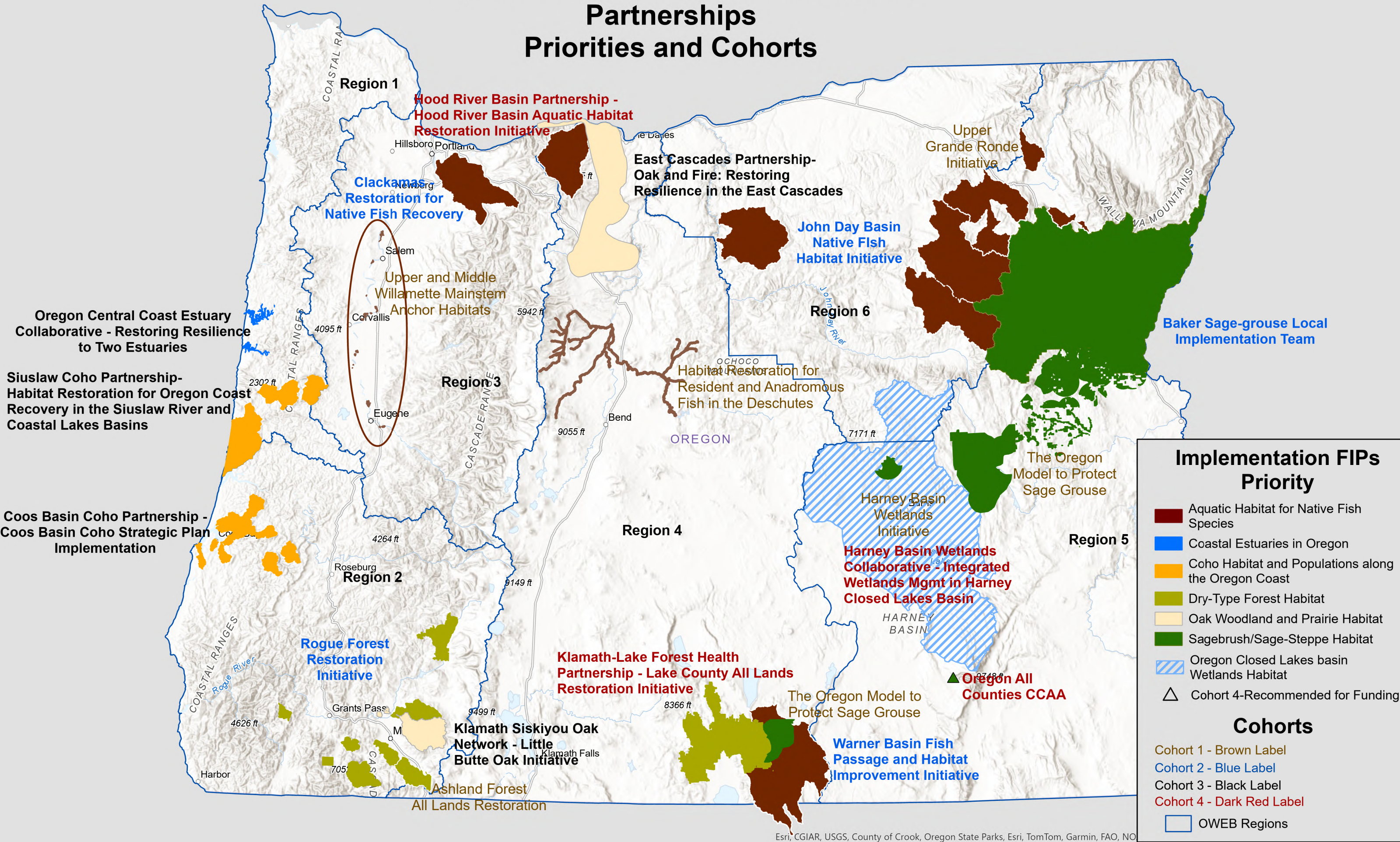
V. Attachments

- A. FIP Cohort 2-4 Initiatives
- B. FIP Initiatives Map
- C. [FIP Cohort 2 and 3 Progress Tracking Reports \(supplemental document\)](#)

