



Oregon Agricultural Heritage Program

Conservation Management Plan

Grant Application Guidance, 2022

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Introduction

The Oregon Agricultural Heritage Program (OAHP) is a program housed within the Oregon Watershed Enhancement Board (OWEB). The program provides voluntary incentives to farmers and ranchers to support practices that maintain or enhance both agriculture and natural resources such as fish and wildlife habitat on agricultural lands. OAHP was developed by a collaboration of organizations representing natural resource conservation and agriculture, including farmer and rancher representatives.

Through the direction provided by ORS 541.977-ORS 541.989, OAHP offers 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 the following:

- 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 fish or wildlife habitat, water quality, and other natural resources on Oregon's working land.

OWEB encourages applicants to carefully review the following guidance and associated information to ensure that submitted applications are complete and competitive, and to understand what will be expected of successful applicants. Please note that in the case of unintended conflicts between the OWEB-provided guidance and OWEB statutes and rules, OWEB statutes and rules will prevail. Additional guidance may become available on the [Oregon Agricultural Heritage Program \(OAHP\)](#) webpage on the OWEB website.

Any questions regarding the OAHP Conservation Management Plan grant application may be directed to Taylor Larson at (971) 701-3248, taylor.larson@oweb.oregon.gov.

What You Should Know or Do Before You Apply

Purpose of Grant

The purpose of a Conservation Management Plan (CMP) 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.

The Conservation Management Plan Grant Program funds the development, implementation, and monitoring of CMPs entered into by agricultural landowners or operators and CMP holders to manage working land in a manner that contributes to the purpose of the Oregon Agricultural Heritage Program (see above).

Eligibility

Entities eligible to hold a conservation easement as defined in ORS 271.715, other than a state agency; Watershed councils; and Not-for-profit organizations other than a state agency.

Individual agricultural landowners or operators are not eligible to apply for a Conservation Management Plan Grant.

Conservation Management Plan Components

At a minimum, Conservation Management Plans must include the following:

- 1) A summary describing how the Conservation Management Plan meets OAHP's purpose;
- 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) Inventory, including site characteristics and current management;
- 5) Short- and long-term social, economic, and conservation goals of the agricultural landowner or operator;
- 6) Resource analysis and identification of resource and management concerns;
- 7) Identification of potential plan activities and a justification for the activities that were selected for implementation;
- 8) The implementation plan, including a budget;
- 9) If applicable, a maintenance plan for infrastructure associated with the plan that may affect neighboring lands if not maintained over time;
- 10) 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.

Term of Payment for Conservation Management Plan Implementation*

- If an agricultural landowner or operator is to be 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.
- 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.

**Only CMP development, not CMP implementation funding is available this cycle*

Definitions

The following definitions are derived under the provisions of ORS 541.977-ORS 541.989 for the Oregon Agricultural Heritage Program.

Agricultural landowner or operator: a landowner, operator, manager or other person having responsibility for exercising control over the day-to-day operation of a "farm or ranch".

Board: the [Oregon Watershed Enhancement Board](#) created under ORS 541.900.

Commission: the [Oregon Agricultural Heritage Commission](#) created under ORS 541.986.

Conservation Management Plan (CMP): the specific actions planned for working lands to improve or maintain the agricultural and natural resource values as defined under ORS 541.981. A conservation management plan is independent of a working lands covenant or easement.

Conservation Management Plan holder: 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 OAHF grant agreement.

Conversion:

- 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.

Director: the [Executive Director](#) of the “Oregon Watershed Enhancement Board” or the Executive Director’s designee.

Farming and ranching: the current employment of land for the primary purpose of obtaining a profit in money by raising, harvesting and selling crops or the feeding, breeding, management and sale of, or the produce of, livestock, poultry, fur-bearing animals or honeybees or for dairying and the sale of dairy products or any other agricultural or horticultural use or animal husbandry or any combination thereof.

Fragmentation: 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.

Grant agreement: 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.

Grantee: an organization or individual that is awarded a grant under one or more of OAHF’s grant programs.

