

ANALYSIS

Consent Agenda – Various Agencies Requests for Approval to Apply for Federal Grants

The following state agencies seek retroactive approval to submit grant applications to various federal agencies. Retroactive approval is necessary for grant applications with deadlines that fell before the submittal dates for the November 2021 meeting of the Joint Interim Committee on Ways and Means and for which prior legislative approval had not been obtained. All agencies submitted advance notification to legislative leadership of their intent to apply for the grants as required by the Department of Administrative Services and Legislative Fiscal Office.

Item 29: Department of Agriculture – Pesticide Outreach and Training

Analyst: John Terpening

Request: Approve, retroactively, the submission of a federal grant application to the U.S. Environmental Protection Agency (EPA) in the amount of \$27,801 to fund existing pesticide program activities.

Analysis: In late May, the Oregon Department of Agriculture (ODA) was notified by the EPA about additional available funding under the Multipurpose Grant (MPG) program. The program supports certain environmental programs implemented by states and tribes and recipients have flexibility to direct funds to priority areas. Eligible activities under the programs include ODA's Pesticide Cooperative Enforcement, Pesticide Applicator Certification and Training, and implementation of the Pesticide Program. The grant is non-competitive and does not require state matching funds, cost-share, or maintenance of effort.

States had to notify EPA of intent to accept or decline MPG funds by June 8, 2021 and grant applications were due July 9. The agency notified legislative leadership of its intent to apply for the grant on June 3, but due to the timing of session, review of the request was delayed until the interim. If awarded, the funds would allow ODA to complete additional outreach and education activities to users of pesticides to improve compliance and increase awareness about health and safety. The Department does not need additional Federal Funds expenditure limitation or position authority related to this grant.

Item 30: Department of Agriculture – Animal Disease Response

Analyst: John Terpening

Request: Approve, retroactively, the submission of a federal grant application to the U.S. Department of Agriculture (USDA) in the amount of \$300,071 over a period of 17 months, to enhance preparedness and response capabilities for foreign animal diseases.

Analysis: The Department of Agriculture (ODA) is requesting retroactive approval to apply to the USDA for a federal grant in the amount of \$300,071 as part of USDA's National Animal Disease Preparedness

and Response Program. The grant will fund three projects intended to enhance Oregon's ability to respond to and control foreign animal disease outbreaks. The projects include updating and exercising existing disease response plans, improving ODA's ability to rapidly collect disease surveillance information, and development of a framework to support business continuity for livestock producers or processors in the event of an outbreak.

The federal grant application deadline was August 6, 2021 and ODA sent in a notice of intent to apply on July 22. This is a competitive grant, but no match or cost-share is required to receive the funding. If awarded, ODA anticipates needing to establish two grant-support limited duration positions, including a program analyst and a district veterinarian position. ODA does not anticipate needing additional Federal Funds expenditure limitation currently.

Item 32: Department of Geology and Mineral Industries – LIDAR Acquisition

Analyst: John Terpening

Request: Approve, retroactively, the submission of a federal grant application to the U.S. Department of the Interior, Bureau of Land Management (BLM) in the amount of \$152,294 for the acquisition of new LIDAR data.

Analysis: The Department of Geology and Mineral Industries (DOGAMI) is requesting retroactive approval to apply for a federal grant from BLM to acquire 323 square miles of new LIDAR data in Klamath County that includes part of the 2021 Bootleg Fire area. DOGAMI currently has a five-year non-competitive grant award with BLM with a maximum funding amount of \$3 million. To date, the agency has allocated \$936,792 of that funding for existing LIDAR projects. While this grant is non-competitive, DOGAMI does still need to submit a formal grant application for the additional funding opportunities as they arise.

The Department submitted a notice of intent to apply on October 15, 2021 and submitted a grant application on October 27. There is no match requirement for the grant and the Department does not anticipate needing additional Federal Funds expenditure limitation.

Item 33: Department of Geology and Mineral Industries – 3D Elevation Program

Analyst: John Terpening

Request: Approve, retroactively, the submission of a federal grant application to the U.S. Geological Survey (USGS) in the amount of \$890,000 for the 3D Elevation Program (3DEP) initiative.

Analysis: The 3DEP initiative is a collaborative approach between the USGS, federal agencies, and state, tribal, and local governments working together to build on existing programs to complete the national collection of 3D elevation data. Previous 3DEP projects undertaken by the Department of Geology and Mineral Industries (DOGAMI) and its partners include mapping the Coos and Wallowa County areas, the Upper John Day area, the Silver Creek sub-basin area of the Harney Basin, and other portions of Harney County. For this project, DOGAMI and the Oregon Lidar Consortium (OLC) have teamed up with local partners to cover approximately 1,750 square miles of land in Baker, Coos, Lane and Douglas counties.

