

# DRAFT

## SUMMARY

Digest: The Act allows agencies to award moneys under a grant program related to living with beavers on private land. The Act directs an agency and a committee to report on the grant program. The Act gives moneys to the agency for the grant program. The Act goes into effect on the 91st day after the 2024 session ends. (Flesch Readability Score: 62.3).

Authorizes the State Department of Fish and Wildlife and the State Fish and Wildlife Commission to award moneys from the Oregon Conservation and Recreation Fund under a Landowners Living with Beavers Grant Program, on recommendations from the Oregon Conservation and Recreation Advisory Committee.

Directs the department and the committee to jointly report on the grant program to committees or interim committees of the Legislative Assembly related to the environment on or before September 15, 2026.

Appropriates moneys from the General Fund to the department for deposit in the Oregon Conservation and Recreation Fund for purposes related to the grant program.

Takes effect on the 91st day following adjournment sine die.

## A BILL FOR AN ACT

Relating to fostering coexistence with beavers; creating new provisions; amending ORS 496.252 and 496.254; and prescribing an effective date.

Whereas a warming climate is increasing the frequency of droughts and wildfires; and

Whereas beavers have a significant role in increasing the quantity and quality of water on a landscape and decreasing the risks of wildfire, and therefore act as a buffer against climate extremes; and

Whereas the beaver is a keystone species that serves as nature's engineer and the beavers' habitat has the ability to provide refugia, stimulate the re-

1 covery of other species and foster resilience on landscapes impacted by cli-  
2 mate change; and

3 Whereas private landowners can have substantive positive impacts on  
4 beaver populations and the condition of beaver habitat in Oregon; now,  
5 therefore,

6 **Be It Enacted by the People of the State of Oregon:**

7 **SECTION 1.** ORS 496.252 is amended to read:

8 496.252. (1) The Oregon Conservation and Recreation Fund is established  
9 in the State Treasury, separate and distinct from the General Fund. Interest  
10 earned by the Oregon Conservation and Recreation Fund shall be credited  
11 to the fund.

12 (2) Moneys in the fund are continuously appropriated to the State De-  
13 partment of Fish and Wildlife to carry out activities that serve to protect,  
14 maintain or enhance fish and wildlife resources in Oregon. The activities for  
15 which the department may expend fund moneys include, but are not limited  
16 to:

17 (a) Promoting the health of Oregon's ecosystems and fish and wildlife  
18 species by implementing conservation programs and strategies identified in  
19 the Oregon Conservation Strategy, as defined in ORS 541.890, including  
20 conservation programs and strategies for the nearshore identified in the  
21 marine component of the Oregon Conservation Strategy;

22 (b) Improving engagement of the public in hunting and fishing opportu-  
23 nities and in other outdoor recreation opportunities related to and in support  
24 of healthy fish, wildlife and habitats;

25 (c) Improving educational outreach and engagement of the public, in-  
26 cluding diverse and underserved communities, related to and in support of  
27 healthy fish, wildlife and habitats;

28 (d) Engaging in, and providing funding for, joint projects of the depart-  
29 ment and the State Parks and Recreation Department or other state agencies  
30 as recommended by the Oregon Conservation and Recreation Advisory Com-  
31 mittee established under ORS 496.254;

1       **(e) Implementing a Landowners Living with Beavers Grant Program**  
2 **under which the State Department of Fish and Wildlife and the State**  
3 **Fish and Wildlife Commission undertake the following, on recom-**  
4 **mendations from the Oregon Conservation and Recreation Advisory**  
5 **Committee:**

6       **(A) Awarding grants to eligible applicants, including watershed**  
7 **councils, soil and water conservation districts and nonprofit organ-**  
8 **izations, of not more than \$50,000, in each grant cycle, to implement**  
9 **projects on private land that quickly and efficiently mitigate the ef-**  
10 **fects of beavers that live on, or regularly visit, the private land, in-**  
11 **cluding:**

12       **(i) Tree protection tools;**

13       **(ii) Flood prevention devices;**

14       **(iii) Culvert and infrastructure protection systems;**

15       **(iv) Crop protection strategies;**

16       **(v) Landowner education and outreach; and**

17       **(vi) Training related to mitigating the effects of beavers;**

18       **(B) Providing statewide technical assistance to develop and expand**  
19 **skills and strategies for coexisting with beavers; and**

20       **(C) Authorizing and administering the expenditures described in**  
21 **this paragraph; and**

22       **[(e)] (f) Other conservation, management, research, habitat improvement,**  
23 **enforcement, outdoor recreation or education activities.**