Holder: The state, any county, metropolitan service district, soil and water conservation district, city or park and recreation district or a county service district; a charitable corporation, charitable association, charitable trust, the purposes or powers of which include retaining or protecting the natural, scenic, or open space values of real property, assuring the availability of real property for agricultural, forest, recreational, or open space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological, or cultural aspects of real property; or An Indian tribe as defined in ORS 97.740

Management plan: a description of the stewardship, monitoring, and uses of working land intended to carry out the purposes of a working lands easement or covenant.

OAHF: the “[Oregon Agricultural Heritage Program](#)”

OWEB: the “[Oregon Watershed Enhancement Board](#)” state agency.

Technical committee: a team of individuals who have expertise relevant to the ranking of OAHF grants, or other issues before the “Commission”.

Mutual Modification: a change to a conservation management plan that is:

- a. Material to the plan; and
- b. Agreed to by the agricultural landowner or operator implementing the plan and the conservation management plan holder.

Working land: 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”.

Working land conservation covenant: 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.

Working land conservation easement: 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.

Evaluation Criteria

Conservation Management Plan grants will be evaluated using the following criteria:

- 1) The significance of the agricultural, natural resource, and related social values of the working land subject to the Conservation Management Plan(s).
- 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 by:
 - 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 wildlife habitat on and around the working 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.

- 4) The extent to which implementation of the plan(s) would protect, maintain or enhance significant agricultural outcomes, 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.
- 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;
 - 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.

Good-Standing Requirement

Any grantee that is out of compliance with management planning and reporting requirements of any grant agreement it has with OWEB must become compliant with the obligations prior to executing a grant agreement for a new OAHP CMP funding award.

Landowner Agreement

Applications may only be submitted with the knowledge of the landowner, which must be demonstrated with a signed landowner agreement. The landowner agreement shall specify that the landowner intends to work with the applicant to develop a CMP for her/his agricultural operation and shall further specify the applicant organization, or its designated agent, are granted access to the property on mutually agreeable terms.

All-inclusive Application Deadline

All information submitted in association with the application (support letters, maps, referenced plans, etc.), whether required or optional, must be submitted online with the application, by the application deadline. No material will be accepted separately.

Pre-Application Consultation

Conservation Management Plan grant applicants are encouraged to consult with OAHP/OWEB staff before submitting an application to discuss: (i) the project's opportunities, benefits, potential challenges, and schedule; (ii) the applicant's planning efforts to date and a strategy for future engagement and (iii) the grant application and review processes. An OWEB funding decision is not made during the pre-application consultation.

What You Should Know About OWEB Requirements

Budget

Applicants are encouraged to carefully consider all cost factors associated with the project before submitting an application.

Additional grant application budget guidance is contained in the GoBig Guidance document, available on the OWEB Grants page, at the link [here](#). Please be aware there are a few key differences between OWEB budgeting and OAHP budgeting, outlined in [Appendix A](#).

Match

Applicants must demonstrate that they are seeking or have secured some portion of the proposal as match.

The following funds and activities qualify as match:

- 1) In-kind contributions to activities listed under OAR 698-010-0060;
- 2) 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.

Costs incurred in the same timeframes as described in the Budget section above may qualify as matching contributions, subject to approval by OWEB.

Solicitation Schedule

August 15, 2022: Staff opens solicitation window for CMP grant applications

October 31, 2022: Application deadline for CMP grant applications.

February 15, 2023: Complete external expert review

March 15, 2023: OAHP Commission meets to make funding recommendations to OWEB Board.

April 25-26, 2023: OWEB Board makes funding decisions

How To Apply

The OAHP Conservation Management Plan (CMP) grant application is part of [OWEB's online grant application system](#). An OWEB Grant Management System (OGMS) username and password are required to access the online application. Refer to the OAHP Grants page, at the link above, for materials that are required with the CMP application.

