

## ANALYSIS

### Consent Agenda – Various Agencies Requests for Approval to Apply for Federal Infrastructure Investment and Jobs Grants

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The following state agencies seek retroactive approval to submit grant applications to various federal agencies. Most of these grants request retroactive approval since their applications had deadlines that fell before the submittal dates for the September meeting of the Emergency Board and for which prior legislative approval had not been obtained. All agencies submitted advance notification to legislative leadership of their intent to apply for these grants as required by the Department of Administrative Services and Legislative Fiscal Office.

The eleven grants included in this analysis represent grants associated with the federal Infrastructure Investment and Jobs Act (IIJA) enacted in late 2021. In June 2022, the Emergency Board approved authority for agencies to apply for nine IIJA grants and it is anticipated there will be several similar requests in the future as federal agencies announce availability of IIJA funded grant programs.

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#### **Item 11: Higher Education Coordinating Commission – America the Beautiful Challenge**

**Analyst:** Kim To

**Request:** Approve, retroactively, the submission of a federal grant application to the National Fish and Wildlife Foundation in the amount of \$5 million for the America the Beautiful Challenge program.

**Analysis:** The National Fish and Wildlife Foundation consolidates funding sources from several federal agencies. The Higher Education Coordinating Commission (HECC) is one of five state agencies applying for an America the Beautiful Challenge (ATBC) grant, which is funded in part with IIJA. Under the ATBC, projects must focus on specific core areas of need including conserving and restoring various ecosystems, reconnecting wildlife corridors, increasing ecosystem resilience, and expanding access to the outdoors. HECC, if awarded this grant, would combine this funding with the existing state Oregon Conservation Corps to reduce wildfire risks, create fire-adapted communities, and provide workforce training for young adults between the ages of 13 and 26. The Oregon Conservation Corps was established with one-time funding in 2021 and funding is distributed through a competitive grant process.

HECC notified the Legislature of its intent to apply for this funding on July 6, 2022 and submitted the grant application by July 21, 2022. The grant requires a 10% match which the agency will meet with the existing state funding for the Oregon Conservation Corps. No additional positions or FTE will be required.

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#### **Item 16: Oregon Health Authority – Drinking Water State Revolving Loan Program**

**Analyst:** Tom MacDonald and Steve Robbins

**Request:** Approve the submission of a federal grant application to the Environmental Protection Agency (EPA) in the amount of \$23,673,000 for the Drinking Water State Revolving Loan Fund.

**Analysis:** The IIJA included additional funding for safe drinking water through the existing Drinking Water State Revolving Loan Fund program (DWSRF) which is jointly administered by the Oregon Health Authority's Public Health Division and the Oregon Business Development Department (OBDD). This program provides low-cost loans to community water systems for project planning, design, and construction to ensure eligible systems meet drinking water quality standards. OHA is the lead agency for the program and reviews and scores projects, approves engineering plans, and provides oversight. OBDD is responsible for managing the DWSRF and works with individual water systems on the financing of the projects. These additional non-competitive IIJA funds continue annually over five years, providing over \$145 million for DWSRF financial assistance and costs of the state agencies involved in the program. The current request of \$23.7 million is for the first annual grant and must be applied for by September 2023. This additional funding is generally administered in the same manner as the existing program funding with one major exception. At least 49% of the funds must be channeled to disadvantaged communities, whose median household income is below the statewide average, through loan principal forgiveness assistance. OHA states they will initially target all these supplemental funds to disadvantaged communities.

OHA plans to apply for this funding by the end of 2022. There is a match requirement for these additional funds starting at 10% for first two years and then 20% for the final three years of funding availability. Lottery bond proceeds are expected to be used to meet this match requirement. If awarded, OHA will request four positions to administer these additional DWSRF resources and potentially for other IIJA safe drinking programs still to be announced by the EPA (e.g., Lead Service Line Replacement). OBDD has also indicated it will need a position to meet its responsibilities with these additional resources.

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## **Item 59: Oregon Department of Forestry – America the Beautiful Challenge**

**Analyst:** Matt Stayner

**Request:** Approve, retroactively, the submission of a federal grant application to the National Fish and Wildlife Foundation in the amount of \$5 million for the America the Beautiful Challenge program.

**Analysis:** The National Fish and Wildlife Foundation consolidates funding sources from several federal agencies. The Oregon Department of Forestry (ODF) is one of five state agencies applying for an America the Beautiful Challenge (ATBC) grant, which is funded in part with IIJA funding. Under the ATBC, projects must focus on specific core areas of need including conserving and restoring various ecosystems, reconnecting wildlife corridors, increasing ecosystem resilience, and expanding access to the outdoors. ODF, if awarded the grant, will use the funds to preserve and restore forests near Lakeview, Oregon that have been adversely affected by several wildfires and extended drought. Almost all the funding (97%) will be distributed to local government and non-profit entities to carry out the various projects with the remaining retained by ODF for grant administration and oversight.

ODF notified the Legislature of its intent to apply for this funding on July 11, 2022 and submitted the grant application by July 21, 2022. The grant requires a 10% match which will be met with budgeted

agency resources and funding from the Lake County Umbrella Watershed Council. No additional ODF positions or FTE will be required.

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### **Item 61: Department of Environmental Quality – Property Reuse and Redevelopment**

**Analyst:** April McDonald

**Request:** Approve the submission of a federal grant application to the U.S. Environmental Protection Agency in the amount of \$5,500,000 over a period of five years to expediate the reuse and development of properties based on need, using environmental justice screening criteria.

**Analysis:** The Oregon Department of Environmental Quality (DEQ) is requesting authorization to apply for a \$5.5 million U.S. Environment Protection Agency (EPA) Comprehensive Environmental Response, Compensation, and Liability Act grant. Specifically, this five-year grant is from the State and Tribal Response Program which received funding through the Infrastructure Investment and Jobs Act (IIJA). The purpose of this federal grant is to enhance state and tribal cleanup programs to address recalcitrant legacy pollution. Since this program is designated as national Justice40 program, at least 40% of the funding must be directed to disadvantaged communities to address environmental justice issues and climate change impacts. Eligible uses of the grant funds include: (1) developing regulations and procedures to enhance the legal and administrative structure of a cleanup; (2) operating and monitoring institutional and engineering controls; and (3) conducting site assessment or cleanup at eligible sites.

DEQ will apply for this grant prior to September 30, 2022 and anticipates awards to be made later in 2022. There is no state match requirement. DEQ has indicated it will likely need additional position and FTE authority and it will return to the Emergency Board or the 2023 Legislature to request them.

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### **Item 65: Oregon Department of Agriculture – America the Beautiful Challenge**

**Analyst:** April McDonald

**Request:** Approve, retroactively, the submission of federal grant applications to the National Fish and Wildlife Foundation in the amount of \$4,324,000 for the America the Beautiful Challenge program.

**Analysis:** The National Fish and Wildlife Foundation consolidates funding sources from several federal agencies. The Oregon Department of Agriculture (ODA) is one of five state agencies applying for an America the Beautiful Challenge (ATBC) grant, which is funded in part with IIJA funding. Under the ATBC, projects must focus on specific core areas of need including conserving and restoring various ecosystems, reconnecting wildlife corridors, increasing ecosystem resilience, and expanding access to the outdoors. ODA, if awarded the grants, will use the funding for two projects to benefit the state's rare and native plant communities. The first addresses four invasive species by treating plant encroachment, improving habitat through fuel reduction, mitigating off-road vehicle activities, and addressing grazing conflicts with local ranchers. The second project is to develop an Oregon Seed Strategy to identify seed needs and to provide a framework for conservation and restoration of endangered plant species. This second project will follow the strategy outlined in the 2015-2020 National Seed Strategy. The grant application designates \$0.7 million for planning and \$3.6 million for implementation.

ODA notified the Legislature of its intent to apply for this funding on July 11, 2022 and submitted the grant application by July 21, 2022. The grant requires a 10% match which the agency will meet with contributions from a variety of partners including state agencies, federal agencies, and other partner entities.

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#### **Item 68: Water Resources Department – High Hazard Potential Dams**

**Analyst:** Matt Stayner

**Request:** Approve, retroactively, the submission of a federal grant application to the Federal Emergency Management Agency (FEMA) in an amount of up to \$1 million for the High Hazard Potential Dams Program.

**Analysis:** The Water Resources Department (WRD) is requesting retroactive authority to apply for a grant from FEMA for federal fiscal year 2022 for the High Hazard Potential Dams Program. Funding for this program is used to provide financial assistance to dam owners for planning, design, and preconstruction costs of rehabilitation of state regulated dams in poor or unsatisfactory condition. WRD has received funding through this program for the past three years. This formula driven funding is based on the number of eligible dams in Oregon relative to the number of dams in all other states applying for the grant. This grant opportunity represents additional IJA funding for the program.

WRD notified the Legislature of its intent to apply for this funding on June 13, 2022 and submitted the grant application on July 13, 2022. It is anticipated the grant will be awarded later in September 2022. A match of 35% is required which is to be provided by the dam owners of the projects selected for funding. WRD does not require additional positions or FTE.

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#### **Item 69: Water Resources Department – Dam Safety Program**

**Analyst:** Matt Stayner

**Request:** Approve, retroactively, the submission of a federal grant application to the Federal Emergency Management Agency (FEMA) for an amount of up to \$200,000 for the Dam Safety Program.

**Analysis:** The Water Resources Department (WRD) is requesting retroactive authority to apply from FEMA up to \$200,000 in additional IJA funding for the National Dam Safety Program. This program is for strengthening dam safety program in the states and will be used for dam safety inspections, emergency preparedness, updating and exercising emergency action plans, and for staff costs related enforcement actions. This funding will augment the ongoing program funding which has averaged approximately \$90,000 annually.