Data collection will take place in 2022 with completion anticipated in early 2023. The grant has a minimum 25% match requirement that will be fulfilled by in-kind contribution of LIDAR data and through contributions from Baker County, the City of Pendleton, and the Confederated Tribes of the Umatilla Indian Reservation.

The Department submitted a notice of intent to apply on October 15, 2021 and submitted a grant application on October 27. No additional Federal Funds expenditure limitation or limited duration positions are needed.

Item 35: Department of State Lands – Wetland Program Development

Analyst: Matt Stayner

Request: Approve, retroactively, the submission of a federal grant application to the U.S. Environmental Protection Agency in the amount of \$152,534 for the development of an electronic geographic information system data set for wetland and waters delineation and determination records as part of the agency's wetlands program.

Analysis: The Environmental Protection Agency (EPA) provides annual funding opportunities under the Region 10 Wetland Program Development Grant program, which assists state, territorial, tribal, local government agencies and interstate/intertribal entities in developing or refining efforts to protect, manage, and restore wetlands. Total available funding in this round is approximately \$1.8 million. The EPA estimates that awards will range between \$25,000 and \$300,000. The total project costs under the Department of State Lands (DSL) grant application are estimated at \$203,379. A matching requirement of 25% of total project costs will be met using in-kind, related existing budgeted expenditures; these must be from non-federal sources.

DSL will use grant funds to work in conjunction with the Lane Council of Governments (LCOG) to prepare documents and datasets for inclusion a statewide wetlands GIS dataset. LCOG received prior funding under the same grant program for the development of methodologies for the creation and management of the dataset and initial pilot projects. The completed dataset will allow DSL to display wetland information on existing web-based mapping platforms including the Statewide Wetlands Inventory map that is not currently in an accurate GIS format or is currently only available on paper. DSL anticipates using a portion of the funding to support a limited duration position to prepare documents and datasets.

The grant application deadline was June 28, 2021. DSL provided notice to the Legislature on June 17, 2021 of its intent to apply for the grant funding. Projects funded under the grant assistance program are expected to be completed between one and three years. DSL received notice of the preliminary grant award of \$203,379 (inclusive of state provided matching funds) on September 9, 2021.

Recommendation: The Legislative Fiscal Office recommends that the Joint Interim Committee on Ways and Means approve the 5 requests to apply for federal grants, en bloc, with the understanding that if the funds are awarded the agencies will return to the Legislative Assembly for approval of any necessary Federal Funds or Federal Funds as Other Funds expenditure limitation and position authority.



**OREGON
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635 Capitol St NE, Salem, OR 97301-2532
503.986.4550 | Oregon.gov/ODA

October 14, 2021

The Honorable Senator Elizabeth Steiner Hayward, Co-Chair
The Honorable Senator Betsy Johnson, Co-Chair
The Honorable Representative Dan Rayfield, Co-Chair
Interim Joint Committee on Ways and Means
900 Court Street NE
H-178 State Capitol
Salem, OR 97301

Dear Co-Chairpersons:

Nature of the Request

The Oregon Department of Agriculture (ODA) requests retroactive approval to apply for a United States Environmental Protection Agency (EPA) Multipurpose Grant. Multipurpose funds are intended to be used by state and tribal co-regulator partners for high-priority activities to complement activities funded under established environmental statutes.

States had to notify the EPA of intent to accept or decline MPG funds by June 8, 2021, and grant applications were due July 9, 2021. States will not be required to provide a match, cost-share, or maintenance of effort for the MPG funds. The grant is a non-competitive grant; there is \$10 million available and EPA uses an allocation to distribute to state and tribal partners. The department has received notification that \$27,801 is available for ODA.

Agency Action/Background

The Consolidated Appropriations Act, 2021 provides funding for the Multipurpose Grant program (MPG). EPA is issuing FY21 funds to supplement certain environmental programs implemented by states and tribes. Because the programs support the foundational, programmatic work of state and tribal environmental programs, recipients have flexibility to direct funds to priority areas. Eligible activities include those under the following programs: Pesticide Cooperative Enforcement, Pesticide Applicator Certification and Training, and Pesticide Program Implementation.