FIP Cohorts 2-4 Funding

FIP Partnership	FIP Cohort	2021-2023 Award Amount	2023-2025 Award Amount	2025-2027 Requested Amount
Baker Sage-Grouse Local Implementation Team	2	\$2,435,000	\$2,347,620	N/A
Clackamas Partnership	2	\$3,082,000	\$2,309,000	N/A
John Day Basin Partnership	2	\$4,000,000	\$4,000,000	N/A
Rogue Forest Partnership	2	\$2,700,000	\$1,800,000	N/A
Warner Basin Aquatic Habitat Partnership	2	\$2,293,000	\$1,857,000	N/A
<i>Cohort 2 Subtotal</i>		\$14,510,000	\$12,313,620	N/A
Klamath Siskiyou Oak Network	3	\$1,373,266	\$2,714,735	\$2,959,837
East Cascades Oak Partnership	3	\$2,544,000	\$2,433,000	\$2,177,000
Siuslaw Coho Partnership	3	\$4,000,000	\$4,000,000	\$4,000,000
Oregon Central Coast Estuary Collaborative	3	\$1,523,000	\$3,921,700	\$2,390,250
Coos Basin Coho Partnership	3	\$3,469,614	\$3,858,971	\$3,747,408
<i>Cohort 3 Subtotal</i>		\$12,909,880	\$16,928,406	\$15,274,495
Hood River Basin Partnership	4	N/A	\$2,933,414	\$3,503,414
Klamath Lake Forest Health Partnership	4	N/A	4,000,000	\$4,000,000
Oregon Sage-grouse Partnership	4	N/A	2,004,839	\$4,000,000
Harney Basin Wetlands Collaborative	4	N/A	510,610	\$3,927,400
<i>Cohort 4 Subtotal</i>		N/A	\$9,448,863	\$15,430,814
Grand Total		\$27,419,880	\$38,690,889	\$30,705,309

Implementation Focused Investment Partnerships Priorities and Cohorts



Esri, CGIAR, USGS, County of Crook, Oregon State Parks, Esri, TomTom, Garmin, FAO, NOAA



OREGON
WATERSHED
ENHANCEMENT BOARD

Agenda Item R

Focused Investment Partnerships

Rule Revisions

Board Meeting January 28-29, 2025



Oregon

Tina Kotek, Governor



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Agenda Item R supports OWEB's Strategic Plan priority #6: Take bold and innovative action toward funding projects that advance climate resilience.

MEMORANDUM

TO: Oregon Watershed Enhancement Board
FROM: Eric Williams, Restoration Grants Manager
Jillian McCarthy, Partnerships Coordinator
Denise Hoffert, Partnerships Coordinator
Eric Hartstein, Senior Policy Coordinator
SUBJECT: Agenda Item R – FIP Grants Rule Revisions
[January 28-29, 2025, Board Meeting](#)

I. Introduction

This report provides an overview of proposed revisions to OWEB's Focused Investment Partnership (FIP) Grants administrative rules. At the January 2025 meeting, OWEB staff will seek board approval of the rule revisions.

II. Background

The FIP grant program supports high-performing partnerships across Oregon for up to three biennia as they implement landscape-scale restoration and conservation actions in board-identified ecological priorities. The first cohort of FIP partnerships was awarded funding in January 2016. The initial FIP solicitation and early program administration informed the administrative rules in Division 47 for the program that were adopted by the board in January 2018.

The rules describe the FIP grant program including eligibility, evaluation criteria, application review and funding processes, and other administrative elements. Since the program's inception, four FIP cohorts have been awarded funding, with initiatives administered using the existing rules. Over this time period, staff have identified sections of the rules where both minor and substantive revisions should be considered to more effectively and efficiently administer the FIP grant program.

At the January 2024 meeting, the board authorized rulemaking in the FIP grant program. Per ORS 183.333, a rulemaking advisory committee (RAC), made up of entities most likely to be impacted by the rules, was assembled to discuss all potential revisions to the FIP grant program rules. Attachment A includes membership of the RAC. The RAC met 4 times over the summer, working with staff to develop a draft set of FIP program rule revisions. Each RAC meeting was virtual, open to the public, and offered opportunities for written and verbal comments from the public.

III. Major FIP Rulemaking Revisions

At the October 2024 OWEB board meeting, staff updated on the board on progress made in revising FIP program rules, including some of the major proposed revisions, such as:

- Providing clarity on certain definitions to the rules and aligning terminology with OWEB's [Strategic Action Plan Guidance](#), which applicants to the FIP grant program are required to follow.
- Refining the evaluation criteria for applications to the FIP grant program. The proposed revisions highlight the necessity that applicants to the program must be high performing partnerships and can articulate how their proposed activities will ultimately make progress towards achieving ecological outcomes aligned with board-identified priorities.
- Clearly identifying roles and responsibilities for the Expert Review Team evaluating FIP grant program applications, OWEB staff, the board committee providing funding recommendations, and the full board that awards FIP initiatives.
- Removing the \$4 million maximum award per biennium for FIP initiatives. Instead, the board would determine the maximum amount prior to soliciting for FIP grant applications.
- Removing the "overlap rule" that prevents projects focused on the programs and actions of a FIP initiative, that are also within the geography of a FIP initiative, from applying to OWEB's Open Solicitation and Water and Land Acquisitions grant programs.
- Refining how match is accounted for in the FIP grant program.

