

## ANALYSIS

### Department of Fish and Wildlife Disaster Peak Ranch Property Acquisition

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**Analyst:** John Terpening

**Request:** Acknowledge receipt of a report on the Disaster Peak Ranch Property Acquisition.

**Analysis:** In April 2021, the Oregon Department of Fish and Wildlife (ODFW) received legislative approval to apply for a federal grant through the U.S. Fish and Wildlife Service (USFWS) in the amount of \$2,750,000 for the acquisition of the Disaster Peak Ranch property. As part of that approval, the Joint Committee on Ways and Means requested that ODFW return to the 2022 Legislature and report on the progress of the grant.

The grant is part of the USFWS Cooperative Endangered Species Conservation Fund: Recovery Land Acquisitions Grant program. These grant funds are part of the Endangered Species Act Section 6(c) grants, which provides Federal financial assistance to eligible State agencies to support the development and implementation of conservation programs for the benefit of resident listed species. The Disaster Peak Ranch property is in southeastern Oregon and crosses into Nevada and has been identified as both a sage grouse stronghold and a Priority Area of Conservation by the USFWS and supports numerous fish and wildlife species. ODFW received the official grant award letter from USFWS in December 2021 and the grant award goes through September 2024. The grant requires matching funds, which ODFW can meet with \$800,000 in remaining Ruby Pipeline Funds, which are funds stipulated to be used for the purchase of property to restore priority wildlife and fish habitats.

The current owner of the property is the Western Rivers Conservancy, which is facilitating the finding of a long-term owner that, as part of managing the property, would maintain it as both a working cattle ranch and a fish and wildlife habitat. ODFW reports that Western Rivers continues to discuss potential ownership with the Department of State Lands and private entities, but that a new owner has not yet been identified.

Once a new owner is identified, ODFW will need to return to the Legislature or the Emergency Board for Other Funds and Federal Fund expenditure limitation in order to transfer those funds to Western Rivers, who would then transfer the ownership of the property to the new recipient.

**Recommendation:** The Legislative Fiscal Office recommends acknowledging receipt of the report.



# Oregon

Kate Brown, Governor

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



Dear Co-Chairpersons:

## **Nature of the Request**

The Oregon Department of Fish and Wildlife (ODFW) requests the opportunity to provide a progress report on the acquisition of the Disaster Peak Ranch property (Malheur County) to the Joint Committee on Ways and Means.

## **Agency Action**

On April 1, 2021, ODFW requested authorization from the Joint Ways and Means Committee to submit a federal grant application to the U.S. Fish and Wildlife Service in the amount of \$2,750,000 for acquisition of the Disaster Peak Ranch property. During a subsequent presentation to the Committee the agency received authorization to submit and agreed to provide an update during 2022 Legislative Session on the status of the grant application along with other information related to the final ownership of the property.

U.S. Fish and Wildlife Service notified ODFW on September 28, 2021, that the full grant amount was awarded to the state of Oregon. ODFW received the official grant award letter from U.S. Fish and Wildlife Service in December 2021. ODFW will serve as the grant recipient and will provide the funding to the current property owner, Western Rivers Conservancy, to transfer the property to another owner who will manage the property as both a working cattle ranch and as productive fish and wildlife habitat.

Western Rivers Conservancy's role is to facilitate the property acquisition; their practice is not to be a long-term landowner. ODFW has been working with Western Rivers Conservancy to submit the grant as a new owner for the property is being identified. Currently, there is still no designated recipient for the property transfer. Western Rivers Conservancy continues discussions with the Department of State Lands and private entities about their interest in owning the property long-

term. Western Rivers Conservancy will also continue working with Malheur County to ensure their participation in the process.

### **Background**

On January 8, 2021, the U.S. Fish and Wildlife Services opened the Cooperative Endangered Species Conservation Fund: Recovery Land Acquisitions Grants program. The application period closes on April 9, 2021.

ODFW is working with Western Rivers Conservancy on the acquisition of Disaster Peak Ranch. ODFW has been working with Western Rivers Conservancy to identify a long-term, owner for the property. The property will be managed with the overall objective to both continue cattle ranching and to support, enhance and recover the habitats that Lahontan cutthroat trout, greater sage grouse, and other northern basin Oregon Conservation Strategy Species depend on.

Disaster Peak Ranch is located in the Great Basin ecoregion of southeastern Oregon and northern Nevada, which sustains some of the best remaining sagebrush habitat in the West. The iconic sagebrush-steppe once covered 165 million acres across the western United States and Canada. Today, less than 10 percent of that habitat remains as suitable sage grouse habitat. As a result, more than 350 plant and animal species are at risk of local or regional extirpation, including the greater sage grouse, an iconic bird representing healthy sagebrush grasslands.

Disaster Peak Ranch includes 18 miles of McDermitt Creek and several key tributaries. The ranch and its surrounding landscape support numerous fish and wildlife species, including Lahontan cutthroat trout, greater sage grouse, Columbia spotted frog, pygmy rabbit, mule deer, California bighorn sheep, elk, bobcat, great horned owl, coyote, cougar, raccoon, muskrat, beaver, golden eagle and sandhill cranes. McDermitt Creek and the Trout Creek Mountains have been identified as both a sage grouse stronghold and Priority Area of Conservation by the U.S. Fish and Wildlife Service, the highest level of protection the bird is currently afforded. McDermitt Creek also offers the best opportunity to restore one of the West's most threatened fish species, Lahontan cutthroat trout.

This acquisition would allow for restoration and reintroduction efforts that have the potential to connect 55 stream miles of Lahontan cutthroat trout habitat, while also improving the riparian habitat upon which sage grouse depend. Funding for this project will come from the U.S. Fish and Wildlife Services Cooperative Endangered Species Conservation Fund: Recovery Land Acquisition Grants program, along with the remainder of ODFW's Ruby Pipeline Mitigation funds, \$800,000. The purpose of the Ruby Pipeline funding is to mitigate impacts to fish and wildlife and their habitats by the construction of the Ruby Pipeline across part of Oregon. No ODFW license funds will be used towards the purchase of this property.

**Action Requested**

ODFW requests acknowledgement of receipt of this update report on the Disaster Peak Ranch property.

**Legislation Affected**

No legislation is affected with this request.

Sincerely,

A handwritten signature in blue ink that reads "Curtis E. Melcher". The signature is written in a cursive style.

Curtis E. Melcher  
Director