

ANALYSIS

Item 34: Department of Fish and Wildlife Wildlife Disease Detection and the Aquatic Habitat Conservation Plan

Analyst: April McDonald

Request: Increase Federal Funds expenditure limitation by \$470,000 for the Oregon Department of Fish and Wildlife for expenditure of grant funds awarded from the U.S. Fish and Wildlife Service supporting wildlife disease detection and response, as well as the development of the Private Forest Accord Aquatic Habitat Conservation Plan.

Analysis: The Department was granted retroactive approval to apply for the following two federal funding opportunities through the U.S. Fish and Wildlife Service (USFWS) at the September 2022 meeting of the Emergency Board:

- The West Coast Marine Mammal Health Coalition grant is funded by the American Rescue Plan Act and provides funding to enhance detection and response to wildlife disease outbreaks. The grant encourages wildlife agencies to coordinate efforts across jurisdictions. The Oregon Department of Fish and Wildlife (ODFW) will work alongside the Washington Department of Fish and Wildlife and Idaho Department of Fish and Game to establish and strengthen a health monitoring and research network; improve surveillance for key marine mammal health threats; establish testing protocols; and build a database to enable data sharing. There is no match requirement, nor need for additional staffing. In September 2022, ODFW received award notification of \$746,757 and will need to expend funds by September 30, 2024. The Department seeks Federal Funds expenditure limitation for anticipated current biennium expenditures in the amount of \$270,000.
- The Endangered Species Act Section 6 - Cooperative Endangered Species Conservation Fund makes possible the second grant opportunity. In October 2022, ODFW was awarded \$1 million for the development of the statewide Oregon Department of Forestry (ODF) Private Forest Accord Aquatic Habitat Conservation Plan (HCP). The Private Forest Accord (PFA), passed by the Legislature in March 2022, directed the Board of Forestry to develop new rules to implement the terms of the PFA Agreement and develop an HCP. Federal grant funding will be passed through to ODF, and the match requirement will come from ODF in the form \$200,000 cash as well as staff in-kind match. The Department seeks Federal Funds expenditure limitation for anticipated current biennium expenditures in the amount of \$200,000.

ODFW plans to return to the legislature to request the remaining balance of federal funds expenditure limitation for inclusion in the 2023-25 biennial budget.

Recommendation: The Legislative Fiscal Office recommends that the Emergency Board increase Federal Funds expenditure limitation for the Oregon Department of Fish and Wildlife by \$470,000 for awarded grant funds supporting wildlife disease detection and response, as well as the development of the Private Forest Accord Aquatic Habitat Conservation Plan.

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Department of Fish and Wildlife
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Request: Increase Federal Funds expenditure limitation by \$470,000 to expend grant funding awarded from the U.S. Fish and Wildlife Service for the Zoonotic Disease Initiative and the Aquatic Habitat Conservation Plan.

Recommendation: Approve the request.

Discussion: The Oregon Department of Fish and Wildlife (ODFW) is requesting increased Federal Funds expenditure limitation related to two grants awarded by the U.S. Fish and Wildlife Service (USFWS).

The first grant, the West Coast Marine Mammal Health Coalition, provides for protections against future pandemics and encourages coordinated efforts across jurisdictions. This grant is a collaboration among ODFW, the Washington Department of Fish and Wildlife, and the Idaho Department of Fish and Game. ODFW is requesting \$270,000 Federal Funds expenditure limitation related to this grant.

The second grant, the Aquatic Habitat Conservation Plan, was required of ODFW under Senate Bill 1501 (2022), Senate Bill 1502 (2022), and House Bill 4055 (2022), collectively known as the Private Forest Accord. The Aquatic Habitat Conservation plan is provided for through the USFWS Endangered Species Act Section 6 with the purpose of obtaining an incidental take permit for covered aquatic and amphibian species. ODFW is requesting \$200,000 Federal Funds expenditure limitation related to this grant.

Legal Reference: Increase the Federal Funds expenditure limitation established by chapter 679, section 4(1) Oregon Laws 2021, for the Department of Fish and Wildlife, Fish Division, by \$270,000 for the 2021-23 biennium.

Increase the Federal Funds expenditure limitation established by chapter 679, section 4(5) Oregon Laws 2021, for the Department of Fish and Wildlife, Habitat Division, by \$200,000 for the 2021-23 biennium.



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

October 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 \$270,000 federal funds expenditure limitation for the agency's 2021-23 biennium budget to expend grant funding awarded from the United States Fish and Wildlife Service (USFWS) for enhanced detection and response to wildlife disease outbreaks.

ODFW also requests \$200,000 federal funds expenditure limitation for the agency's 2021-23 biennium budget to expend grant funding awarded from USFWS through the Endangered Species Act Section 6 - Cooperative Endangered Species Conservation Fund (Conservation Planning Assistance Grant).

Background

The first grant, "West Coast Marine Mammal Health Coalition" is funded through the USFWS - American Rescue Plan Act funds, a new federal assistance program designed to increase readiness for wildlife agencies to protect against future pandemics and encourage coordinated efforts across jurisdictions. This grant is a collaboration among ODFW, Washington Department of Fish and Wildlife and Idaho Department of Fish and Game to establish and strengthen a marine mammal health monitoring and research network; establish and extend surveillance for key marine mammal health threats; establish sample, process, storage and archive protocols; and build a database to enable connection with or export of data. There is no state match funding requirements; and no additional position authority is needed with this funding. ODFW received approval from the September 2022 Emergency Board to apply for this federal funding opportunity; amount applied for was \$746,757.

The second grant is funded through the USFWS Endangered Species Act Section 6 - Cooperative Endangered Species Conservation Fund for the development of the statewide Oregon Department of Forestry (ODF) Private Forest Accord Aquatic Habitat Conservation Plan (HCP). Private Forest Accord (PFA), which was passed by the Oregon legislature in March 2022,

directed the Board of Forestry to develop new rules to implement the terms of the PFA Agreement and develop an HCP for the purposes of obtaining an incidental take permit under the federal Endangered Species Act for the covered aquatic fish and amphibian species. Federal grant funding will be passed through to ODF. All required non-federal match will come from ODF in the form of staff in-kind match and \$200,000 in cash match. ODFW received approval from the September 2022 Emergency Board to apply for this federal funding opportunity; amount applied for was \$1,000,000.

Agency Action

ODFW's grant application for West Coast Marine Mammal Health Coalition was approved; the agency received notification from USFWS in September 2022. Funds will need to be spent by September 30, 2024. ODFW anticipates making a future request for additional federal funds expenditure limitation for its 2023-25 biennium budget to expend remaining grant funds.

ODFW's grant application for development of Aquatic HCP by ODF was also approved; the agency received notification from USFWS in October 2022. Funds will need to be spent by September 30, 2024. ODFW anticipates making a future request for additional federal funds expenditure limitation for its 2023-25 biennium budget to expend remaining grant funds.

Action Requested

ODFW requests \$470,000 federal funds expenditure limitation for the agency's 2021-23 biennium budget.

Legislation Affected

Oregon Laws 2021, Chapter 679, Section 4(1) Fish Division: \$270,000

Oregon Laws 2021, Chapter 679, Section 4(5) Habitat Division: \$200,000

Sincerely,



Curtis E. Melcher

Director