As a reminder, the board's climate resolution is already incorporated into the FIP grant program through Division 5 rules. The Division 5 rules apply to multiple OWEB grant programs including FIP.

IV. Tribal and Public Comment on Revisions to FIP Rule Revisions

In addition to the public comment opportunity associated with each RAC meeting, OWEB released the draft rule revisions for formal public comment on December 2, 2024. At the same time, OWEB solicited comments from the nine federally recognized tribes in Oregon and the Nez Perce Tribe on the draft rule revisions. The comment period was open until January 3, 2025, with a virtual public hearing on December 17, 2024. There were no verbal or written tribal or public comments provided to the proposed FIP rule revisions.

V. Recommendation

Staff recommends the board approve the FIP Grants administrative rules found in Attachment B.

VI. Attachments

- A. Rulemaking Advisory Committee Members
- B-1. Proposed FIP Program Rules – Redline
- B-2. Proposed FIP Program Rules – Clean

FIP Grant Program (Division 47)

Rulemaking Advisory Committee

Name	Organization
Kristi Foster	Tillamook Estuary Partnership
Chris Lorion	ODFW
Haley Lutz	Coos Watershed Association
Brad Nye	Oregon Desert Land Trust
Melissa Petschauer	High Desert Partnership
Brandi St. Clair	Lakeview Soil and Water Conservation District
Andrew Spyrka	ODFW
Jesse Steele	Grande Ronde Model Watershed
Jaime Stephens	Klamath Bird Observatory
Leah Tai	USFWS
Herb Winters	Gilliam County Soil and Water Conservation District

DIVISION 47 - FOCUSED INVESTMENT PARTNERSHIP GRANTS

695-047-0010

Purpose

The Board shall provide grants, as funds are available, for Focused Investment Partnership initiatives that address Board-identified priorities of significance to the State through either Implementation grants or Development grants. This Division supplements the OWEB Grant Program rules under OAR 695-005 and provides specific requirements for the Focused Investment Partnership Grants Program. In the event of any conflict between these requirements, and the requirements identified in OAR 695-005, the Focused Investment Partnership Grant Program requirements in this Division take precedence.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2018, adopt filed 02/02/2018, effective 02/02/2018

695-047-0020

Definitions

(1) "Conservation Actions" are specific ecological conservation or restoration interventions, treatments, projects, or other activities that will contribute to specific Conservation Output objectives.

(2) "Conservation Outputs" are specific products or yields resulting from Conservation Actions that can be quantified and measured over time.

(3) "Core Partners" are identified in the Initiative grant application as signatories to the Focused Investment Partnership Agreement and are eligible to apply for project-level grants to provide capacity for partnership coordination and Work Plan implementation. the partners identified in the proposal that will bring substantial capacity to a partnership and will lead the implementation effort.

(4) "Ecological Outcomes" are near-and-long-term results that are expected to emerge from Conservation Actions and resulting Conservation Outputs.

(5) "Expert Review Team" means a team of designated personnel with statewide knowledge and interdisciplinary expertise drawn from agencies represented on the Board and other entities as appropriate to evaluate Focused Investment Partnership Initiative Implementation proposals and Development applications based on evaluation criteria in OAR 695-047-0060.

(6) "Focused Investment Partnership" means an OWEB investment that addresses a Board-identified priority of significance to the state, achieves clear and measurable ecological outcomes, uses integrated and results-oriented approaches, as identified through a Strategic Action Plan, and is implemented by a High-Performing Partnership.

(7) "High-Performing Partnership" means a collaborating group of organizations with an existing Strategic Action Plan and a governance structure that includes a formal decision-making process resulting in an effective performance history.

(8) "Initiative" means the program that the partnership will pursue with Focused Investment Partnership funding.

(9) "Strategic Action Plan" is a document that describes the long-term, science-based conservation strategy of a partnership, providing context for the Conservation Actions. A Strategic Action Plan is required at time of application, and may cover a timeframe longer than the proposed FIP Initiative. Plans will include all components identified by OWEB as a part of the application process.

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(10) "Theory of Change" is a way of explaining the hypothesized relationships between Conservation Actions and the Ecological Outcomes they are expected to produce.

(11) "Work Plan" means the proposed actions of the partnership in each biennium of the Initiative. Focused Investment Partnership Implementation. Partnerships will submit to OWEB an updated Work Plan to OWEB work plan in advance of each new biennium.

(2) "Focused Investment Partnership Development" means an initiative with an existing partnership that is pursuing enhancement of that partnership, development of a strategic action plan and community engagement in support of the strategic action plan.

(3) "Focused Investment Partnership Implementation" means an initiative with an existing strategic action plan that is ready for implementation by a high-performing partnership.