24       **(3) The fund shall consist of:**

25       **(a) Moneys appropriated to the State Department of Fish and Wildlife for**  
26 **deposit in the fund or otherwise transferred to the fund;**

27       **(b) Gifts, grants, contributions or other donations for use as described in**  
28 **subsection (2) of this section, that are received by the department from any**  
29 **public or private source and caused to be deposited and credited to the fund;**  
30 **and**

31       **(c) Moneys in the subaccount described in subsection (4) of this section.**

(4) The Private Forest Accord Mitigation Subaccount is established in the fund. The subaccount shall consist of moneys appropriated to the department for deposit in the subaccount or otherwise transferred to the subaccount and gifts, grants, contributions or other donations that are received by the department from any public or private source and caused to be deposited and credited to the subaccount. Moneys in the subaccount may be used for:

(a) The purposes described in, and the administration of, ORS 496.257.

(b) Conducting outreach to persons that own or operate an artificial obstruction, as defined in ORS 509.580, to further the goal of fish passage.

(c) Conducting outreach to persons that may undertake projects described in ORS 496.257.

(5) The department and the Oregon Conservation and Recreation Advisory Committee shall jointly submit a biennial report to the Legislative Assembly as provided in ORS 293.640 regarding the expenditure of moneys deposited in the fund, other than moneys deposited in the Private Forest Accord Mitigation Subaccount, and on the status of various activities funded by the moneys.

(6) The department and the Private Forest Accord Mitigation Advisory Committee shall jointly submit a biennial report to the Legislative Assembly as provided in ORS 293.640 regarding the expenditure of moneys deposited in the Private Forest Accord Mitigation Subaccount and on the status of various activities funded by the moneys.

**SECTION 2.** ORS 496.252, as amended by section 66, chapter 33, Oregon Laws 2022, is amended to read:

496.252. (1) The Oregon Conservation and Recreation Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the Oregon Conservation and Recreation Fund shall be credited to the fund.

(2) Moneys in the fund are continuously appropriated to the State Department of Fish and Wildlife to carry out activities that serve to protect, maintain or enhance fish and wildlife resources in Oregon. The activities for

1 which the department may expend fund moneys include, but are not limited  
2 to:

3 (a) Promoting the health of Oregon's ecosystems and fish and wildlife  
4 species by implementing conservation programs and strategies identified in  
5 the Oregon Conservation Strategy, as defined in ORS 541.890, including  
6 conservation programs and strategies for the nearshore identified in the  
7 marine component of the Oregon Conservation Strategy;

8 (b) Improving engagement of the public in hunting and fishing opportu-  
9 nities and in other outdoor recreation opportunities related to and in support  
10 of healthy fish, wildlife and habitats;

11 (c) Improving educational outreach and engagement of the public, in-  
12 cluding diverse and underserved communities, related to and in support of  
13 healthy fish, wildlife and habitats;

14 (d) Engaging in, and providing funding for, joint projects of the depart-  
15 ment and the State Parks and Recreation Department or other state agencies  
16 as recommended by the Oregon Conservation and Recreation Advisory Com-  
17 mittee established under ORS 496.254;

18 **(e) Implementing a Landowners Living with Beavers Grant Program**  
19 **under which the State Department of Fish and Wildlife and the State**  
20 **Fish and Wildlife Commission undertake the following, on recom-**  
21 **mendations from the Oregon Conservation and Recreation Advisory**  
22 **Committee:**

23 **(A) Awarding grants to eligible applicants, including watershed**  
24 **councils, soil and water conservation districts and nonprofit organ-**  
25 **izations, of not more than \$50,000, in each grant cycle, to implement**  
26 **projects on private land that quickly and efficiently mitigate the ef-**  
27 **fects of beavers that live on, or regularly visit, the private land, in-**  
28 **cluding:**

29 **(i) Tree protection tools;**

30 **(ii) Flood prevention devices;**

31 **(iii) Culvert and infrastructure protection systems;**

1       (iv) **Crop protection strategies;**

2       (v) **Landowner education and outreach; and**

3       (vi) **Training related to mitigating the effects of beavers;**

4       **(B) Providing statewide technical assistance to develop and expand**  
5 **skills and strategies for coexisting with beavers; and**

6       **(C) Authorizing and administering the expenditures described in**  
7 **this paragraph; and**

8       [(e)] (f) Other conservation, management, research, habitat improvement,  
9 enforcement, outdoor recreation or education activities.

