

## ANALYSIS

### Department of Fish and Wildlife Conservation Planning Assistance

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**Analyst:** April McDonald

**Request:** Approve the submission of a federal grant application to the U.S. Fish and Wildlife Service, through the Endangered Species Act Section 6 - Cooperative Endangered Species Conservation Fund, in the amount of \$1,000,000, for continued development of the Private Forest Accord Aquatic Habitat Conservation Plan.

**Analysis:** Habitat Conservation Plan (HCP) Planning Assistance Grants, available through the U.S. Fish and Wildlife Service (USFWS) Cooperative Endangered Species Conservation Fund, provide federal financial assistance to states and territories to support the development or amendment of habitat conservation plans, with the requirement that state fish and wildlife agencies serve as the applicant. The Oregon Department of Fish and Wildlife (ODFW) seeks approval to apply for a planning assistance grant on behalf of the Oregon Department of Forestry (ODF). If approved, and the grant is awarded, funding will be passed through to ODF for the continued development of the statewide ODF Private Forest Accord (PFA) Aquatic Habitat Conservation Plan. The purpose of pursuing the PFA Aquatic HCP is to provide regulatory streamlining opportunities for private forest landowners throughout Oregon while promoting conservation of aquatic species.

This is the second federal funding request through USFWS for this HCP project. The first federal award funded the ongoing development of the Administrative Draft HCP that is currently underway. This funding request will support the development of the Public Draft HCP document, and Draft Environmental Impact Statement.

The USFWS application deadline is March 2, 2023 with award announcements expected by June 30, 2023. Grant proposals must contribute a minimum non-federal match of 25% of the total program costs. The full match requirement will be paid by ODF, using existing General Fund and Harvest Tax (Other Funds) at a 60/40 split. ODFW does not need additional position authority for this funding opportunity.

**Legislative Fiscal Office Recommendation:** The Legislative Fiscal Office recommends approval of the request.

## Oregon Department of Fish and Wildlife Filimoehala

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**Request:** Authorization to apply for a federal grant of \$1,000,000 for Cooperative Endangered Species Conservation Planning Assistance from the U.S. Fish and Wildlife Service.

**Recommendation:** Approve the request.

**Discussion:** The Oregon Department of Fish and Wildlife is requesting authorization to apply for a grant totaling \$1,000,000 from the U.S. Fish and Wildlife Service. The grant would support work to develop an Aquatic Habitat Conservation Plan, as outlined in the Private Forest Accord. The department will pass through funding to the Department of Forestry who will complete the work.

The grant requires matching funds of 25 percent. Work done by the Department of Forestry will fulfill the matching requirements through work in-kind contributions. The grant is due on March 2, 2023 and the department expects to be notified of the award by June 30, 2023. All grant work will be completed by June 30, 2026.



# Oregon

Tina Kotek, Governor

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February 16, 2023

The Honorable Senator Elizabeth Steiner, Co-Chair  
The Honorable Representative Tawna Sanchez, 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**

Oregon Department of Fish and Wildlife (ODFW) requests approval to apply for an Endangered Species Act Section 6 - Cooperative Endangered Species Conservation Planning Assistance grant in the amount of \$1,000,000 federal funding from the U.S. Fish and Wildlife Service (USFWS).

## **Background**

This grant opportunity is provided through the USFWS Endangered Species Act Section 6 - Cooperative Endangered Species Conservation Fund. The opportunity is made available with the requirement that state fish and wildlife agencies serve as the applicant. If this request is approved and the grants are awarded, funding will be passed through to Oregon Department of Forestry (ODF). State proposals must contribute a minimum non-federal match of 25 percent of the total program costs. All required non-federal match will be paid by ODF state General Fund and Other Funds. ODFW does not need additional position authority for this funding opportunity.

The grant proposal requests \$1,000,000 in federal funds for the continued development of the statewide ODF Private Forest Accord Aquatic Habitat Conservation Plan (HCP). With guidance from the Governor's office, members from major interest groups for both timber industry and conservation interests signed a Memorandum of Understanding, and over the subsequent year found common ground on revisions to the Oregon Forest Practices Act (FPA). The revised FPA actions were formalized in the Private Forest Accord (PFA), which was passed by the Oregon legislature in March 2022.

The legislation directed the Board of Forestry to develop new rules under the FPA 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 (ESA) for the covered aquatic fish and amphibian species. The purpose of pursuing the PFA Aquatic HCP is to provide regulatory streamlining opportunities for private forest landowners throughout Oregon while promoting conservation of aquatic species. The programmatic nature of this HCP allows large and small private forest landowners, and potentially for Tribes, to participate in a streamlined approach to protecting aquatic species covered under the ESA.

This is the second federal funding request through USFWS for this HCP Project. The first federal award funded the ongoing development of the Administrative Draft HCP that is currently underway. This funding request will fund the development of the Public Draft HCP document and Draft NEPA Environmental Impact Statement.

#### **Agency Action**

The application deadline with USFWS is March 2, 2023. Notification of award to the agency is expected by June 30, 2023, and work by ODF is anticipated to start in late 2024, if funding is awarded. Work conducted under these grant funds would be completed by June 30, 2026. If grant funding is awarded, ODFW anticipates making a future request for federal funds expenditure limitation to pass through funding to ODF.

#### **Action Requested**

ODFW requests approval to submit a federal grant application in the amount of \$1,000,000 to the U.S. Fish and Wildlife Service Endangered Species Act Section 6 - Cooperative Endangered Species Conservation Fund.

#### **Legislation Affected**

None

Sincerely,



Curtis Melcher  
Director