(8) "Measurable Ecological Outcomes" means quantifiable long-term ecological effects benefits resulting from a series of conservation actions.

(10) "Technical Review Team" means a team of designated personnel with regional knowledge and interdisciplinary expertise drawn from agencies represented on the Board and other entities to evaluate Focused Investment Partnership Implementation project level grant applications.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2018, adopt filed 02/02/2018, effective 02/02/2018

695-047-0030

Board-identified Priorities

At least every five years, the Board shall approve ecological priorities of significance to the State to be addressed by Focused Investment Partnerships Initiatives. Ecological priorities shall be determined with public input and scientific rigor, and shall include maps, a Theory of Change, and narrative describing the desired ecological outcomes for eligible Focused Investment Partnership Initiative activities.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2018, adopt filed 02/02/2018, effective 02/02/2018

695-047-0040

Eligibility

(1) The Board shall only consider a Focused Investment Partnership Implementation Initiative proposal application that:

(1a) Addresses a Board-identified priority of significance to the state; and

(2b) Is to be implemented by a High-Performing Partnership high-performing partnership.

(3e) Demonstrates that 25% match is sought and shall be expended within the scope and geography of the Initiative application.

(2) The Board shall only consider a Focused Investment Partnership Development Initiative application that:

(a) Addresses a Board-identified priority of significance to the state; and

(b) Is to be implemented by an existing partnership.

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Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2018, adopt filed 02/02/2018, effective 02/02/2018

~~695-047-0050~~

~~Focused Investment Partnership Implementation Proposal and Focused Investment Partnership Development Initiative Application Requirements~~

~~(1) Focused Investment Partnership Implementation Initiative proposals applications shall:~~

~~(a) Be submitted on the most current format using the process prescribed by the Board OWEB; and~~

~~(b) Demonstrate that 25% match is sought, and shall be expended within the scope and geography of the Initiative application.~~

~~(2) Focused Investment Partnership Development Initiative applications shall:~~

~~(a) Be submitted on the most current form using the process prescribed by the Board; and~~

~~(b) Demonstrate that 25% match is sought.~~

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2018, adopt filed 02/02/2018, effective 02/02/2018

695-047-0060

Evaluation Criteria

(1) Focused Investment Partnership Initiative Implementation proposals applications shall be evaluated on:

~~(a) The extent to which the initiative addresses a Board identified priority;~~

~~(1a) The extent to which the partnership has the capacity to partner and engage the community; and catalyze additional investments applied to activities within the Initiative geography;~~

~~(2) The extent to which the partnership demonstrates an established governance structure and a shared history of collaboratively implementing and adaptively managing Conservation Actions and adaptively managing to achieve Conservation Outputs;~~

~~(3) The composition of the partnership is appropriate to achieve Ecological Outcomes within the Initiative;~~

~~(bc) The performance history and composition of the partnership;~~

~~(4e) The extent to which the partnership's Theory of Change supports the proposed Initiative and aligns with a Board identified ecological priority; The extent to which the Partnership's Theory of Change supports the proposed Initiative;~~

~~(5) The extent to which the Conservation Actions and Conservation Outputs described in the proposed approach w/ Work Plan will make progress toward measureable Ecological Outcomes;~~

~~(6e) The extent to which the partnership demonstrates a process to track Conservation Outcomes Outputs that are aligned with Ecological Outcomes ability to track progress towards proposed outcomes; and~~

~~(7) The extent to which the allocation of funds across proposed grant types will support the achievement~~

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of the proposed Ecological Outcomes and catalyze additional investments.

(2) Focused Investment Partnership Development applications shall be evaluated on:

(a) The extent to which the initiative addresses a Board-identified priority;

(b) The capacity to partner, engage the community, and catalyze additional investments within the initiative geography; and

(c) The performance history and composition of the partnership.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2018, adopt filed 02/02/2018, effective 02/02/2018

695-047-0070

Focused Investment Partnership Initiative Expert Review Process

~~The Board For Focused Investment Partnership Initiative applications, OWEB shall convene an Expert Review Team. The Expert Review Team shall to expert review teams to evaluate, and rank, and provide a funding recommendation for Focused Investment Partnership Initiative applications based on the information provided and Implementation proposals and Development applications according to criteria described in OAR 695-047-0060 and OAR 695-005-0045. Expert review review teams shall evaluate each application based on the information provided and deliver recommendations evaluations and rankings to OWEB staff. The results of the expert review process, including evaluations, shall be provided to applicants and the Board.~~

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2018, adopt filed 02/02/2018, effective 02/02/2018

695-047-0080

Focused Investment Partnership Initiative Funding Recommendation Process

~~(1) For Focused Investment Partnership Implementation Initiative applications:~~