10      (3) The fund shall consist of:

11      (a) Moneys appropriated to the State Department of Fish and Wildlife for  
12 deposit in the fund or otherwise transferred to the fund; and

13      (b) Gifts, grants, contributions or other donations for use as described in  
14 subsection (2) of this section, that are received by the department from any  
15 public or private source and caused to be deposited and credited to the fund.

16      (4) The department and the Oregon Conservation and Recreation Advisory  
17 Committee shall jointly submit a biennial report to the Legislative Assembly  
18 as provided in ORS 293.640 regarding the expenditure of moneys deposited  
19 in the fund and on the status of various activities funded by the moneys.

20      **SECTION 3.** ORS 496.254 is amended to read:

21      496.254. (1) The Oregon Conservation and Recreation Advisory Committee  
22 is established as an advisory committee to the State Fish and Wildlife Com-  
23 mission and the State Department of Fish and Wildlife for the purpose of  
24 carrying out the duties described in subsection (2) of this section. The com-  
25 mission shall determine the number of members of the committee and the  
26 geographical representation by the members. The Governor shall appoint the  
27 members of the committee. The Associate Director of Outdoor Recreation,  
28 or the associate director's designee, shall serve as a nonvoting, ex officio  
29 member.

30      (2) The committee shall:

31      (a) Review department policies regarding the use of Oregon Conservation

and Recreation Fund moneys, other than policies regarding the use of Private Forest Accord Mitigation Subaccount moneys, and make recommendations to the commission and the department regarding the use of fund moneys for implementing and administering department activities.

**(b) Make recommendations to the commission and the department on expenditures under the Landowners Living with Beavers Grant Program, as described in ORS 496.252 (2)(e).**

(3) Members of the committee may not receive compensation for service as members. However, subject to any applicable law regulating travel and other expenses of state officers and employees, a member may be reimbursed for actual and necessary travel and other expenses incurred in the performance of official duties from moneys available to the department for the purpose of reimbursement of committee members.

**SECTION 4.** ORS 496.254, as amended by section 67, chapter 33, Oregon Laws 2022, is amended to read:

496.254. (1) The Oregon Conservation and Recreation Advisory Committee is established as an advisory committee to the State Fish and Wildlife Commission and the State Department of Fish and Wildlife for the purpose of carrying out the duties described in subsection (2) of this section. The commission shall determine the number of members of the committee and the geographical representation by the members. The Governor shall appoint the members of the committee. The Associate Director of Outdoor Recreation, or the associate director's designee, shall serve as a nonvoting, ex officio member.

(2) The committee shall:

**(a)** Review department policies regarding the use of Oregon Conservation and Recreation Fund moneys and make recommendations to the commission and the department regarding the use of fund moneys for implementing and administering department activities.

**(b) Make recommendations to the commission and the department on expenditures under the Landowners Living with Beavers Grant**

1 **Program, as described in ORS 496.252 (2)(e).**

2 (3) Members of the committee may not receive compensation for service  
3 as members. However, subject to any applicable law regulating travel and  
4 other expenses of state officers and employees, a member may be reimbursed  
5 for actual and necessary travel and other expenses incurred in the perform-  
6 ance of official duties from moneys available to the department for the pur-  
7 pose of reimbursement of committee members.

8 **SECTION 5. On or before September 15, 2026, the State Department**  
9 **of Fish and Wildlife and the Oregon Conservation and Recreation Ad-**  
10 **visory Committee shall jointly submit a report, in the manner provided**  
11 **by ORS 192.245, to the committees or interim committees of the Leg-**  
12 **islative Assembly related to the environment on the expenditures of**  
13 **moneys under the Landowners Living with Beavers Grant Program**  
14 **described in ORS 496.252 (2)(e), including the status and outcomes of**  
15 **activities funded under the grant program.**

16 **SECTION 6. (1) In addition to and not in lieu of any other appro-**  
17 **priation, there is appropriated to the State Department of Fish and**  
18 **Wildlife, for the biennium ending June 30, 2025, out of the General**  
19 **Fund, the amount of \$1,500,000, for deposit in the Oregon Conservation**  
20 **and Recreation Fund for purposes related to the Landowners Living**  
21 **with Beavers Grant Program described in ORS 496.252 (2)(e).**

22 (2) Up to \$40,000 of the amount described in subsection (1) of this  
23 section may be used for the costs of administering the grant program.

24 **SECTION 7. This 2024 Act takes effect on the 91st day after the date**  
25 **on which the 2024 regular session of the Eighty-second Legislative**  
26 **Assembly adjourns sine die.**