How Applications Will Be Reviewed

Once a grant application is submitted, the following process will be used to review all applications:

- 1) Technical review of Conservation Management Plan Grant applications will occur based on information provided in the grant application and technical review team expertise about the area and the project. The Oregon Agricultural Heritage Commission will appoint one or more 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.
- 2) Applications will be evaluated according to criteria described above in the Evaluation Criteria section and in OAR 698-010-0090.

- 3) The ranking system provide for the ranking of Conservation Management Plans *alone* and not as part of an application that includes a working land conservation covenant or easement.
- 4) The technical committee(s) provide ranking recommendations to OWEB staff. OWEB staff will review technical committee recommendations and provide funding recommendations to the Commission.
- 5) The Commission review and consider the recommendations of the technical committee(s) and consult with the Board concerning grant applications.
- 6) The Commission make funding recommendations to the Board based on the availability of funding from the Oregon Agricultural Heritage Fund.
- 7) The Board approves Conservation Management Plan Grants. The Board may fund a grant application in whole or in part.

Oregon Agriculture Heritage Commission

There are 12 members appointed by OWEB, with one member appointed by the board to serve on an ex officio basis as a nonvoting member of the commission, each serving a term of four years. A current list of OAHP Commissioners can be found on the OAHP website

- Four members recommended by the State Board of Agriculture who are actively engaged in farming or ranching. The members must represent diverse types of agricultural commodities and be from geographically diverse areas of this state.
- One member recommended by the Director of Oregon State University Extension Service.
- Two members recommended but the State Fish and Wildlife Commission who have expertise regarding fish and wildlife habitat
- One member shall be a person recommended by the State Board of Agriculture who has expertise in agricultural water quality
- One member recommended by the Land Conservation and Development Commission who has expertise in conservation easements and similar land transfers
- One member selected by the Oregon Watershed Enhancement Board who is a representative of natural resource value interests
- One member shall be a person selected by the Oregon Watershed Enhancement Board who is a representative of Indian tribal interests

What to Expect if a Grant Is Conditionally Awarded

Grant Agreement

The standard form grant agreement templates have been pre-approved as legally sufficient by the Oregon Department of Justice. OWEB does not negotiate changes to the grant agreement templates for individual projects. Applicants are encouraged to review the templates before applying for a grant. The documents are available on the [OAHP website](#).

Applicants conditionally selected to receive funding will be required to sign a standard form grant agreement soon after the Board awards funds. The release of the grant funds will be conditioned on the grantee meeting the requirements specified in the grant agreement.

Grant Agreement Conditions

All grant agreements are conditional to the following:

- 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 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 program funds must be returned to the Commission.
- 3) 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.
- 4) 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.

Reporting Requirements

Upon development of a Conservation Management Plan or completion of Conservation Management Plan implementation, the grantee will provide the Commission and OWEB's Board 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.

Upon receipt of the final report, the Commission will have 90 days to approve the completed report or to 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.

More Information

Contact Taylor Larson at (971) 701-3248, taylor.larson@oweb.oregon.gov if you need more information about OWEB CMP grants.

Appendix A



Oregon Agricultural Heritage Program

Introduction

This document supplements OWEB's Guidance on Budgeting in Grants (GoBig), which covers all grant programs. To access OWEB's standard GoBig document, visit <https://www.oregon.gov/oweb/Documents/GoBIG.pdf>.

The items outlined in this supplement are specific to the Oregon Agricultural Heritage Program (OAHP) and different from other grant programs. The reasons for these differences are due to the General Fund (tax dollar) source used to fund this program and the Legislative intent for these funds.

Budget Differences from "Regular" OWEB Grants

- **Contingencies** are not allowed.
- **Equipment purchase** is not allowed.

Funds may be used to offset purchase options fees associated with the property interest or interest on bridge loans needed to secure closure on the property interest prior to when funding will be available through the program.

OWEB grant funds may not be applied to property taxes, or to legal fees or other costs incurred by the seller.

Billing

OAHP grant funds are only released on a reimbursement basis or to an escrow for closing a transaction. OWEB does not issue grant fund advances for this grant program.