~~(1a) OWEB staff shall review the recommendations the results from each the Expert Review Team expert review team and make a funding recommendation, based on the current Board-adopted spending plan line item for Focused Investment Partnership Initiatives, to a Board subcommittee. The results from the Expert Review Team and OWEB staff funding recommendations shall be provided to applicants and the Board.~~

~~(2b) The Board subcommittee shall interview Core Partners proposing an Implementation Initiative.~~

~~(3e) The Board committee shall make a funding recommendation to the Board based on the results of the Expert Review Team, the OWEB staff funding recommendations, the interview of the Core Partners, and the evaluation criteria described in OAR 695-047-0060. The Board subcommittee shall review the results of the Expert Review Team, OWEB staff funding recommendations, and the results of the interview of the Core Partners, and based on the evaluation criteria described in POAR 695-047-0060, make a funding recommendation to the Board.~~

(2) For Focused Investment Partnership Development Initiatives, OWEB staff shall review the recommendations from each expert review team and make a funding recommendation to the Board. This recommendation shall also be provided to applicants.

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Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2018, adopt filed 02/02/2018, effective 02/02/2018

695-047-0090

Board Funding Decision

~~(1) For Focused Investment Partnership Implementation Initiatives,:~~

~~(a) The Board may fund an Initiative in whole or in part.~~

~~(b) The Board shall award funds on a biennial basis. Subject to Board evaluation and future appropriations, the Board seeks investment for up to six years for each Initiative. A biennial award will not exceed \$4 million and the full six year award will not exceed \$12 million. Prior to soliciting for Initiatives, the Board shall determine the maximum amount for biennial awards.~~

~~(2) For Focused Investment Partnership Development Initiatives the Board may fund an Initiative in whole or in part.~~

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2018, adopt filed 02/02/2018, effective 02/02/2018

695-047-0100

Focused Investment Partnership Implementation Initiative Partnership Agreement

(1) For Focused Investment Partnership Implementation Initiatives, a partnership agreement shall be executed between OWEB and eCore pP Partners that shall stipulate the terms of the Initiative.

(2) The agreement shall include at a minimum: points of contact, purpose of initiative, scope of initiative, process for submitting project-level grant applications, review process, funding conditions, roles and responsibilities of signatories, and methodology to address any potential changes in composition of the core partnership.

(3) Only organizations that are signatory to the partnership agreement are eligible to apply for project level grants.

~~(4) Projects in the defined geographic area of the Initiative, and focused on the programs and actions identified in the Initiative's proposal, are ineligible for the grant types listed in OAR 695-047-0110(8) that are offered outside of the Focused Investment Partnership program.~~

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2018, adopt filed 02/02/2018, effective 02/02/2018

695-047-0110

Focused Investment Partnership Implementation Initiative Project-level Grant Process

(1) The eCore pP Partners of a Focused Investment Implementation Initiative shall select projects to implement the Initiative.

(2) Project applications shall be submitted on the most current formats prescribed by OWEB, forms on a schedule determined by the partnership and OWEB staff.

(3) Consistent with OAR 695-005-0030(2), pP project applications shall include a matching contribution

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from other non-Board program funds or in-kind services, ~~notwithstanding OAR 695-005-0030(3). The matching contribution may include sources of funding from other projects in the Initiative that are consistent with the activities described in the partnership's Initiative application and expended within the geography of the Initiative.~~

(4) Following consultation with the partnership about expertise that is relevant to the ~~Implementation~~ Initiative's focus, a ~~Technical Review Team~~ shall be convened by OWEB. ~~Technical review team members shall have appropriate expertise in the Focused Investment Partnership Initiative subject matter and geography.~~

(5) The ~~Technical Review Team~~ shall meet to evaluate project-level applications according to the project's compatibility with the Initiative's proposal and relevant evaluation criteria established in OAR Chapter 695. Representatives of the partnership shall be provided an opportunity to meet with the ~~Technical Review Team~~ during the project evaluation to provide context for proposed projects.

(6) OWEB staff shall provide the ~~Technical Review Team~~ evaluations to the applicant. Applicants and staff shall address ~~any revisions to the project recommended by the Technical Review Team~~ comments through ~~an amendment/edits to the project-level grant application~~ or other agreed upon process.

~~(7) Notwithstanding 695-005-0060(2) and (8,) initiatives require 25% match, reported at the Initiative-level for the biennium. Each project within the initiative also requires match. Prior to disbursement of Board funds for a project the grantee must provide proof that the matching contribution has been secured for the project. Initiatives that do not meet the required 25% match by the end of the biennium will not be awarded subsequent Implementation Initiative funding.~~

~~(78)~~ Grant types for Focused Investment ~~Implementation~~ Initiatives are Restoration (OAR 695-010), ~~Stakeholder~~ Engagement (OAR 695-015), Monitoring (OAR 695-025), Technical Assistance (OAR 695-030), Land Acquisition (OAR 695-045), and Water ~~Lease and Transfer~~ Acquisition (OAR 695-046).