This grant would allow ODA to support pollinator protection work through our partnership with Oregon State University, and to provide educational information to schools to support integrated pest management (IPM) consistent with Oregon's school IPM law.

The Honorable Senator Elizabeth Steiner Hayward, Co-Chair

The Honorable Senator Betsy Johnson, Co-Chair

The Honorable Representative Dan Rayfield, Co-Chair

October 14, 2021

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ODA requested and received permission to apply for \$54,639 under the FY18 and FY19 grant and \$30,027 under the FY20 grant.

Action Requested

The ODA respectfully requests retroactive approval to apply for the EPA Multipurpose Grant.

Legislation Affected

ODA anticipates having sufficient federal funds expenditure limitation.

Sincerely,



Alexis M. Taylor, Director

Oregon Department of Agriculture





**OREGON
DEPARTMENT OF
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635 Capitol St, NE, Salem, OR 97301
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October 20, 2021

REPLACEMENT LETTER

The Honorable Senator Elizabeth Steiner Hayward, Co-Chair
The Honorable Senator Betsy Johnson, Co-Chair
The Honorable Representative Dan Rayfield, Co-Chair
Interim Joint Committee on Ways and Means
900 Court Street NE
H-178 State Capitol
Salem, OR 97301

Dear Co-Chairpersons:

Nature of the Request

The Oregon Department of Agriculture (ODA) requests retroactive approval to apply for three United States Department of Agriculture (USDA) National Animal Disease Preparedness and Response Program (NADPRP) grants. NADPRP funds are intended to be used by state and tribal animal health agencies and universities to enhance preparedness and response capabilities for foreign animal diseases and emerging high-consequence animal diseases.

The grants will fund three projects intended to enhance Oregon's ability to respond and control a foreign animal disease (FAD) such as Foot and Mouth Disease, Highly Pathogenic Avian Influenza, or African Swine Fever to quickly control the outbreak, while minimizing the impact of control measures on Oregon's livestock industry. The first project will focus on updating and exercising existing disease response plans to incorporate new and emerging disease threats and changes to Oregon's livestock industry, while working with the Oregon State University Oregon Veterinary Diagnostic Laboratory (OVDL) to enhance existing capabilities to rapidly detect FAD cases. The second project will enhance ODA's ability to rapidly collect disease surveillance information in the field, enabling electronic transmission of data between ODA and OVDL to support real-time disease control decisions, and minimizing the impact of a FAD outbreak on interstate and international trade. The third project will focus on the development of framework to support continuity of business for livestock producers and processors, enabling the movement of animals and animal products such as eggs and milk from farms under movement restrictions during a FAD outbreak, but not infected with disease.

ODA applied for \$300,071 funding for the disease response plan project, the electronic surveillance information project, and the continuity of business project. The projects will be 17 months long,

ending June 30, 2023. Grant applications were due August 6, 2021. States will not be required to provide a match or cost-share for the NADPRP funds. The grant is a competitive grant; there is \$10 million available and USDA uses a competitive review process to allocate funds to state and tribal partners. If successful, ODA anticipates needing to establish two grant-supported limited duration positions, including a full-time Program Analyst 1 (0.71 FTE) and a half-time District Veterinarian (0.35 FTE).

Agency Action/Background

The 2018 Farm Bill established the National Animal Disease Preparedness and Response Program to boost the nation's efforts to keep high-consequence animal diseases from entering and spreading in the United States. This program allows USDA Animal and Plant Health Inspection Service (APHIS) to collaborate with animal health partners throughout the nation to implement high-value projects that enhance prevention, preparedness, detection, and response to the most damaging emerging and foreign animal diseases that threaten U.S. agriculture.

The grants would allow ODA to undertake critical preparedness and response planning work through partnerships with Oregon State University and Oregon livestock producers to better prepare to respond to and control emerging disease threats such as the cases of SARS-CoV-2 that were seen in mink in 2020, or the emergence of Rabbit Hemorrhagic Disease in Clackamas and Deschutes counties in 2021.

ODA has not previously applied for NADPRP funds, and is one of few states which have not applied for funds since the creation of the NADPRP program under the 2018 Farm Bill.

Action Requested

The ODA respectfully requests retroactive approval to apply for the National Animal Disease Preparedness and Response Program grant.

Legislation Affected

If the grant application is successful, ODA may return to the Legislature to establish grant-supported limited duration positions and increased federal funds expenditure limitation if ODA is not able to accommodate the grant within existing budget authority.