WRD notified the Legislature of its intent to apply for this funding on June 13, 2022 and submitted the grant application on July 14, 2022. The agency has been preliminarily notified it will receive \$152,244 in these additional IJA funds. No state match is required, and the agency does not anticipate the need for additional position or FTE authority.

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## Item 70: Oregon Parks and Recreation Department – America the Beautiful Challenge

**Analyst:** Matt Stayner

**Request:** Approve, retroactively, the submission of a federal grant application to the National Fish and Wildlife Foundation in the amount of \$350,000 for the America the Beautiful Challenge program.

**Analysis:** The National Fish and Wildlife Foundation consolidates funding sources from several federal agencies. The Oregon Parks and Recreation Department (OPRD) is one of five state agencies applying for an America the Beautiful Challenge (ATBC) grant, which is funded in part with IJA funding. Under the ATBC, projects must focus on specific core areas of need including conserving and restoring various ecosystems, reconnecting wildlife corridors, increasing ecosystem resilience, and expanding access to the outdoors. OPRD will use funds, if awarded, to actively restore natural areas and to improve sustainability and resiliency of the state natural areas system through strategic planning. This planning will include assessment of needs in the face of climate change and natural disruptions, identification of natural areas at risk and replacement areas to provide more effective climate resiliency, and designation of new natural areas. Funding will also be used to establish a Natural Areas Program website to make the program's information and data more accessible. OPRD will partner with Portland State University's Oregon Biodiversity Information Center for this grant.

OPRD notified the Legislature of its intent to apply for this funding on July 5, 2022 and submitted the grant application by July 21, 2022. The grant requires a 10% match which the agency will meet with in-kind staff support from OPRD and its partners. No additional positions or FTE will be required.

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## Item 74: Oregon Department of Fish and Wildlife – America the Beautiful Challenge

**Analyst:** April McDonald

**Request:** Approve, retroactively, the submission of federal grant applications to the National Fish and Wildlife Foundation in the amount of \$14,873,310 for the America the Beautiful Challenge program.

**Analysis:** The National Fish and Wildlife Foundation consolidates funding sources from several federal agencies. The Oregon Department of Fish and Wildlife (ODFW) is one of five state agencies applying for an America the Beautiful Challenge (ATBC) grant, which is funded in part with IJA funding. Under the ATBC, projects must focus on specific core areas of need including conserving and restoring various ecosystems, reconnecting wildlife corridors, increasing ecosystem resilience, and expanding access to the outdoors. ODFW, if awarded the grants, will use the funding for six specific projects to restore habitats, connect landscapes, and coordinate partnerships. The six projects and the amount of requested funding are: (1) *Minam River Wildlife Land Acquisition* (\$5 million) to link wildlife habitat from National Forest and the Eagle Cap Wilderness Area with the Minam State Recreation Area for elk, mule deer and other wildlife area; (2) *Cub Creek Habitat Restoration Project* (\$1.4 million) for restoring watershed health in fire impacted areas by providing spawning and rearing habitat; (3) *Wildlife Crossing Structures to Reconnect Habitat and Reduce Wildlife Collisions* (\$2.6 million) for projects in six locations across the state; (4) *Klamath Siskiyou Oak Network Upper Rogue Oak Initiative* (\$4.5 million) to reduce the two highest ranked threats to oak related ecosystems through restoration actions; (5) *Foley Complex Fish Passage Improvement Project* (\$1 million) in Central Oregon to increase fish production through

realignment of a stream and a road, relocation of a bridge, reshaping a floodplain, and removal of culverts and stream fords; and (6) *Willamette Valley Oak Prairie Cooperative* (\$0.5 million) for identifying and planning for restoration projects totaling 500 acres.

ODFW notified the Legislature of its intent to apply for this funding on July 7, 2022 and submitted the grant application by July 21, 2022. The grants require a 10% match which will be met with contributions from outside entities such as the Rocky Mountain Elk Foundation and Oregon Wildlife Foundation, utilities such as PGE and Bonneville Power Administration, and state agencies such as ODFW and the Oregon Watershed Enhancement Board. No additional positions or FTE will be required.

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#### **Item 75: Oregon Department of Fish and Wildlife – Restoring Fish Passage**

**Analyst:** April McDonald

**Request:** Approve, retroactively, the submission of two federal grant applications to the National Oceanic and Atmospheric Administration (NOAA) in the amount of \$8,527,743 for restoring fish passage in the Wallowa River basin and the North Fork Klaskanine River basin.

**Analysis:** The Oregon Department of Fish and Wildlife (ODFW) is requesting to apply retroactively from the Department of Commerce’s National Oceanic and Atmospheric Administration (NOAA) for funding through the Restoring Fish Passage through Barrier Removal Program with the goals of rebuilding sustainable fisheries, assisting the recovery of threatened and endangered species, enhancing watershed health, and assisting underserved communities with local employment. This IJA funded program provides financial and technical assistance for improving fish passage including removal of dams and other in-stream barriers for migratory or sea-run fish. ODFW is applying for two projects in this grant request. The first is in the Wallowa River basin (\$5 million) in Northeast Oregon and is planned to improve structures with inadequate fish passage and screening to assist in reintroducing Sockeye salmon and improve habitat for Snake River steelhead, bull trout, and spring Chinook salmon. The second project is located on the North Fork of the Klaskanine River (\$3.5 million) and improves wild fish access. This project addresses the only remaining physical fish barrier (Ogee-Crest dam) which opens 12 miles of native fish habitat. Species expected to benefit from this project include Pacific Lamprey, Coho salmon, winter steelhead, and coastal cutthroat trout.

ODFW notified the Legislature of its intent to apply for the grant on July 28, 2022 and applied for the grant on August 15, 2022. Grant awards are to be announced in December 2022 and funding must be spent by end of 2025. There is no match requirement for these grants.

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#### **Item 76: Oregon Department of Fish and Wildlife – Legacy Roads and Trail Remediation Program**

**Analyst:** April McDonald

**Request:** Approve, retroactively, the submission of a federal grant application to the United State Forest Service in the amount of \$1 million for addressing fish passage in the Illinois basin and to update the fish passage barrier database.

**Analysis:** The Oregon Department of Fish and Wildlife (ODFW) is requesting authority to establish a Good Neighbor Authority agreement with the USFS for funding from the Legacy Roads and Trail Remediation Program. This program was defunded in 2018, but the IJA provides funding again for the program to support projects by removing or improving culverts to allow fish passage. The program emphasizes areas where USFS roads contribute to water quality problems in streams supporting threatened, endangered, and sensitive species or community water sources. Most of the requested funding (\$960,000) is for replacing two culverts in the Illinois River basin and to complete design work for removal of a dam. The agency says these projects have owner support and will be beneficial to Coho salmon, winter steelhead, and cutthroat spawning and rearing habitat. The remaining \$40,000 of grant funding will be directed to updating ODFW's fish passage barrier database as required in statute and to assess potential barriers to fish passage downstream from Forest Service lands where barrier information is lacking.

ODFW notified the Legislature of its interest in entering into a Good Neighbor agreement on August 1, 2022 and anticipates being notified in the Fall of 2022 on whether it has been approved by the Forest Service. There is no matching requirement for these funds. The agency indicates that no additional position and FTE authority will be required.

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**Recommendation:** The Legislative Fiscal Office recommends that the Emergency Board approve the 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

Kate Brown, Governor

Higher Education Coordinating Commission

Ben Cannon, Executive Director

3225 25th Street SE

Salem, OR 97302

[www.oregon.gov/HigherEd](http://www.oregon.gov/HigherEd)

August 22, 2022

Senator Peter Courtney, Co-Chair  
Representative Dan Rayfield, Co-Chair  
Joint Emergency Board  
900 Court Street NE  
H-178 State Capitol  
Salem, OR 97301

Dear Co-Chairs:

## **Nature of the Request**

The Higher Education Coordinating Commission (HECC) requesting retroactive approval to apply for a federal funding opportunity from the National Fish and Wildlife Foundation (NFWF) in the amount of \$5 million through the [America the Beautiful Challenge](#). An independent 501(c)(3) nonprofit organization, NFWF was created by Congress in 1984 and is the nation's largest private conservation grant-maker governed by a 30-member Board of Directors approved by the US Secretary of the Interior. The *America the Beautiful Challenge* coordinates funding from multiple federal agencies and private philanthropy into one competitive grant program. This funding opportunity was launched through the passage of the Infrastructure Investments & Jobs Act (IIJA).

The *America the Beautiful Challenge* is intended to support locally led ecosystem restoration projects that invest in watershed restoration, resilience, equitable access, workforce development, corridors and connectivity, and collaborative conservation. This federal opportunity was released on May 19, 2022, and the due date for application is July 21, 2022.

## **Agency Action**

On July 5<sup>th</sup>, 2022 HECC sent in a Letter of Notification regarding this grant and applied July 21<sup>st</sup>, 2022. Any funds received from the America the Beautiful Challenge will be used as pass-through grant dollars that can be awarded to qualifying youth workforce development organizations to:

- **Reduce Risk:** Performing fuel reduction projects within the Wildland Urban Interface that reduces the risk wildfire poses to communities and critical infrastructure by helping to create fire-adapted communities and maintaining defensible space requirements.



- **Workforce Training:** Closing employment gaps, particularly for underserved and underrepresented communities, by providing young Oregonians with valuable work experience that promotes the development of essential employability skills.