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2018, adopt filed 02/02/2018, effective 02/02/2018

695-047-0120

Distribution of Funds

~~(1) Focused Investment Partnership Development Initiative funds shall be distributed through grant agreements executed in accordance with OAR 695-005-0050 and 695-005-0060.~~

~~(2) Focused Investment Partnership ~~Implementation~~ Initiative funds shall be distributed through project-level grant agreements through a process described in the partnership agreement described in OAR 695-047-0100.~~

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2018, adopt filed 02/02/2018, effective 02/02/2018

695-047-0130

Reporting

~~(1) Reporting for Focused Investment Partnership Development Initiatives shall be in accordance with OAR chapter 695, division 005.~~

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~~(2) Focused Investment Partnership Implementation Initiatives shall report to OWEB staff through a collaboratively established process and timeline.~~

~~(13)~~ Reporting for project-level grants shall be determined in each project grant agreement.

~~(24)~~ At the end of each biennium, the Focused Investment ~~Implementation~~ Initiative partnerships shall, in collaboration with OWEB staff, report the following to the Board:

~~(a) Demonstrated 25% secured match for the Initiative for the biennium plus any additional investments generated by the Initiative.~~

~~(a)~~ Initiative progress for the biennium;

~~(b)~~ Additional investments generated through the Initiative beyond match used for project-level applications;

(c) Updated Work Plan and budget proposed for the next biennium; and

(d) Any proposed changes to the geography, scope, or Core Partners of the Initiative.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2018, adopt filed 02/02/2018, effective 02/02/2018

695-047-0140

Waiver and Periodic Review of Rules

The Director may waive the requirements of Division 47 unless required by statute, when doing so will result in more efficient or effective implementation of the Board's Focused Investment Partnership grant program. Any waiver must be in writing and included in the grant file to which the waiver applies. Any waiver of the requirements of Division 47 will be reported to the Board at the next Board meeting. The administrative rules for Focused Investment Partnership grants shall be periodically reviewed by the Board and revised as necessary and appropriate.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2018, adopt filed 02/02/2018, effective 02/02/2018

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DIVISION 47 - FOCUSED INVESTMENT PARTNERSHIP GRANTS

695-047-0010

Purpose

The Board shall provide grants, as funds are available, for Focused Investment Partnership initiatives that address Board-identified priorities of significance to the State. This Division supplements the OWEB Grant Program rules under OAR 695-005 and provides specific requirements for the Focused Investment Partnership Grants Program. In the event of any conflict between these requirements, and the requirements identified in OAR 695-005, the Focused Investment Partnership Grant Program requirements in this Division take precedence.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2018, adopt filed 02/02/2018, effective 02/02/2018

695-047-0020

Definitions

- (1) "Conservation Actions" are specific ecological conservation or restoration interventions, treatments, projects, or other activities that will contribute to specific Conservation Output objectives.
- (2) "Conservation Outputs" are specific products or yields resulting from Conservation Actions that can be quantified and measured over time.
- (3) "Core Partners" are identified in the Initiative grant application as signatories to the Focused Investment Partnership Agreement and are eligible to apply for project-level grants to provide capacity for partnership coordination and Work Plan implementation.
- (4) "Ecological Outcomes" are near-and-long-term results that are expected to emerge from Conservation Actions and resulting Conservation Outputs.
- (5) "Expert Review Team" means a team of designated personnel with statewide knowledge and interdisciplinary expertise as appropriate to evaluate Focused Investment Partnership Initiative applications based on evaluation criteria in OAR 695-047-0060.
- (6) "Focused Investment Partnership" means an OWEB investment that addresses a Board-identified priority of significance to the state, achieves Ecological Outcomes as identified through a Strategic Action Plan, and is implemented by a High-Performing Partnership.
- (7) "High-Performing Partnership" means a collaborating group of organizations with an existing Strategic Action Plan and a governance structure that includes a decision-making process resulting in an effective performance history.
- (8) "Initiative" means the program that the partnership will pursue with Focused Investment Partnership funding.
- (9) "Strategic Action Plan" is a document that describes the long-term, science-based conservation strategy of a partnership, providing context for the Conservation Actions. A Strategic Action Plan is required at time of application and may cover a timeframe longer than the proposed FIP Initiative.
- (10) "Theory of Change" is a way of explaining the hypothesized relationships between Conservation Actions and the Ecological Outcomes they are expected to produce.
- (11) "Work Plan" means the proposed actions of the partnership in each biennium of the Initiative.

