

Analysis

Item 47: Parks and Recreation Department

Southern Oregon Land Conservancy Land Acquisition

Analyst: Matt Stayner

Request: Approve, retroactively, the submission of a federal grant application to the U.S. Fish and Wildlife Service, Cooperative Endangered Species Conservation Fund in the amount of \$500,000 for the purchase of land by the Southern Oregon Land Conservancy for habitat conservation.

Recommendation: Approve the request.

Analysis: The Cooperative Endangered Species Conservation Fund (CESCF), authorized under section six of the Endangered Species Act, provides for grants to support voluntary conservation projects for endangered and threatened species. For federal fiscal year 2016, nearly \$54 million in federal assistance has been made available to fund proposals in three categories: Recovery Land Acquisition Grants; Habitat Conservation Planning Assistance Grants; and Habitat Conservation Plan Land Acquisition Grants. The Oregon Parks and Recreation Department (OPRD) is the designated state agency responsible for making application on behalf of eligible entities within Oregon that seek a CESCF grant.

The Southern Oregon Land Conservancy, Inc. (SOLC) is a 501(c)(3) federal tax exempt organization. SOLC intends to raise up to \$3.5 million in total for the purchase and initial management cost of a 352-acre property along the Rogue River in Jackson County, just north of White City. The property is currently held by a private owner. The property was appraised in 2014 for \$3 million. SOLC would acquire the land for \$2.4 million in cash and \$600,000 in landowner donation. The acquisition would be funded from a pending \$1.385 million Oregon Watershed Enhancement Board grant (a portion of which would be used as the minimum 25% match for the CESCF grant), this \$500,000 CESCF grant, and additional SOLC funding.

The reason for the purchase, and the goal of the SOLC, is to protect and enhance the property for conservation values, including specific habitat for large-flowered woolly meadowfoam, Genter's fritillary, and vernal pool fairy shrimp. SOLC has transplanted roughly 500 individual large-flowered woolly meadowfoam plants on the property to establish a new extant population of these plants. Vernal pool fairy shrimp have not been positively identified on the property, but are assumed to exist based on existing habitat; additional fairy shrimp will be introduced to the existing vernal pools. Genter's fritillary has not been positively identified on the property, but will be planted at numerous locations.

The current property tax is \$4,655. It is the understanding of OPRD that SOLC plans to continue paying the property tax or an equal amount in lieu of taxes. It should be noted, however, that if the use of the property was solely for the conservation purposes, it is assumed that the property would be exempt from property taxes due to SOLC's tax exempt status.

The Legislative Fiscal Office recommends approval of the request.

47
Oregon Parks and Recreation Department
Pearson

Request: Retroactive authorization to apply for a \$500,000 grant from the US Fish and Wildlife Services.

Recommendation: Approve the request.

Discussion: The Oregon Parks and Recreation Department (OPRD) is requesting retroactive authorization to apply for a Cooperative Endangered Species Conservation Fund grant (section 6 of the Endangered Species Act) on behalf of the Southern Oregon Land Conservancy. Only states and territories may apply for grants from the Cooperative Endangered Species Conservation Fund.

The deadline for grant applications was March 18, 2016. OPRD identified its intentions to apply and seek retroactive authorization to apply in memos to Legislative leadership dated February 8 and March 24. The agency forwarded the Conservancy's application to the US Fish and Wildlife Services.

The grant requires a 25 percent match for the estimated project costs, which will come from the Oregon Watershed Enhancement Board and local fundraising. As of March 1, 2016, the Conservancy had raised \$250,000. The owners of the property are also donating by reducing the sale price from the appraised price of \$3.0 million to \$2.4 million. The \$0.6 million difference counts as match under federal rules for the program. The purchase agreement between the seller and the Conservancy expires in the Fall of 2016.

If successful, the grant funds will help the Conservancy acquire 352 acres along the Rogue River in Jackson County between White City and Shady Cove. According to information from the Conservancy's website the property features:

Mature and largely streamside oak woodlands, the second largest intact riparian forest along 100 miles of the Rogue. The only larger one is the publicly owned and primarily unreachable oak woodlands around the now-removed Gold Ray Dam impoundment.

The current property tax amount is \$4,655. The Conservancy reportedly plans to either pay property taxes or an equal amount in lieu of taxes.



Oregon

Kate Brown, Governor

Parks and Recreation Department

725 Summer St. NE, Suite C

Salem, OR 97301-1271

(503) 986-0980

Fax (503) 986-0794

www.oregonstateparks.org



April 25, 2016

The Honorable Senator Peter Courtney, Co-Chair
The Honorable Representative Tina Kotek, Co-Chair
State Emergency Board
900 Court Street NE
H-178 State Capitol
Salem, OR 97301-4048

Dear Co-Chairpersons:

Nature of the Request:

The Oregon Parks and Recreation Department (OPRD) is requesting retroactive permission to submit a \$500,000 federal grant application to the U.S. Fish and Wildlife Service (USFWS), Cooperative Endangered Species Conservation Fund (CESCF).

Agency Action:

In 2011, the Legislature identified OPRD as the state agency responsible for making application on behalf of eligible entities within Oregon who seek a CESCF grant to conserve habitat for invertebrate species. CESCF, authorized under Section 6 of the Endangered Species Act, provides grants to support voluntary conservation projects for listed species and species that are candidates for listing.

OPRD received one application from the Southern Oregon Land Conservancy for \$500,000 in federal grant funds to help acquire a 352-acre property along the Rogue River in Jackson County. If selected by the USFWS for funding, matching resources will come from a pending Oregon Watershed Enhancement Board grant, local fundraising and a generous donation of a bargain sale from the MacArthur Family, who have owned the property for more than seventy years. The property is undeveloped, save for two small structures. It includes forest, seasonal creeks, sloughs, and one and a half miles of Rogue River frontage. To date more than 100 species of birds and 300 species of flowering plants have been identified on the property, including two endangered plant species that provide critical habitat for the fairy shrimp, an endangered invertebrate.

Grant applications were due March 18, 2016. OPRD forwarded the Southern Oregon Land Conservancy application on March 17, 2016. Two notifications were sent to Legislative Leadership: one on February 8, 2016 providing notice of the potential to receive applications and one on March 24, 2016 providing notice that an application was received and that OPRD would be seeking retroactive permission to apply for the grant on behalf of the grant applicant.

Action Requested:

OPRD respectfully requests retroactive permission to submit a federal grant application to the U.S. Fish and Wildlife Service (USFWS), Cooperative Endangered Species Conservation Fund (CESCF). If the grant is awarded, the Department will request necessary expenditure limitation from the appropriate Legislative Committee or the Emergency Board.

Legislation Affected:

None.

Sincerely,

A handwritten signature in blue ink that reads "Lisa Sumption". The signature is written in a cursive, flowing style.

Lisa Sumption
Director