Sincerely,



Alexis M. Taylor, Director
Oregon Department of Agriculture



Oregon

Kate Brown, Governor

Department of Geology and Mineral Industries

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Portland, OR 97232-2162
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October 18, 2021

The Honorable Senator Elizabeth Steiner Hayward, Co-Chair
The Honorable Senator Betsy Johnson, Co-Chair
The Honorable Representative Dan Rayfield, Co-Chair
Interim Joint Committee on Ways and Means
900 Court Street NE, H-178 State Capitol
Salem, OR 97301

Dear Co-Chairpersons:

RE: Retroactive Federal Grant Request

Nature of the Request

The Department of Geology and Mineral Industries (DOGAMI) requests retroactive approval to apply for a Bureau of Land Management (BLM) grant opportunity. This grant is for a total of \$152,294.

The grant will fund the acquisition of 323 square miles in Klamath County, including part of the 2021 Bootleg fire area. This grant will fund the collection of new high-quality and high-resolution lidar data.

This grant is a non-competitive federally awarded funding opportunity.

This grant opportunity supports DOGAMI's mission and goals to provide earth science information and regulation to make Oregon safe and prosperous and supports Key Performance Measure #3: Lidar Data Completion.

This lidar project does not require matching funds and has no additional FTE requirements.

The Agency provided a 10-day letter on Friday, October 15 and will submit our application to the BLM on October 26, 2021 to target suitable fall weather for lidar data collection before the onset of winter.

Action Requested

DOGAMI respectfully requests retroactive permission to apply for the BLM grant as described above.

Co-Chairpersons

October 8, 2021

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Legislation Affected

No legislation is affected with this request.

Thank you for your consideration. If you have any questions, please contact me at 503-853-5139.

Sincerely,

A handwritten signature in blue ink that reads "Sarah L. Lewis".

Sarah L. Lewis
Interim Director

cc: George Naughton, Chief Financial Officer
Laurie Byerly, Interim Legislative Fiscal Officer
Jason Miner, Governor's Office
John Terpening, Legislative Fiscal Office
Renee Klein, Chief Financial Office



Oregon

Kate Brown, Governor

Department of Geology and Mineral Industries

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October 18, 2021

The Honorable Senator Elizabeth Steiner Hayward, Co-Chair
The Honorable Senator Betsy Johnson, Co-Chair
The Honorable Representative Dan Rayfield, Co-Chair
Interim Joint Committee on Ways and Means
900 Court Street NE, H-178 State Capitol
Salem, OR 97301

Dear Co-Chairpersons:

RE: Retroactive Federal Grant Request

Nature of the Request

The Department of Geology and Mineral Industries (DOGAMI) requests retroactive approval to apply for two (2) US Geological Survey (USGS) 3D Elevation Program (3DEP) grant opportunities. These grants are for a total of \$890,000.

These grants will fund the acquisition of ~1,750 square miles of lidar data in Baker, Coos, Lane, and Douglas counties. These grants will fund the collection of new high-quality and high-resolution lidar data as well as updating earlier lidar data which is now considered outdated according to USGS standards.

USGS opens the grant submittals starting October 1, 2021 and remains open until all funds are awarded. The Agency plans to submit our applications on October 27, 2021 for these two (2) federal grants with the USGS 3DEP program. Submitting early allows DOGAMI's request to be processed while funds are available. If these grant proposals are awarded, then DOGAMI would begin these projects in early 2022 with completion likely in early 2023.

The USGS 3DEP is an annual grant program which DOGAMI has applied since 2015. To date, DOGAMI has been awarded twelve grants supporting DOGAMI's lidar mapping program

This grant opportunity supports DOGAMI's mission and goals to supply earth science information and regulation to make Oregon safe and prosperous and supports Key Performance Measure #3: Lidar Data Completion.

These two USGS lidar projects require no matching funds and have no additional FTE requirements.

Co-Chairpersons

October 7, 2021

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The Agency provided a 10-day letter on Friday, October 15 and will submit our application to the USGS on October 26, 2021.

Action Requested

DOGAMI is requesting retroactive permission to apply for two (2) USGS 3DEP grant as described above.

Legislation Affected

No legislation is affected with this request.

Thank you for your consideration. If you have any questions, please contact me at 503-853-5139.