Partnerships will submit an updated Work Plan to OWEB in advance of each new biennium.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2018, adopt filed 02/02/2018, effective 02/02/2018

695-047-0030

Board-identified Priorities

At least every five years, the Board shall approve ecological priorities of significance to the State to be addressed by Focused Investment Partnerships Initiatives. Ecological priorities shall be determined with public input and scientific rigor and shall include maps, a Theory of Change, and narrative describing the desired ecological outcomes for eligible Focused Investment Partnership Initiative activities.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2018, adopt filed 02/02/2018, effective 02/02/2018

695-047-0040

Eligibility

The Board shall only consider a Focused Investment Partnership Initiative application that:

- (1) Addresses a Board-identified priority of significance to the state; and
- (2) Is to be implemented by a High-Performing Partnership.
- (3) Demonstrates that match is sought and shall be expended within the scope and geography of the Initiative application.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2018, adopt filed 02/02/2018, effective 02/02/2018

695-047-0060

Evaluation Criteria

Focused Investment Partnership Initiative applications shall be evaluated on:

- (1) The extent to which the partnership has the capacity to partner and engage the community within the Initiative geography;
- (2) The extent to which the partnership demonstrates an established governance structure and a shared history of collaboratively implementing Conservation Actions and adaptively managing to achieve Conservation Outputs;
- (3) The composition of the partnership is appropriate to achieve Ecological Outcomes within the Initiative;
- (4) The extent to which the partnership's Theory of Change supports the proposed Initiative and aligns with a Board identified ecological priority;
- (5) The extent to which the Conservation Actions and Conservation Outputs described in the proposed Work Plan will make progress toward Ecological Outcomes;

(6) The extent to which the partnership demonstrates a process to track Conservation Outputs that are aligned with Ecological Outcomes; and

(7) The extent to which the allocation of funds across proposed grant types will support the achievement of the proposed Ecological Outcomes and catalyze additional investments.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2018, adopt filed 02/02/2018, effective 02/02/2018

695-047-0070

Focused Investment Partnership Initiative Expert Review Process

For Focused Investment Partnership Initiatives, OWEB shall convene an Expert Review Team. The Expert Review Team shall evaluate, rank, and provide a funding recommendation for Focused Investment Partnership Initiative applications based on the information provided and according to criteria described in OAR 695-047-0060 and OAR 695-005-0045.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2018, adopt filed 02/02/2018, effective 02/02/2018

695-047-0080

Focused Investment Partnership Initiative Funding Recommendation Process

For Focused Investment Partnership Initiative applications:

(1) OWEB staff shall review the results from the Expert Review Team and make a funding recommendation, based on the current Board-adopted spending plan line item for Focused Investment Partnership Initiatives, to a Board committee. The results from the Expert Review Team and OWEB staff funding recommendations shall be provided to applicants and the Board.

(2) The Board committee shall interview Core Partners proposing an Initiative.

(3) The Board committee shall make a funding recommendation to the Board based on the results of the Expert Review Team, the OWEB staff funding recommendations, the interview of the core partners, and the evaluation criteria described in OAR 695-047-0060.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2018, adopt filed 02/02/2018, effective 02/02/2018

695-047-0090

Board Funding Decision

For Focused Investment Partnership Initiatives, the Board shall award funds on a biennial basis. Subject to Board evaluation and future appropriations, the Board seeks investment for up to six years for each Initiative. Prior to soliciting for Initiatives, the Board shall determine the maximum amount for biennial awards.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2018, adopt filed 02/02/2018, effective 02/02/2018

695-047-0100**Focused Investment Partnership Initiative Partnership Agreement**

(1) For Focused Investment Partnership Initiatives, a partnership agreement shall be executed between OWEB and Core Partners that shall stipulate the terms of the Initiative.

(2) The agreement shall include at a minimum: points of contact, purpose of initiative, scope of initiative, process for submitting project-level grant applications, review process, funding conditions, roles and responsibilities of signatories, and methodology to address any potential changes in composition of the core partnership.

(3) Only organizations that are signatory to the partnership agreement are eligible to apply for project level grants.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2018, adopt filed 02/02/2018, effective 02/02/2018

695-047-0110**Focused Investment Partnership Initiative Project-level Grant Process**

(1) The core partners of a Focused Investment Initiative shall select projects to implement the Initiative.

(2) Project applications shall be submitted on the most current format prescribed by OWEB, on a schedule determined by the partnership and OWEB staff.

(3) Consistent with OAR 695-005-0030(2), project applications shall include a matching contribution from other non-Board program funds or in-kind services. The matching contribution may include sources of funding from other projects in the Initiative that are consistent with the activities described in the partnership's Initiative application and expended within the geography of the Initiative.