Funds received would be distributed through an existing competitive Request for Application (RFA) process. This RFA currently is funded by state General Funds. Senate Bill 762 (2021) established the Oregon Conservation Corps (OCC) Program for the purpose of reducing the risk wildfire poses to communities and critical infrastructure, create fire-adapted communities, and engaging youth and young adults between 13 and 26 years of age in workforce training. HECC coordinates with the Oregon Department of Forestry and the Office of State Fire Marshall to ensure projects are coordinated and non-duplicative at the local community level. Performance, timelines, and updates are reported to the Governor's Wildfire Program Advisory Council as well as periodic reports to the Senate Interim Committee on Natural Resources and Wildfire Recovery. The Oregon Conservation Corps was funded with one-time funding for the 2021-2023 biennium with \$12.5 million General Fund. There is a 10% match requirement of which 2.5% must be cash for this federal grant. HECC anticipates using part of existing General Fund as match.

The *America the Beautiful Challenge* opportunity aligns with OCC strategic efforts to provide grants funding to organizations across the state to aid in reducing wildfire risk to communities while providing workforce training to the next generation of land managers. Notification of award is expected in early November.

#### **Action Requested**

HECC requests retroactive approval to apply for a grant in the amount of \$5 million from the National Fish and Wildlife Foundation [America the Beautiful Challenge](#), as provided by IJA.

#### **Legislation Affected**

None

Sincerely,



Ben Cannon, Executive Director

Higher Education Coordinating Commission



OFFICE OF THE DIRECTOR

Kate Brown, Governor

Oregon  
**Health**  
Authority

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August 23, 2022

Senator Peter Courtney, Co-Chair  
Representative Dan Rayfield, Co-Chair  
Joint Emergency Board  
900 Court Street NE  
H-178 State Capitol  
Salem, OR 97301

Dear Co-Chairs:

**Nature of the Request:**

The Oregon Health Authority (OHA) Public Health Division is requesting approval to apply for the 2022 Bipartisan Infrastructure Law (BIL) General Supplemental federal grant offered by the U.S. Environmental Protection Agency (EPA) through our existing Drinking Water State Revolving Loan Fund (DWSRF) program. Oregon's DWSRF program provides low-cost loans to community and nonprofit non-community water systems for planning, design, and construction of drinking water infrastructure improvements that are necessary to ensure that public water systems provide safe drinking water that meets water quality standards. These grant funds are non-competitive and were allocated to Oregon through the recent passage of the federal Infrastructure Investment and Jobs Act (IIJA) on November 15, 2021.

Grant funds will be made available annually over a 5-year period. States have two years to apply once the appropriation is announced. Oregon's first-year grant will be for \$23,673,000 and must be applied for by no later than the end of FFY 2023 (ending September 30, 2023). OHA intends to apply for these funds no later than the end of the 2022 calendar year.

**Agency Action:**

Through its current Interagency Agreement, Oregon's DWSRF program has been jointly administered by OHA Drinking Water Services and Oregon Business Development Department (OBDD) since program inception in 1997. OBDD serves as the project financing agency that manages the project Safe Drinking Water Revolving Loan Fund (known as the Loan Fund) as well as project management, while OHA serves as the regulatory primacy agency that applies for the annual federal grants, review and rates (scores) projects, reviews and approves

engineering plans for projects, ensures loan conditions are met, and oversees program operations.

An Interagency Agreement also is in place with our Department of Environmental Quality (DEQ) partners to assist OHA with its source water protection efforts of drinking water sources throughout Oregon, which is funded through a set-aside of the DWSRF program. This partnership also includes close coordination efforts for Oregon's Drinking Water Source Protection grant and loan program, which is also jointly administered between OHA, DEQ, and OBDD.

Oregon's share of the national federal BIL General Supplemental appropriations will further contribute to Oregon's base DWSRF program to cover millions more needed (current Project Priority List requests are above \$380 million) in drinking water project expenses, but also will assist OHA with increased costs associated with the development and implementation of BIL between our OBDD and DEQ partners. DWSRF, including BIL General Supplemental funds, carve out two distinct budgetary allocations—the Loan Fund and four program set-asides. While the bulk of the grant money, according to federal program regulations, is budgeted towards projects from the Loan Fund (approximately 69 percent), up to 31 percent of the total funds may be allocated to program set-asides to cover costs associated with management and implementation of the program for both OHA and our partner agencies, such as OBDD and DEQ. The BIL General Supplemental funds will also assist in covering these increasing program costs (e.g., increased staffing) over the next 5 years and beyond.

To successfully sustain the integrity of Oregon's DWSRF program throughout the BIL funding phases (2022-2026), additional staff will be needed. While total positions are not fully known for OBDD or DEQ yet, OHA Drinking Water Services needs are shown in the next section below. The full impact that BIL funding will have on OHA and partners will be better understood in 2023.

As described in the EPA grant implementation guidance published on March 8, 2022, BIL appropriates three new sources of infrastructure grant funding that are in addition to Oregon's existing DWSRF (base) program funding:

1. General Supplemental funding (adds to the base program)
2. Lead Service Line Replacement funding
3. Emerging Contaminants funding

This request relates only to the first source, General Supplemental funding. These funds will be made available annually over a 5-year period. States have two years to apply once the appropriation is announced. Oregon’s first-year grant will be for \$23,673,000 and must be applied for by no later than the end of FFY 2023 (ending September 30, 2023). OHA intends to apply for these funds no later than the end of the 2022 calendar year.

While the exact amount for BIL funding is only known for 2022, the following table provides estimated totals for subsequent annual funding based on preliminary information from US EPA.

<b>Oregon BIL Appropriations 2022 - 2026</b>			
<b>Year</b>	<b>General Supplemental</b>	<b>Lead Service Line Replacement</b>	<b>Emerging Contaminant</b>
<b>2022</b>	\$ 23,673,000	\$ 37,300,000	\$ 9,940,000
<b>2023</b>	\$ 27,345,669	\$ 37,300,000	\$ 9,940,000
<b>2024</b>	\$ 29,841,800	\$ 37,300,000	\$ 9,940,000
<b>2025</b>	\$ 32,325,512	\$ 37,300,000	\$ 9,940,000
<b>2026</b>	\$ 32,325,512	\$ 37,300,000	\$ 9,940,000
<b>Total</b>	\$ 145,511,493	\$ 186,500,000	\$ 49,700,000

BIL General Supplemental grant funds require a 10 percent state match during the first two years, then a 20 percent match for the next 3 years, which is the same as the DWSRF base program. Lottery bond funds are made available through the Special Public Works Fund (“Water Fund”) that is administered by OBDD and used to provide DWSRF matching funds. This same state matching fund practice will be used to cover the mandated BIL General Supplemental match funds for all 5 years. Additionally, it is Oregon’s practice to expend its match dollars prior to Federal Funds to remain compliant with the federal state match requirement.

The 2022 BIL General Supplemental mandates that a 49 percent subsidy be provided only for disadvantaged Oregon communities, which are defined as those with a median household income (MHI) below the statewide median. This equates to approximately \$11.6 million that must be provided as loan principal forgiveness to low-income communities. The remainder of the projects will be funded with low-cost loans, with rates as low as 1 percent and terms up to 30 years. Like many states, OHA plans to target all the 2022 BIL General Supplemental funds towards disadvantaged communities only. This strategy may change based on future project

demand and any federal requirement adjustments that may occur. DWSRF (base) Loan Fund dollars will continue to be used for any eligible system throughout Oregon. Eligible public water systems that are not able to be funded with either BIL General Supplemental or DWSRF (base) funds will be considered for other funding opportunities internally with OBDD or other funding partners.

The same eligibility criteria for entities and projects that apply under the DWSRF base program also apply to the BIL General Supplemental grant funds. Public water systems regulated under the Safe Drinking Water Act and classified as either community systems or non-profit, non-community systems are eligible for DWSRF financing. A wide range of infrastructure projects are eligible, with priority given to those addressing public health risks or necessary to achieve compliance. Ineligible projects are those relating to operations and maintenance, serving new growth, or principally serving fire suppression flow needs.

These grant funds will also contribute to the OHA strategic goal of eliminating health inequities by allocating nearly half of funds (49 percent) to disadvantaged communities and by prioritizing projects with both the greatest public health need and financial need, based on income, poverty rates and other demographic criteria.

To accommodate the increase in workload to administer the additional funding and projects, OHA will request the following four permanent, full-time positions if OHA's application is successful.

<b>Classification</b>	<b>Responsibilities</b>
Program Analyst 3	Program administration, project review, grant administration.
Research Analyst 3	Manage additional projects related to analysis of water system compliance trends, assessing system capacity and prioritizing systems in need of assistance.
Natural Resources Specialist 4	Coordinate technical assistance and reviews related to infrastructure projects and to manage work related to lead service line inventories.
Fiscal Analyst 2	Process fiscal transactions, track expenditures against grant budgets. Coordinate with program staff and managers.

Throughout the five years of BIL funding, states are allowed to fund existing projects that are already on the DWSRF program's Project Priority List (PPL). However, increased marketing strategies are also being considered, which include (but not limited to): a newsletter sent out every 2 months via GovDelivery (listserv); increased information sharing with all partners for dissemination; and, multiple presentations at drinking water meetings and conferences. These marketing efforts will assist Oregon's DWSRF program in keeping a robust PPL and ensures these federal funds reach all corners of Oregon.

For projects to get placed on the PPL, they first must submit a Letter of Interest for consideration. As noted above, to be eligible, the entity must be a regulated public water system with an eligible project. Once LOIs have been submitted, their projects are rated (i.e., scored) using established criteria, which are designed to favor projects that address risks to human health, compliance issues, or consolidation projects that address technical, managerial, or financial capacity problems. Additionally, communities with higher poverty and unemployment rates also receive more points.

Both Oregon's Drinking Water and Clean Water State Revolving Fund (administered by DEQ) programs recognize this historic opportunity to secure additional federal funding to help address health risks, compliance issues, aging infrastructure, inequities with disadvantaged communities, and opportunities to meet climate change. Therefore, increased coordination efforts continue to take place to meet this challenge.