Sincerely,



Sarah L. Lewis
Interim Director

cc: George Naughton, Chief Financial Officer
Laurie Byerly, Interim Legislative Fiscal Officer
Jason Miner, Governor's Office
John Terpening, Legislative Fiscal Office
Renee Klein, Chief Financial Office



Oregon

Kate Brown, Governor

Department of State Lands

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October 11, 2021

State Land Board

Senator Betsy Johnson, Co-Chair
Senator Elizabeth Steiner Hayward, Co-Chair
Representative Dan Rayfield, Co-Chair
Interim Joint Committee on Ways and Means
900 Court Street NE
H-178 State Capitol
Salem, OR 97301-4048

Kate Brown
Governor

Shemia Fagan
Secretary of State

Tobias Read
State Treasurer

Dear Co-Chairs,

Nature of the Emergency:

Department of State Lands request retro-active approval to apply for a 2021 Environmental Protection Agency (EPA) Wetland Program Development Grant (WPDG). The Agency submitted their 10-day notification letter on June 17, 2021

Agency Action:

The purpose of the project is to create a statewide Esri geographic information system (GIS) dataset representing the study areas for all Department of State Lands (DSL) wetland and waters delineation and determination (WD) records.

The DSL respectfully asks for approval to apply for a 2021 Environmental Protection Agency (EPA) Wetland Program Development Grant (WPDG) in coordination with the Lane Council of Governments' (LCOG) separate EPA WPDG application. LCOG completed two pilot projects under their previous EPA grants to create methodology for this proposed project. The 2021 DSL and LCOG grant applications are to expand the extent of the study area mapping project. This will give DSL the ability to display WD locations on GIS and internet (web) based mapping platforms already developed, specifically the Statewide Wetlands Inventory (SWI) web map (<https://maps.dsl.state.or.us/swi/>). These records are considered an intrinsic part of the SWI to meet goals under Oregon Revised Statute 196.674 but are not currently available in an accurate GIS format dataset and many of the records are only available on paper.

The DSL EPA WPDG application supports a limited duration position to prepare documents and datasets to provide to LCOG for this project. This work will include correcting data entry errors in the DSL database and the document archive system, and properly entering and scanning remaining paper documents into a digital archive system. The project will involve nearly 15,000 records statewide.

The LCOG EPA WPDG application will fund the digitizing work to create the GIS dataset by leveraging the methodology developed under the previous EPA funded pilot projects. The LCOG methodology integrates automation that efficiently minimizes manual digitization by combining DSL's database and the Oregon Department of Revenue's ORMAP compliant datasets. LCOG will complete 15 counties to add to the work completed under the pilot for Lane County. LCOG and DSL will seek additional funding opportunities to add WD records for the remaining counties to the GIS dataset.

The project outcomes will be increased efficiency in DSL customer service and new WD submittal reviews, increased public awareness of aquatic resources and compliance with the Removal-Fill Law, and more accessible and complete information available to inform development, land transactions, and planning.

This project supports DSL's strategic plan for public service by making WD records available electronically for both external and internal users, increasing the accuracy of data, and preparing records for both storage and purging under the department's records retention schedule and migration to a new database system. This new database is supported in DSL's 2021-23 budget. The project also supports our strategic plan goal of protecting Oregon's waters by continuing to add information to the SWI for individual delineations. Oregon's Wetland Program Plan (WPP) goals are similarly supported by this project through improved data sharing, mapping and SWI enhancement, and the utilization of technological advances to improve program effectiveness.

This project makes DSL WD records more easily accessible for local government planning, consultants, watershed councils, landowners, and all others for proactive project planning and scoping. Currently, this information is made available through individual public records requests and resource-intensive research and file preparation by DSL staff. Integration of the dataset into the SWI web map allows easy identification of where previous studies of wetland locations have been approved by DSL and provides direct access to maps and other information via links within the dataset.

The non-federal match requirement of 25% of the total project costs equals \$57,263 in Other Funds that will be provided by in-kind personal services and overhead expenditures of existing Agency staff already included in the department's 2021-23 budget. This match is not expected to affect performance measures.

Action Requested:

The Agency is requesting retro-active approval to apply for the 2021 Environmental Protection Agency Wetland Program Development Grant.

Legislation Affection

On September 9, 2021, DSL was notified the grant proposal was selected for funding. DSL will return to the Legislature for increased federal funds expenditure limitation once a notice of award approval is issued by the EPA Award Official.

Thank you for your interest and assistance. If you have any questions, please contact Jean Straight at (503)986-5227.

Sincerely,



Vicki L. Walker
Director

CC: Laurie Byerly, Interim Legislative Fiscal Officer
George Naughton, Chief Financial Officer
Matt Stayner, LFO Analyst
Renee Klein, CFO Analyst