

## ANALYSIS

### Item 36: Department of Forestry Forest Legacy Administration

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**Analyst:** April McDonald

**Request:** Approve, retroactively, the submission of a federal grant application to the U.S. Department of Agriculture (USDA) Forest Service's State and Private Forests Forest Legacy Program, in the amount of \$250,000, for the Oregon Forest Legacy Administrator position.

**Analysis:** The Forest Legacy Program (FLP), established in 1990, is a conservation program administered by the U.S. Forest Service in partnership with state agencies to encourage the protection of privately owned forest lands through conservation easements or land purchases. The FLP offers Oregon an annual grant to support administration of the program, which includes at least 75% of the Oregon Forest Legacy Administrator's salary and benefits. The remaining cost of the position is covered by state funds as the match requirement. The Oregon FLP Administrator works directly with federal partners and operates within the Oregon Department of Forestry's (ODF) Forest Resources Division as part of a team responsible for implementing assistance and incentive programs for private forestland owners.

The FLP has received supplemental funding for Oregon through the 2022 Inflation Reduction Act (IRA). The Forest Service reached out to ODF in late July 2023 to notify the agency of the available funding. However, because the funds have been made available so close to the end of the federal fiscal year, the Forest Service has requested a speedy turnaround on the application, with a due date of August 31, 2023.

The grant amount is \$200,000 with a 25% match requirement from ODF. Additionally, \$50,000 (free of match requirement) is available to support a contract with the Coalition for Oregon Land Trusts including outreach and program development. No additional positions or FTE are necessary to utilize the grant funding. If awarded, ODF may submit a subsequent request for an increase in Federal Funds expenditure limitation.

**Recommendation:** The Legislative Fiscal Office recommends that the Joint Interim Committee on Ways and Means approve the request.

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**Request:** Retroactive authorization to apply for a grant of \$250,000 from the U.S. Department of Agriculture Forest Service State and Private Forest Legacy Program for administration of the Forest Legacy Program.

**Recommendation:** Approve the request.

**Discussion:** The Department of Forestry is seeking authorization to apply for a grant of at least \$250,000 from the U.S. Department of Agriculture Forest Service State and Private Forest Legacy Program for program administration. The Forest Legacy Program is a conservation program administered by the U.S. Forest Service in partnership with state agencies to encourage the protection of privately owned forest lands through conservation easements or land purchases. Protection of private forests through the Forest Legacy Program maintains a multitude of public benefits including opportunities to hunt, fish, and camp; clean and abundant drinking water; habitat for fish and wildlife; and timber, fuel wood, and other forest products. Grant funds have been made available through the Inflation Reduction Act. The Department became aware of the grant in July of 2023, provided notification of the grant application on August 18, 2023, and submitted the grant application on August 31, 2023.

A portion of the grant funding will be used to fund the at least 75 percent of the Oregon Forest Legacy administrator's salary and benefits between 2023 and 2025. Funding will also be used for due diligence contracts/costs in simple fee title and easement Forest Legacy processes, outreach, and education contracting with partners. A 25 percent match is required, which the Department plans to achieve through match waiver on \$50,000 that will go to the Coalition of Oregon Land Trust, as well as use of current department resources. If awarded, the Department will return during the 2024 Legislative Session to request Federal Funds expenditure limitation associated with the grant request.



# Oregon

Tina Kotek, Governor

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August 16, 2023

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

Dear Co-Chairs:

## **Nature of the Request**

The Oregon Department of Forestry (ODF) respectfully requests retroactive approval to apply for federal funding through the USDA Forest Service's State & Private Forests Forest Legacy Program (FLP) for program administration.

## **Agency Action**

The FLP received supplemental funding for projects in Oregon through the Inflation Reduction Act. There was a lengthy due diligence process inside the USFS to develop the funding and packaging of IRA funds into the process to formalize the final amounts and application vehicle that ODF's FLP program can apply for. Due to the announcement being made close to the end of the federal fiscal year, the USFS has requested a speedy turnaround on the application, so that the award can be finalized prior to the end of the federal fiscal year.

### *Summary of Grant Application Information*

Purpose of grant: This FY2023 Forest Legacy Administrative grant will fund at least 75% of the Oregon Forest Legacy administrator's salary and benefits between 2023 and 2025. The remainder will be covered by state match. The Oregon Forest Legacy administrator works in direct cooperation with the federal Forest Legacy Program. The Oregon Forest Legacy administrator works within the Forest Resources Division as part of a multi-party team responsible for implementing assistance and incentive programs for private forestland owners.

This grant will also be used for due diligence contracts/costs in simple fee title and easement Forest Legacy processes, outreach and education, contracting with partners (including \$50,000 to Coalition of Oregon Land Trusts for outreach and program development, travel and training, and supplies.

Application Deadline: The application deadline is August 31, 2023.

Description of match and source of funding to satisfy match: \$200,000 with 25% match requirement from ODF, plus \$50,000 with match waived that will go to a contract with Coalition for Oregon Land Trusts (see above). All IRA funding.

Does grant create a new program or does grant impact existing program? This grant is under the Forest Legacy Program. Oregon obtains annual grants from the USFS under Forest Legacy Administration Funds, and grants for project acquisitions when they are awarded.

Additional positions: No additional positions, FTE, or expenditure limitations will be necessary to utilize this grant funding. However, ODF is considering adding a second FLP support position that may utilize some of these funds for salary and benefits.

How does the grant impact equity and anti-racism efforts: This grant will fund state administration of Forest Legacy Program, a federal program that includes benefits to underserved communities into its project selection criteria.

What happens when grant funding is exhausted: This grant opportunity is offered by USFS annually. ODF will continue to apply for these funds on an annual basis and will continue to use General Funds as match to cover at least 25%.

### **Action Requested**

The department requests retroactive approval to apply for federal funding in the amount of \$250,000 through the USDA Forest Service's State & Private Forests Forest Legacy Program (FLP). If approved, the department may submit a subsequent request for an increase in Federal Fund limitation.

### **Legislation Affected**

No legislation affected.

Sincerely,



Cal Mukumoto  
Oregon State Forester

c: Legislative Fiscal Office  
Chief Financial Office  
Board of Forestry  
Governor's Office