In addition to the historical and strong relationships OHA has with OBDD and DEQ, we have received support from OHA's Drinking Water Advisory Committee (DWAC) and most recently, OBDD's Infrastructure Finance Authority (IFA) Board to proceed with these much-needed funding efforts. Multiple workgroups, with the involvement of interagency staff, have also been formed and have met numerous times to plan, develop, and prepare the BIL General Supplemental program for implementation.

**Action Requested:**

The OHA Public Health Division requests approval to apply for the 2022 BIL General Supplemental federal grant offered by the EPA, as provided by IJA. If the EPA approves funding, OHA will request approval for additional Federal Funds limitation and additional position authority for four new positions to be supported by grant funds.

Senator Peter Courtney  
Representative Dan Rayfield  
August 23, 2022  
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**Legislation Affected:**

None.

Sincerely,

A handwritten signature in blue ink, appearing to read 'P. Allen', with a long horizontal stroke extending to the right.

Patrick M. Allen  
Director

EC: Patrick Heath, Department of Administrative Services  
George Naughton, Department of Administrative Services  
Tom MacDonald, Legislative Fiscal Office  
Amanda Beitel, Legislative Fiscal Office



# Oregon

Kate Brown, Governor

Department of Forestry

State Forester's Office

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August 22, 2022

Senator Peter Courtney  
Representative Dan Rayfield  
900 Court Street NE  
H-178 State Capitol  
Salem, OR 97301

**RE: Retroactive Approval Letter – America the Beautiful Challenge Grant Application**

Dear Co-Chairs:

This letter serves as a request for retroactive approval for the Oregon Department of Forestry's application for the America the Beautiful Challenge. The department submitted the 10-day notification letter on July 11, 2022. The proposal submission deadline was July 21, 2022.

Intended to streamline grant funding opportunities for new conservation and restoration projects around the United States, the America the Beautiful Challenge consolidates funding from multiple federal agencies and the private sector to enable applicants to conceive and develop large-scale projects that address shared funder priorities and span public and private lands. ODF is working with partners to propose a \$5 million project to preserve and restore forests near Lakeview, Ore., that have been heavily impacted by several wildfires and extended drought. The funding for this project would be from U.S. Department of Interior conservation and restoration funds that are designated for implementation projects.

Of the \$5 million request, 97% of the funds will be sub-granted to local government and non-profit entities to carry out the project. ODF will retain 3% of the funds awarded for project oversight. The required match formula is 90% federal share and 10% recipient match. Of the 10% recipient match, there is a minimum 2.5% in cash match. ODF intends to provide \$40,000 in personnel costs to support the cash-match requirement, with project partner Lake County Umbrella Watershed Council contributions comprising the remainder. ODF's centralized grant management staff will assist with grant reporting and other grant administration functions and a Lakeview-based forester will provide local oversight of the project work. No additional FTE will be needed, as ODF will be sub-granting the majority of funds to local governments for project completion. Meeting the match requirement should not have an impact on delivery of budgeted services or performance measures.

Thank you in advance for your consideration.

Sincerely,





Cal Mukumoto  
Oregon State Forester  
(503) 945-7211

- c: Jason Miner, Governor's Office  
Oregon Board of Forestry  
Matt Stayner, Legislative Fiscal Office  
Sione Filimoehala, Chief Financial Office



# Oregon

Kate Brown, Governor

Department of Environmental Quality

Agency Headquarters

700 NE Multnomah Street, Suite 600

Portland, OR 97232

(503) 229-5696

FAX (503) 229-6124

TTY 711

August 24, 2022

Senator Peter Courtney, Co-Chair  
Speaker Dan Rayfield, Co-Chair  
State Emergency Board  
900 Court Street NE  
H-178 State Capitol  
Salem, OR 97301

Dear Co-Chairs,

### **Nature of the Request**

The Department of Environmental Quality respectfully requests approval to submit an application to the Environmental Protection Agency (EPA) for Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) 128(a) State and Tribal Response Program (STRP) Infrastructure Investment and Jobs Act (IIJA) Funding. If approved, DEQ intends to submit a funding request for \$5.5 million over five years. The request and award do not require a state match. The application period for this federal grant closes September 30, 2022.

### **Agency Action**

The passage of IIJA in November 2021 provides states and tribes with \$300 million over five federal fiscal years (FY22-FY26) to enhance state and tribal cleanup programs with the intent to tackle recalcitrant legacy pollution across the country. This funding is focused on expediting the reuse and redevelopment of properties while prioritizing work based on need using environmental justice screening criteria. Specifically, EPA plans to award this funding in accordance with the priorities of the Justice40 Initiative, which promises to deliver at least 40 percent of the overall benefits from federal dollars to disadvantaged communities to address environmental justice issues and climate change impacts.

Eligible activities for this funding include, but are not limited to, the following:

- developing regulations and procedures that enhance the administrative and legal structure of a cleanup program;
- establishing and maintaining the required public record;
- long-term operating, maintaining, and monitoring of institutional controls and engineering controls; and
- conducting site assessment or cleanup at eligible sites. EPA strongly encourages states to support and seek out public input from communities with health risks related to exposure to hazardous waste, those in economically disadvantaged or remote areas, and those with limited experience working with government agencies.

**Action Requested**

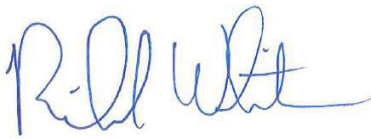
DEQ requests approval to submit a funding request to EPA for \$5.5 million over five years. The request and award do not require a state match. EPA intends to announce awards in the fall of 2022 and begin funding on January 1, 2023.

If the grant application is successful, DEQ may return to the Legislature for increased federal funds expenditure limitation and position authority if we are not able to accommodate the grant within existing resources.

DEQ is very excited for this opportunity to provide assistance to underrepresented communities and to build program capacity.

Thank you for your review of this request letter. Please do not hesitate to reach out with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Richard Whitman". The signature is fluid and cursive, with the first name "Richard" and last name "Whitman" clearly distinguishable.

Richard Whitman  
Director



**OREGON  
DEPARTMENT OF  
AGRICULTURE**

*Protect. Promote. Prosper.*

635 Capitol St NE, Salem, OR 97301-2532  
503.986.4550 | [Oregon.gov/ODA](http://Oregon.gov/ODA)

August 20, 2022

Senator Peter Courtney, Co-Chair  
Representative Dan Rayfield, Co-Chair  
Joint Emergency Board  
900 Court Street NE  
H-178 State Capitol  
Salem, OR 97301

Dear Co-Chairs:

**Nature of the Request**

The Oregon Department of Agriculture (ODA) requests retroactive approval to apply for the National Fish and Wildlife Foundation (NFWF) America the Beautiful Challenge (ATBC) grants. The ATBC is a new grant program to fund priority species- or habitat-focused conservation and restoration projects across the United States. The ODA submitted two proposals under the Implementation and the Planning, Collaboration, and Engagement grant categories. Only states, U.S. territories, or Tribes may apply for funding under these grant categories.

The grant would fund two projects intended to benefit Oregon's rare and native plant communities. The first project will further the recovery of four state-listed threatened and endangered plants by treating invasive plant encroachment, improving habitat conditions through fuel reduction and revegetating with native plants, mitigating off-road vehicle activities, and addressing grazing conflicts through partnerships with local ranchers. These efforts are a continuation of the ODA Native Plant Conservation Program's (NPCP) ongoing conservation activities aimed at recovery and de-listing of each of the four species and their critical habitats. The second project will develop an Oregon Seed Strategy to identify native-seed needs across the state and provide a framework for future conservation and restoration efforts for rare and endangered plants. This document will follow the strategy outlined in the 2015-2020 National Seed Strategy and will be tailored to Oregon's unique and diverse habitats. This work directly supports the ODA's mandate to review Oregon's list of threatened and endangered plants by helping track and assess the status of rare plants across Oregon.

Both grant proposals have support from organizations across Oregon, including the Confederated Tribes of the Grand Ronde, Confederated Tribes of the Siletz Indians, the Bureau of Land Management, the Army Corps of Engineers, Oregon Parks and Recreation Department, Umpqua Native Plant Partnership, and the Native Plant Society of Oregon, among others.

### **Federal Grant Information**

The ATBC is a competitive grant that has a non-federal match requirement of 10%, of which 2.5% must be cash. The ODA requested \$3,607,000 (implementation proposal) and \$717,000 (planning proposal) in federal funds and the cost share will be met by a combination of cash and in-kind personal services from the U.S. Forest Service (\$110,000), Bureau of Land Management (\$60,000), U.S. Fish and Wildlife Service (\$80,000), Cow Creek Tribe (\$600), Oregon Parks and Recreation Department (\$5,000), Institute for Applied Ecology (IAE) (\$431,000), The Understory Initiative (TUI) (\$95,000), Wallowa Resources (\$5,000), Oregon Biodiversity Information Center (ORBIC) (\$11,692), Southern Oregon Forest Restoration Collaborative (\$152,000), Elkton Reserve (\$10,000), OregonFlora (\$10,096), Rae Selling Berry Seed Bank & Plant Conservation Program (\$10,000), Rogue Native Plant Partnership (\$1,000), Native Plant Society of Oregon (\$500), Carbon River Holdings, LLC (\$8,000), and ODA (\$25,000). Approximately \$85 million USD are available in this funding cycle, which will occur annually over 5 years (through 2026). This funding opportunity was published in May 2022 and closed July 21<sup>st</sup>, 2022.