(4) Following consultation with the partnership about expertise that is relevant to the Initiative's focus, a Technical Review Team shall be convened by OWEB.

(5) The Technical Review Team shall meet to evaluate project-level applications according to the project's compatibility with the Initiative's proposal and relevant evaluation criteria established in OAR Chapter 695. Representatives of the partnership shall be provided an opportunity to meet with the Technical Review Team during the project evaluation to provide context for proposed projects.

(6) OWEB staff shall provide the Technical Review Team evaluations to the applicant. Applicants and staff shall address any revisions to the project recommended by the Technical Review Team comments through edits to the project-level grant application or other agreed upon process.

(7) Grant types for Focused Investment Initiatives are Restoration (OAR 695-010), Engagement (OAR 695-015), Monitoring (OAR 695-025), Technical Assistance (OAR 695-030), Land Acquisition (OAR 695-045), and Water Acquisition (OAR 695-046).

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2018, adopt filed 02/02/2018, effective 02/02/2018

695-047-0120**Distribution of Funds**

Focused Investment Partnership Initiative funds shall be distributed through project-level grant

agreements through a process described in the partnership agreement described in OAR 695-047-0100.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2018, adopt filed 02/02/2018, effective 02/02/2018

695-047-0130

Reporting

(1) Reporting for project-level grants shall be determined in each project grant agreement.

(2) At the end of each biennium, the Focused Investment Initiative partnerships shall, in collaboration with OWEB staff, report the following to the Board:

(a) Initiative progress for the biennium;

(b) Additional investments generated through the Initiative beyond match used for project-level applications;

(c) Updated Work Plan and budget proposed for the next biennium; and

(d) Any proposed changes to the geography, scope, or Core Partners of the Initiative.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2018, adopt filed 02/02/2018, effective 02/02/2018

695-047-0140

Waiver and Periodic Review of Rules

The Director may waive the requirements of Division 47 unless required by statute, when doing so will result in more efficient or effective implementation of the Board's Focused Investment Partnership grant program. Any waiver must be in writing and included in the grant file to which the waiver applies. Any waiver of the requirements of Division 47 will be reported to the Board at the next Board meeting. The administrative rules for Focused Investment Partnership grants shall be periodically reviewed by the Board and revised as necessary and appropriate.

Statutory/Other Authority: ORS 541.906

Statutes/Other Implemented: ORS 541.890-541.969

History:

OWEB 1-2018, adopt filed 02/02/2018, effective 02/02/2018



OREGON
WATERSHED
ENHANCEMENT BOARD

Agenda Item S

Other Business

NRCS Cultural Resources Funding

Board Meeting January 28-29, 2025



Oregon

Tina Kotek, Governor



OREGON
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ENHANCEMENT BOARD

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MEMORANDUM

TO: Oregon Watershed Enhancement Board
FROM: Courtney Shaff, Monitoring and Reporting Manager
SUBJECT: Agenda Item S – Other Business - NRCS Cultural Resources Funding
January 28-29, 2025, Board Meeting

I. Introduction

This report requests the board proactively approve potential receipt of up to \$1 million additional federal funds from the Natural Resource Conservation Service (NRCS) for funding to support cultural resources work associated with NRCS Farm Bill projects distributed across the state.

II. Background

The Natural Resources Conservation Service (NRCS) provides leadership in a partnership effort to help people conserve, maintain, and improve our natural resources and environment. The Farm Bill has created more need for technical assistance than NRCS can provide to local landowners. The Oregon Watershed Enhancement Board (OWEB) possesses expertise in administering watershed grant programs that support local planning, design, and implementation efforts.

In July 2023, OWEB staff requested and the board approved receipt of up to \$1 million in federal funds from NRCS to support Farm Bill projects. OWEB staff have worked with NRCS to run one grant cycle and will run another cycle to award the remaining funds in early 2025.

The cooperative agreement and OWEB's budget provide for the staff capacity to administer the grant agreements. The cooperative agreement includes funding to OWEB for direct staff costs and indirect costs, and OWEB's legislatively adopted budget includes a staff position funded in part with these federal dollars.

III. NRCS Funding

The current NRCS-OWEB cooperative agreement is open through June 2028. The additional funding proposed by NRCS to add to the agreement would support cultural resources work for Farm Bill projects around the state as well as agency administrative costs. OWEB would work with local partners and NRCS staff to determine how much grant funding is available and how best to distribute the funds. Once the grant funding amount is identified that amount will be added to the 2023-25 spending plan.

IV. Recommendation

Staff recommend the board proactively approve receipt of up to \$1 million additional funding from the NRCS for cultural resources projects and delegate authority to the Executive Director to distribute funds through the appropriate agreements with an effective date of January 29, 2025.