The ODA will develop inter-governmental agreements with fellow member organizations of the recently formed Oregon Native Plant Conservation Coalition. Partnering organizations will execute project objectives and ODA will provide facilitation, project and grant management, and oversight of core partners. Coalition partners include U.S. Fish and Wildlife Service, U.S. Forest Service, Rae Selling Berry Seed Bank, ORBIC, OregonFlora, Institute for Applied Ecology, The Understory Initiative, and Wallowa Resources. The Coalition's mission is to address Oregon native plant conservation issues at the state-level through the pooling of resources and information to further the protection of threatened and endangered plant species.

### **Action Requested**

The ODA respectfully requests retroactive approval to apply for the National Fish and Wildlife Foundation America the Beautiful Challenge grant.



Senator Peter Courtney, Co-Chair  
Representative Dan Rayfield, Co-Chair  
August 20, 2022  
Page 3

**Legislation Affected**

If the grant application is successful, ODA may return to the Legislature for increased federal funds expenditure limitation if ODA is not able accommodate the grant within existing budget authority.

Sincerely,



Alexis M. Taylor, Director  
Oregon Department of Agriculture





# Oregon

Kate Brown, Governor

**Water Resources Department**

North Mall Office Building  
725 Summer St NE, Suite A  
Salem, OR 97301  
Phone (503) 986-0900  
Fax (503) 986-0904  
[www.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)

August 10, 2022

Senator Peter Courtney, Co-Chair  
Representative Dan Rayfield, Co-Chair  
Joint Emergency Board  
900 Court Street NE  
H-178 State Capitol  
Salem, OR 97301

Dear Co-Chairs,

## **Nature of the Request**

The Oregon Water Resources Department (Department) respectfully submits this letter requesting retroactive approval to apply for the fiscal year 2022 Federal Emergency Management Agency (FEMA) High Hazard Potential Dam (HHPD) grant opportunity. The agency submitted a 10-day request on June 13, 2022. The HHPD grant program funds planning, design, and construction for rehabilitation of state regulated dams in poor or unsatisfactory condition. The Department has applied for and received this federal grant in 2019, 2020, and 2021 and it is a vital financial resource for our continued work. As a result of the infusion of Infrastructure Investment and Jobs Act (IIJA) funds, in fiscal year 2022 the Department will be eligible to receive more funds than what is approved in the legislatively approved budget, thus triggering the need for the letter process. We anticipate the award amount will not exceed \$1,000,000 as the fiscal year 2022 award amount continues to be based on a formula considering the number of eligible dams in Oregon with the number of eligible dams in all other states applying for this grant. The grant will be awarded in September 2022.

## **Agency Action**

The grant requires administration by the Department's Dam Safety Program. The grant requirements are consistent with and would support the Department's dam safety activities authorized by ORS 540.443 to 540.491. The grant requires a 35 percent cost match which will be provided by the dam owner(s) of the project(s) selected for funding. Projects will be selected based on the risk each dam poses to public safety. No additional state funds are requested or necessary for the Department to apply for and implement this grant. The Department submitted the application for funding on July 13, 2022.

### **Action Requested**

The Oregon Water Resources Department requests permission to apply for an anticipated amount of federal funds not to exceed \$1,000,000. Should funding be awarded to the Department, the federal fund expenditure limitation will be requested in a separate letter to the December Emergency Board. The grant funds would be used to support necessary dam owner and local government planning, design, and other pre-construction activities.

### **Legislation Affected**

Not applicable.

Thank you for your consideration of this request. For additional information, please contact Lisa Snyder, Administrative Services Division Administrator, at (503) 983-5801.

Sincerely,



Thomas M. Byler  
Director

c: Amanda Beitel, Legislative Fiscal Office  
George Naughton, Chief Financial Office  
Matt Stayner, Legislative Fiscal Office  
Sione Filimoehala, Department of Administrative Services  
Adam Crawford, Department of Administrative Services  
Courtney Warner-Crowell, Governor's Office  
Morgan Gratz-Weiser, Governor's Office





# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building  
725 Summer St NE, Suite A  
Salem, OR 97301  
Phone (503) 986-0900  
Fax (503) 986-0904  
[www.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)

August 10, 2022

Senator Peter Courtney, Co-Chair  
Representative Dan Rayfield, Co-Chair  
Joint Emergency Board  
900 Court Street NE  
H-178 State Capitol  
Salem, OR 97301

Dear Co-Chairs,

### **Nature of the Request**

The Oregon Water Resources Department (Department) respectfully submits this letter requesting retroactive approval to apply for the fiscal year 2022 Federal Emergency Management Agency (FEMA) National Dam Safety Program (NDSP) grant opportunity. The NDSP grant program provides financial assistance to states for strengthening their dam safety programs. The Department has applied for and received this federal grant every year since 2010 and it is a vital financial resource for our continued work. As a result of the infusion of Infrastructure Investment and Jobs Act (IIJA) funds, in fiscal year 2022 the Department will be eligible to receive more funds than what is approved in the legislatively approved budget, thus triggering the need for the letter process. We anticipate the award amount will not exceed \$200,000. In past funding cycles the Department has been awarded an average of about \$90,000 per funding cycle. The grant will be awarded in September 2022.

### **Agency Action**

The grant requires administration by the Department's Dam Safety Program. The grant requirements are consistent with and would support the Department's dam safety activities authorized by ORS 540.443 to 540.491. The current grant provides about \$90,000 in assistance to Oregon's Dam Safety Program annually. No additional state funds are requested or necessary for OWRD to apply for and implement this grant. The Department submitted the application for funding on July 14, 2022.

### **Action Requested**

The Oregon Water Resources Department requests retroactive permission to apply for an anticipated amount of federal funds not to exceed \$200,000. Should funding be awarded to the Department, the federal fund expenditure limitation will be requested in a separate letter to the December Emergency Board.

### **Legislation Affected**

Not applicable.

Thank you for your consideration of this request. For additional information, please contact Lisa Snyder, Administrative Services Division Administrator, at (503) 983-5801.

Sincerely,



Thomas M. Byler  
Director

- c: Amanda Beitel, Legislative Fiscal Office  
George Naughton, Chief Financial Office  
Matt Stayner, Legislative Fiscal Office  
Sione Filimoehala, Department of Administrative Services  
Adam Crawford, Department of Administrative Services  
Courtney Warner-Crowell, Governor's Office  
Morgan Gratz-Weiser, Governor's Office



# Oregon

Kate Brown, Governor

## Parks and Recreation Department

725 Summer St. NE, Suite C

Salem, OR 97301-1271

(503) 986-0980

Fax (503) 986-0794

[www.oregonstateparks.org](http://www.oregonstateparks.org)



September 1, 2022

The Honorable Senator Peter Courtney  
The Honorable Representative Dan Rayfield  
State Emergency Board  
900 Court Street NE  
H-178 State Capitol  
Salem, OR 97301-4048

Dear Co-Chairpersons:

### **Nature of the Request:**

The Oregon Parks and Recreation Department (OPRD) requests permission to submit a grant application to the America the Beautiful Challenge (ATBC) in the amount of \$350,000. The ATBC is a new public-private grant program administered by the National Fish and Wildlife Foundation (NFWF), and consolidates funding sources from several federal agencies. The deadline for grant applications is July 21, 2022. OPRD sent a 10-day notification letter to Legislative Leadership on July 5, 2022.

### **Agency Action:**

The proposed project fits within OPRD's mission of "protecting outstanding cultural, historic and recreational sites for the enjoyment and education of present and future generations." The proposed project will undertake work to both develop management prescriptions needed to actively restore natural areas through on-the-ground work, and to improve sustainability and resiliency of the overall state natural areas system through strategic planning. Strategic planning will include: 1) assessment of priorities and needs in the face of climate change and disruptions due to catastrophic fire and disease, 2) identification of natural areas at risk and suitable replacement areas that are in areas thought to provide more effective climate resiliency and landscape level ecological value; and, 3) designation of new natural areas needed to meet the program's goal of providing stable representation of each of Oregon's significant natural habitat types for public heritage, education, and research. The project will also address backlog of natural area establishment instruments needed to finalize designation of proposed natural areas, and will create a Natural Areas Program website to make the program's information and data more accessible to stakeholders and the general public.

OPRD will partner with Portland State University's Oregon Biodiversity Information Center (ORBIC) and Oregon State University's Institute for Natural Resources (INR) to develop this work on the State Natural Areas Program's management. If funded, this project will directly support the state's Natural Areas Program planning and management activities, and it will facilitate new voluntary natural area designations across diverse ownerships.

Matching funds are required at 10% of project value. ORBIC, OPRD and other partners will provide in-kind match through staff support.

OPRD will provide staff support from existing staff that work with the State Natural Areas Program; no additional staff are needed.

**Action Requested:**

OPRD requests permission to submit a \$350,000 grant application to the America the Beautiful Challenge (ATBC). If the grant is awarded, the Department will request necessary expenditure limitation from the appropriate Legislative Committee or the Emergency Board.

**Legislation Affected:**

None.

Sincerely,



Lisa Sumption  
Director



# Oregon

Kate Brown, Governor

Department of Fish and Wildlife

Office of the Director

4034 Fairview Industrial Drive SE

Salem, OR 97302

(503) 947-6044

FAX (503) 947-6042

odfw.com

August 19, 2022

The Honorable Senator Peter Courtney, President of the Senate  
The Honorable Representative Dan Rayfield, Speaker of the House  
900 Court Street NE  
H-178 State Capitol  
Salem, OR 97301



Dear Senator Courtney and Representative Rayfield:

### Nature of the Request

The Oregon Department of Fish and Wildlife (ODFW) requests retroactive approval to submit six federal grant applications totaling \$14,873,310 to the America the Beautiful Challenge (ATBC) for the purpose of restoring habitats, connecting landscapes, and coordinating partnerships to benefit fish and wildlife in Oregon.

### Background

Many of the proposed projects are in collaboration with partners, with ODFW passing through \$7,480,652 of the federal funds requested to partners, and with non-governmental partners providing \$1,536,199 in non-state/non-federal match. State match exceeds the minimum match required because of funding from the Oregon Watershed Enhancement Board's (OWEB) Focused Investment Partnership Grant Program, and in-kind match from ODFW and the Oregon Department of Transportation (ODOT). No additional FTE are expected, and no impacts from match are anticipated on budgeted services and performance measures.

### Summary of ODFW Project Proposals

ODFW Project Proposal Name	Funding Request	Match Required	State Match	Partner Match
Minam River Wildlife Area Land Acquisition	\$5,000,000	\$555,555	\$0	\$555,555
Cub Creek Habitat Restoration Project	\$1,365,558	\$151,729	\$919,920 <sup>a</sup>	\$34,139
Wildlife Crossing Structures	\$2,568,096	\$285,344	\$56,850 <sup>b</sup>	\$230,000
Klamath Siskiyou Oak Network	\$4,460,196	\$495,577	\$7,047,838 <sup>c</sup>	\$0
Foley Complex Fish Passage Improvement	\$1,027,100	\$114,122	\$0	\$644,505
Willamette Valley Oak Prairie Cooperative	\$452,360	\$50,262	\$0	\$72,000
<b>Totals:</b>	<b>\$14,873,310</b>	<b>\$1,652,590</b>	<b>\$8,024,608</b>	<b>\$1,536,199</b>
			<b>Total Match: \$9,560,807</b>	

<sup>a</sup>ODFW (in-kind), <sup>b</sup>ODOT (in-kind), <sup>c</sup>OWEB (cash)

The America the Beautiful Challenge Grant Program is being administered by the National Fish and Wildlife Foundation (NFWF) through a cooperative agreement with the Department of the Interior (DOI), Department of Defense (DoD), U.S. Forest Service (USFS), and Natural Resources Conservation Service (NRCS). The ATBC was established to streamline Infrastructure Investment and Jobs Act (IIJA) grant funding opportunities that invest in watershed restoration, resilience, equitable access, corridors and connectivity, and collaborative conservation across the U.S.

For 2022, the ATBC Grant Program will be awarding approximately \$85 million apportioned among four grant categories. The grant categories have varying funding sources, purposes, cost shares, and award amounts and lengths. ODFW submitted grant applications to two of the four grant categories whose specifications are identified in the table below.

*ATBC Grant Category Specifications*

<b>Grant Category</b>	<b>Funding Source</b>	<b>Match Requirement</b>	<b>Award Length</b>	<b>Grant Purpose</b>
1 - State and Tribal Implementation Grants	DOI	10%, at least 2.5% in cash	4 years (2027)	To implement projects that address the program priorities on public, tribal, and/or private lands.
2 - Planning, Collaboration and Engagement for States and Tribes	DOI	10%, at least 2.5% in cash	1 year (2024)	To support projects that enhance local capacity to implement future on-the-ground actions through community-based assessments, partnership building, planning, and project design.

**ODFW Grant Application Summaries**

A. Minam River Wildlife Area Land Acquisition (Phase II)

*Grant Category:* 1 - State and Tribal Implementation Grants

*Project Purpose:*

Fee Title acquisition of 10,964 acres for Phase II of the Minam River Wildlife Area land acquisition. Phase I of the Minam River Wildlife Area acquisition (4,609 acres) was acquired in 2021. Phase II will link wildlife habitat from the Wallowa-Whitman National Forest and the Eagle Cap Wilderness Area to the Minam State Recreation Area at the confluence of the Minam and Wallowa Rivers. The acquisition of this property will conserve crucial winter, year-round, and transitional habitat along a migration corridor for elk, mule deer, and other wildlife. It will also conserve approximately 160 miles of perennial and intermittent streams, including a significant stretch of the Minam River, for fish and wildlife. The acquisition will also secure access to 10,964 acres of public recreational access, improve access to over 2.4 million acres of adjacent state and National Forest lands, and open new access to 40 acres of landlocked Bureau of Land Management lands.

*Relevancy to Agency:*

Based on priorities identified in the Oregon Conservation Strategy, Oregon's State Wildlife Action Plan, the Minam River Wildlife Area contains six Strategy Habitats of conservation concern, including aspen and ponderosa pine woodlands. These habitats support seven documented and 28 modeled Strategy Species, or Species of Greatest Conservation Need (SGCN). Fish and wildlife that are listed as SGCN or have cultural importance that utilize the Minam River Wildlife Area include federally threatened Chinook salmon and bull trout, great gray owl, white-headed woodpecker, Rocky Mountain tailed frog, gray wolf, elk, and bighorn sheep. Two wolf packs are known to use the area, the Bear Creek and Clark Creek packs. The Minam River Wildlife Area will also permanently protect critical wintering area used by up to 1,400 elk (roughly 60% of the population) migrating out of the Wallowa Mountains.

*Amount Requested:* \$5,000,000

*Funding Appropriations:*

All federal funds will be implemented by ODFW.

*Match Sources: (minimum required: \$555,555)*

<b>Organization</b>	<b>Amount</b>	<b>Type</b>
Rocky Mountain Elk Foundation	\$555,555	Cash

**B. Cub Creek Habitat Restoration Project**

*Grant Category:* 1 - State and Tribal Implementation Grants

*Project Purpose:*

The Lionshead Fire burned more than 44% of the Cub Creek subbasin (Clackamas River tributary), limiting production of Endangered Species Act (ESA) listed spring Chinook (threatened), coho (threatened), winter steelhead (threatened), bull trout (experimental), resident cutthroat, and lamprey in Cub Creek. The habitat remains impaired by recent fire and legacy effects of land use. The Cub Creek Habitat Restoration Project will restore watershed health by placing large wood structures within a 3.6-mile section of the fire impacted area. By installing 20 large wood structures per mile, this project will provide spawning and rearing habitat for all native fish species. Large wood structures improve pool complexity within streams that will maintain the cold-water thermal habitat for these ESA listed species. Drought conditions within this subbasin impact a wide range of species. This project will result in quantifiable and sustained habitat benefits for ESA listed species.

*Relevancy to Agency:*

This project addresses agency goals by installing large wood to address key limiting factors identified in the Lower Columbia River Conservation and Recovery Plan (ODFW 2011). The Lower Columbia River Recovery Plan for Oregon Populations of Salmon and Steelhead (2010) views the Clackamas basin as key to species recovery and eventual de-listing. The project also addresses the agency drought efforts and Climate and Ocean Change Policy by conserving cold water habitat and restoring essential salmon habitat for resilient fish populations.

*Amount Requested:* \$1,365,558

*Funding Appropriations:*

All federal funds will be implemented by ODFW.

*Match Sources: (minimum required: \$151,729)*

<b>Organization</b>	<b>Amount</b>	<b>Type</b>
Oregon Department of Fish and Wildlife	\$919,920*	In-kind
Portland General Electric	\$34,139	Cash
Total:	\$954,059	

\*State match from ODFW exceeds the minimum match required as it comes in the form of salvage logs and tree rootwads from the Lionshead fire to be placed in streams.

C. Wildlife Crossing Structures to Reconnect Habitat and Reduce Wildlife-Vehicle Collisions

*Grant Category:* 1 - State and Tribal Implementation Grants

*Project Purpose:*

Overall connectivity for wildlife is greatly reduced in Oregon by roadways as a result of habitat fragmentation, reduction in available habitat or its quality, injury and mortality as a result of animal-vehicle collisions, and behavioral avoidance. Wildlife crossing structures, when appropriately designed and sited, can significantly improve habitat connectivity for wildlife, providing safe passage over or under roadways, and decreasing wildlife-vehicle collisions. The goal of this effort is to advance wildlife passage projects in six locations throughout the state of Oregon to improve connectivity for wildlife by reconnecting habitat with the use of wildlife crossing structures across major roadways. These six locations include: US 101 between the Siuslaw River and Coos Bay, an area of high mortality for the federally threatened and SGCN coastal Pacific marten; US 30 at the Palensky Wildlife Area and US 30 at the Harborton Wetlands, both sites of high mortality for SGCN northern red-legged frog; and Interstate 84 near Meacham, US 97 south of La Pine, and US 20 near Black Butte, all areas of high mortality for migrating deer and elk, with significant concerns for public safety. Funding will be applied toward planning, including site assessments, alternatives analyses, and stakeholder engagement, design, including geotechnical assessments and engineering designs, and implementation of wildlife crossing structures and other features (e.g., directional fencing) to mitigate the effects of roadways on wildlife movement and reconnect habitat for wildlife across some of the busiest roadways in the state.

*Relevancy to Agency:*

Barriers to Animal Movement is one of seven Key Conservation Issues outlined in the Oregon Conservation Strategy. This effort would specifically support Goal 2, "Provide connectivity of habitat for the broad array of wildlife species through Oregon" and Action 2.5, "Work with ODOT, county transportation departments, and other partners to identify and address key areas of wildlife mortality on highways". Further, this effort will advance wildlife passage efforts that will directly benefit habitat connectivity and reduce mortality for a wide diversity of Oregon's wildlife species, including several SGCN and the federally threatened coastal Pacific marten.



*Amount Requested:* \$2,568,096

*Funding Appropriations:*

All federal funds will be passed through to non-governmental partner organizations (\$2,106,820) and the Oregon Department of Transportation (\$461,276).

*Match Sources: (minimum required: \$285,344)*

<b>Organization</b>	<b>Amount</b>	<b>Type</b>
Oregon Wildlife Foundation	\$80,000	Cash
Oregon Conservation and Recreation Fund	\$100,000	Cash
Columbia River Estuary Study Task Force	\$50,000	In-kind
Oregon Department of Transportation	\$56,850	In-kind
Total:	\$286,850	

**D. Klamath Siskiyou Oak Network Upper Rogue Oak Initiative**

*Grant Category:* 1 - State and Tribal Implementation Grants

*Project Purpose:*

It is estimated that less than 25% of historic prairie-oak habitat remains across the state of Oregon. The largest percentage of remaining oak habitat is located in southwest Oregon, but those habitats are threatened by both conversion and human-induced ecosystem processes. In response, this project will take restoration action that is essential, climate-smart, and will benefit wildlife and people. Guided by the Klamath Siskiyou Oak Network (KSON) Strategic Conservation Action Plan (SAP), the Upper Rogue Oak Initiative will reduce the two highest ranked threats to regional oak savanna and woodland ecosystems, fire exclusion and conifer encroachment, through restoration actions and strengthen partnerships to support future work.

The goals of this project are to: 1) catalyze tribal, federal, and private landowner collaboration, support, and capacity for oak restoration through implementation of a communication strategy, and community and tribal engagement, and 2) restore 1,240 acres of oak habitat using prescribed fire, mechanical fuel reduction, noxious weed abatement, and native understory planting. The project will assist in developing stable populations of oak-prairie-dependent wildlife species sustained by appropriate habitat structure and native plant species composition, as well as oak-prairie ecosystems that are resilient to habitat loss and degradation from climate, extreme fire, insects, and disease.

The project will be led by the Klamath Siskiyou Oak Network, which has a Working Agreement and Memorandum of Understanding that outlines their collaborative and inclusive approach toward the conservation of America's lands and waters for the benefit of all people. The partnership is locally led, and the SAP was developed with a robust, local technical advisory team with decades of experience in the region. The inclusion and recognition of the priorities of tribal nations is included in their SAP and is integral to the proposed project, as is working with private landowners. The

partnership has received funding support from the Oregon Watershed Enhancement Board (OWEB), Natural Resources Conservation Service, U.S. Fish and Wildlife Service, Bureau of Land Management, and many other sources. The Upper Rogue Oak Initiative is building off a recently awarded 7.5 million dollar investment from the OWEB, creating landscape resiliency and connectivity. This additional investment expands the geographic reach across two adjacent watersheds and advances restoration capacity in the region through shared resources and staffing.

*Relevancy to Agency:*

The conservation priorities and recommended actions identified in the Oregon Conservation Strategy helped to inform the Klamath Siskiyou Oak Network’s strategic conservation priorities. The Upper Rogue Oak Initiative project is focused on oak woodlands and prairie habitats, which are identified as Strategy Habitats, or priority habitats of conservation concern, in the Oregon Conservation Strategy. The habitat restoration efforts proposed in this project will address limiting factors and recommended conservation actions identified for a number of Strategy Species (SGCN). These include, but are not limited to, the acorn woodpecker, common nighthawk, Lewis’s woodpecker, western bluebird, western meadowlark, and white-breasted nuthatch. The project also addresses the limiting factors and recommended approaches identified in the Oregon Conservation Strategy for the Klamath Ecoregion. The Upper Rogue Oak Initiative relates to two of the six focal areas of investment identified by ODFW for Infrastructure Investment and Jobs Act funding (i.e., Wildlife Habitat Restoration and Water Resiliency in the Rogue).

The goals and outcomes of this project will: 1) benefit at-risk fish, wildlife, and plant species, 2) expand habitat connectivity, 3) provide a range of ecosystem services, 4) strengthen ecosystem and community resilience, 5) engage local communities, and 6) support tribally led conservation and restoration priorities.

*Amount Requested:* \$4,460,196

*Funding Appropriations:*

All federal funds will be passed through to non-governmental partner organizations.

*Match Sources: (minimum required: \$495,577)*

<b>Organization</b>	<b>Amount</b>	<b>Type</b>
Oregon Watershed Enhancement Board	\$7,047,838	Cash

This match is provided through OWEB’s Focused Investment Partnership Grant Program and will be used to restore oak habitat using prescribed fire, noxious weed abatement, and native understory planting.

E. Foley Complex Fish Passage Improvement Project

*Grant Category:* 1 - State and Tribal Implementation Grants

*Project Purpose:*

The Foley Creek Watershed is a tributary to Trout Creek in central Oregon. Dutchman Creek and Big Log Creek are tributaries to Foley Creek. The watershed has been severely degraded by

intensive logging, livestock grazing, and channel modification since the late 1800's. Within the project area, Foley Creek was straightened, and the channel cross-sections were simplified during construction of a road down the middle of the narrow floodplain. Dutchman Creek was diverted from its original confluence with Big Log Creek into a "ditch" next to the constructed road. At the confluence of Foley Creek and Big Log Creek water flows through perched culverts that are undersized, rusted, long, and placed at a steep gradient. This area should have high fish production, but current road alignment and steep channels have resulted in poor instream and riparian habitats. This ongoing condition has affected several life stages of ESA listed Mid-Columbia steelhead and resident redband trout and has degraded adjacent riparian habitat important to these species. Project activities involve: 1) realignment of one mile of stream, 2) reshaping and contouring of 11.2 acres of floodplain, 3) removal of two undersized culverts, 4) realigning 0.43 miles of road including relocation of a bridge, and 5) removing four stream fords.

*Relevancy to Agency:*

The Foley Complex project supports the agency mission by restoring degraded aquatic and terrestrial habitats identified in the Oregon Conservation Strategy as habitats of conservation concern (e.g., riparian habitat, wet meadow, floodplain). Summer steelhead in Trout Creek are part of the Mid-Columbia Evolutionary Significant Unit (ESU) that are presently listed as threatened under the Federal ESA. Efforts to protect and enhance salmonid populations throughout the Deschutes River Basin, and particularly in the eastside tributaries, have been ongoing for the past several decades. Habitat connectivity to the Foley Creek basin will help to restore summer Steelhead populations by providing access to important juvenile rearing habitat and cool water refuge. This project will restore stream flow, flow retention, and vigor of riparian vegetation communities consistent with the agency's goals for protecting and restoring habitats that are resilient to drought and climate change, as identified in the Climate and Ocean Change Policy and the Oregon Conservation Strategy.

*September Emergency Board Project Update:*

ODFW's letter of intent to apply for ATBC funds in July 2022 originally requested \$315,000 in federal funding for the Foley Complex Fish Passage Improvement Project; however, the agency would like to increase the funding request for this project to \$1,027,100. Project partners will still be contributing the same amount of match, which represents 38% of the updated project total.

The original cost estimate was generated from the 30% engineering design phase of the project; however, the 60% design phase has recently been completed. The estimated cost increase is due to an updated engineering assessment that found that the proposed bridge to be reused in the project was not structurally sound and an increase in contractual services is needed to purchase the bridge, structural materials, and supplies. Increased costs of the project are also attributed to inflation costs for concrete, fuel, and labor compared to 2021 estimates. There are also federal requirements from Buy America that require this bridge to be delivered to the project site from a greater distance, as well as supply chain problems, that are creating higher costs to implement the project.

*Amount Requested:* \$1,027,100

*Funding Appropriations:*

All federal funds will be implemented by ODFW.

*Match Sources: (minimum required: \$114,122)*

<b>Organization</b>	<b>Amount</b>	<b>Type</b>
Bonneville Power Administration	\$476,380	Cash
Portland General Electric	\$168,125	Cash
Total:	\$644,505	

F. Willamette Valley Oak Prairie Cooperative Priority Restoration Initiative

*Grant Category:* 2 - Planning, Collaboration and, Engagement for States and Tribes

*Project Purpose:*

Oak woodlands once covered roughly 400,000 acres in the Willamette Valley in a mosaic of prairies, oaks savanna, and riparian habitats. Today, the valley has less than five percent of its estimated historical oak woodlands that are generally found in small, isolated pockets. The Willamette Valley Oak and Prairie Cooperative (WVOPC) has a Strategic Action Plan (SAP) that was co-developed to guide protection and restoration of oak and prairie habitats in the Willamette Valley Ecoregion. Large investments have been made over the last 15 years into permanent protection and conservation easements both on private and public lands. Many of these properties are of high oak and prairie conservation value and are in need of restoration; however, the SAP is lacking an up-to-date inventory of those potential restoration sites, as well as information on what is needed to get restoration projects ready for implementation.

This project will be led by the WVOPC with an overall goal to develop a pipeline of "shovel ready" projects within the WVOPC Core Conservation Areas and strengthen the restoration supply chain in preparation for an increase in the number of acres treated within the planning area by building capacity for native understory restoration. The objectives of this project are to: 1) prioritize properties or sites already under conservation for restoration in the SAP's Core Conservation Areas, 2) complete habitat management plans, project design, and permitting on priority properties/sites so that they are considered 'shovel ready' in 2024, 3) identify future properties and landowners with oak and prairie habitat in priority areas that are interested in conservation action, and 4) address the limited availability of plants needed for successful habitat restoration and invasive species control in the Willamette Valley by sourcing and securing local/regional native plant materials. The intent of this grant will be to have 500 acres of habitat primed for oak and prairie restoration activities in 2024.

*Relevancy to Agency:*

The WVOPC Strategic Action Plan was developed to directly address limiting factors identified in the Oregon Conservation Strategy as impacting oak and prairie habitat in the Willamette Valley Ecoregion, specifically habitat fragmentation, loss to conversion, altered fire regimes, and invasive species. The WVOPC's 30-year Conservation Concept Map, including the high priority Core

Conservation Areas that will be the focus of this Initiative, was developed using data on ODFW Conservation Opportunity Areas, as well as USFWS Priority Conservation Areas, The Nature Conservancy's Key Oak Parcels, and WVOPC Steering Committee Oak-Prairie Anchor Sites.

Habitat management plans and project designs that would be developed through this proposal would include oak thinning/oak release projects, establishment of oak savanna habitat, upland and wet prairie restoration, and native understory planting. These implementation strategies will decrease habitat loss and fragmentation, promote diverse and fire-adapted oak and prairie systems, and increase the quality and function of oak and prairie habitats in the Willamette Valley Ecoregion. These impacts would benefit at least three Strategy Habitats, including oak woodlands, grasslands/prairies, and wetlands/wet prairies, as well as a large number of Strategy Species (SGCN) identified in the Willamette Valley Ecoregion. These include, but are not limited to, acorn woodpecker, western meadowlark, grasshopper sparrow, Oregon vesper sparrow, Fender's blue butterfly, Taylor's checkerspot butterfly, western gray squirrel, Kincaid's lupine, and Willamette daisy.

*Amount Requested:* \$452,360

*Funding Appropriations:*

All federal funds will be passed through to non-governmental partner organizations.

*Match Sources: (minimum required: \$50,262)*

<b>Organization</b>	<b>Amount</b>	<b>Type</b>
Willamette Partnership	\$50,000	In-kind
Greenbelt Land Trust	\$10,000	In-kind
Institute for Applied Ecology	\$10,000	Cash
Long Tom Watershed Council	\$1,000	Cash
Willamette Partnership	\$1,000	Cash
Total:	\$72,000	

### **Agency Action**

ODFW submitted its grant applications to National Fish and Wildlife Foundation July 21, 2022; ODFW anticipates notification of funding awards November 2022. ODFW anticipates making a future request for federal funds expenditure limitation if grant applications are successful.

### **Action Requested**

ODFW requests retroactive approval to submit six federal grant applications totaling \$14,873,310 to the America the Beautiful Challenge (ATBC).

### **Legislation Affected**

No legislation is affected with this request.

Sincerely,



Curtis E. Melcher  
Director



# Oregon

Kate Brown, Governor

Department of Fish and Wildlife

Office of the Director

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August 19, 2022

The Honorable Senator Peter Courtney, President of the Senate  
The Honorable Representative Dan Rayfield, Speaker of the House  
900 Court Street NE  
H-178 State Capitol  
Salem, OR 97301



Dear Senator Courtney and Representative Rayfield:

### **Nature of the Request**

The Oregon Department of Fish and Wildlife (ODFW) requests retroactive approval to submit two federal grant applications to the National Oceanic and Atmospheric Administration (NOAA) under the “Restoring Fish Passage through Barrier Removal program”, which is part of the Infrastructure Investment and Jobs Act (IIJA). The total federal funding applied for is \$8,527,743. Funding would be used for fish passage projects in the North Fork Klaskanine River and Wallowa River that will contribute to the recovery and reintroduction of native migratory fish species.

### **Background**

The principal objective of NOAA’s Restoring Fish Passage through Barrier Removal program is to provide federal financial and technical assistance to improve fish passage through the removal of dams and other in-stream barriers for native migratory or sea-run fish. Funding will be used for fish passage that rebuilds productive and sustainable fisheries, contributes to the recovery and conservation of threatened and endangered species, enhances watershed health, promotes resilient ecosystems and communities, especially in underserved communities, and improves economic vitality, including local employment.

ODFW applied for two projects under this federal funding opportunity; this federal grant opportunity does not require state match for the federal funds. The mission of the Oregon Department of Fish and Wildlife (ODFW) is to protect and enhance Oregon's fish and wildlife and their habitats for use and enjoyment by present and future generations. These two projects will improve fish passage throughout each river, reconnecting previously fragmented habitat. This results in access to additional areas for spawning and rearing. As a result, these two projects will benefit long term conservation and recovery of Oregon’s native fish, which in turn provide cultural, ecological, recreational, and economic benefits to Oregonians.

Providing fish passage throughout the Wallowa River corridor supports the long-standing goal to reintroduce Sockeye salmon to the Wallowa basin and re-establish important ecological processes, cultural connections, recreational fisheries, and economical opportunities. This project has the support of local irrigators, the Tribes, and Governor, and other portions of the project have been funded by the State Legislature. This grant will provide funds to rectify structures with inadequate fish passage and screening on the Wallowa River at the Consolidated Ditch dam. Correction of these structures is essential for successful reintroduction of Sockeye salmon, allowing access to essential habitat within Wallowa River. In addition, these projects will provide additional passage and screening benefits to ESA-listed species including Snake River steelhead, bull trout, and spring Chinook salmon. ODFW applied for \$5,027,743 to provide fish passage at the Consolidated Ditch dam.

Over the past several years, ODFW, US Fish and Wildlife (USFWS), and other stakeholders have been engaged in a process to address wild fish access on the North Fork Klaskanine River. ODFW and partners have removed an upstream barrier and constructed fish passage at a second upstream barrier. This project is the only remaining physical barrier to wild fish passage in the river and will provide access to 12 miles of native fish habitat. Providing fish passage throughout the North Fork Klaskanine River supports ODFW's goal of providing sustainable fisheries and wild fish access to important spawning and rearing habitat. This project consists of the removal of an existing Ogee-Crest dam and construction of a roughened channel to maintain the grade of the riverbed and prevent future erosion or channel embedment that would result in lost habitat. This project provides fish passage for culturally valuable Pacific Lamprey, coho salmon, winter steelhead, and coastal cutthroat trout. ODFW applied for \$3,500,000 to provide fish passage at the North Fork Klaskanine River Dam.

### **Agency Action**

ODFW submitted its grant applications to NOAA August 15, 2022; ODFW anticipates notification of funding awards December 2022. If ODFW is awarded this grant, funds would be available beginning January 1, 2023 and would need to be spent by December 31, 2025. ODFW anticipates making a future request for federal funds expenditure limitation if the grant application is successful.

### **Action Requested**

ODFW requests retroactive approval to submit two federal grant applications totaling \$8,527,743 to the National Oceanic and Atmospheric Administration (NOAA) under the "Restoring Fish Passage through Barrier Removal program".

### **Legislation Affected**

No legislation is affected with this request.



Sincerely,



Curtis E. Melcher

Director



# Oregon

Kate Brown, Governor

Department of Fish and Wildlife

Office of the Director

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August 26, 2022

The Honorable Senator Peter Courtney, President of the Senate  
The Honorable Representative Dan Rayfield, Speaker of the House  
900 Court Street NE  
H-178 State Capitol  
Salem, OR 97301



Dear Senator Courtney and Representative Rayfield:

### **Nature of the Request**

The Oregon Department of Fish and Wildlife (ODFW) has an opportunity to access \$1,000,000 federal funding from the United States Forest Service (USFS) Legacy Roads and Trail Remediation Program (LRTRP). Through Good Neighbor Authority discussions with USFS, ODFW became aware of this funding source and project opportunities. USFS does not require a grant application process; instead ODFW would set up a Good Neighbor Authority (GNA) agreement with USFS to access this funding. ODFW requests retroactive approval to accept this funding through a GNA agreement with USFS.

### **Background**

The United States Forest Service (USFS) LRTRP was authorized and funded to direct work towards urgently needed road decommissioning, road and trail repair and maintenance, and removal of fish passage barriers. The LRTRP was established in 2008 and subsequently defunded in 2018. Inclusion of the LRTRP in the Bipartisan Infrastructure Investment and Jobs Act (IIJA) means this program can once again support projects by removing or improving culverts under roads to allow fish passage. The program emphasizes areas where Forest Service roads may be contributing to water quality problems in streams that support threatened, endangered, and sensitive species or community water sources. The program delivers funds to address road problems in real time, which enables the Forest Service to efficiently plan, design, and implement restoration treatments. It is an essential tool for implementing updated and improved national forest transportation plans and watershed restoration initiatives.

\$40,000 of this funding would be used to update ODFW's fish passage barrier database, including reconciling information that are separately maintained by ODFW and USFS. Additionally, a portion of the funds would be used to conduct assessment of potential barriers downstream of USFS lands where we are currently lacking information. One of the first steps in planning for a resilient watershed and road system is to complete an inventory of stream

barriers. ODFW as directed in statute, has developed, and maintains a prioritized database of stream barriers to fish passage. Similarly, the USFS maintains their own database of barriers on USFS lands. This project would reconcile differences between these two databases that were last done in 2015. The funding would also be used to complete the validation of barriers in the database and conduct barrier assessments downstream of USFS lands in areas where they are currently lacking data, to ensure migratory fish access to USFS lands. This information is critical to making informed decisions about priority investments in fish passage and will aid ODFW in meeting its statutory obligations to develop a fish passage priority list every five years.

\$960,000 of this funding would be used to replace two culverts on a County Road in the Illinois Basin so that they meet state fish passage criteria and to complete design work for removal of a dam on Takilma Creek (tributary to Deer Creek) in the Illinois Basin. Both projects have owner support and are needed to restore passage to important coho salmon, winter steelhead, and cutthroat trout spawning and rearing habitat.

These projects support ODFW's mission by improving the quality of data in our barrier database, which is widely used to inform decisions about state and federal investments in fish passage. Additionally, removing barriers to fish passage in the Illinois Basin provides access to important spawning and rearing habitat which improves population and fishery resilience. There is no state match requirement for the federal funding through this GNA agreement.

#### **Agency Action**

LRTRP project funding is being reviewed at the national level in Washington D.C. ODFW anticipates USFS to share notification of their funding awards, from this national level review, at the end of August 2022. At that time, ODFW intends to set up a Good Neighbor Authority (GNA) agreement with USFS to access the \$1,000,000 funding. Funding will need to be spent by September 30, 2023.

#### **Action Requested**

ODFW requests retroactive approval to accept \$1,000,000 from USFS Legacy Roads and Trails Remediation program through a GNA agreement with USFS.

#### **Legislation Affected**

No legislation is affected with this request.

Sincerely,



Curtis E. Melcher  
Director