



## AGENDA ITEM SUMMARY

### BACKGROUND

In 2010, the Bonneville Power Administration (BPA) and the State of Oregon signed an agreement to settle BPA wildlife habitat mitigation obligations in the Willamette Valley. The agreement guarantees more than \$117 million for fish and wildlife habitat protection through the acquisition of real property, purchasing a minimum of 16,880 acres of important native habitats in fee title or via conservation easements. The agreement extends from 2010 to 2025, and also provides for the implementation of a long-term account to fund habitat maintenance for the program when the agreement expires. A minimum of 10% of the project funding will also benefit Endangered Species Act (ESA) listed anadromous fish species through habitat protection. To accomplish the habitat protection mitigation objective, BPA and the State of Oregon established the Willamette Wildlife Mitigation Program (WWMP), managed by the Oregon Department of Fish and Wildlife (the department).

Most properties acquired by the WWMP are not acquisitions held by the department, but instead are funded by BPA and held by outside parties such as land trusts, tribes, and other governmental agencies. However, in-holdings and lands adjacent to existing department managed wildlife areas in the Willamette Valley are targeted for department acquisition when appropriate. Staff is proposing two such acquisitions for Commission approval.

#### **Relevance to Plans and Strategies**

Both proposed South Coyote II and III acquisitions are located within the [West Eugene Area Conservation Opportunity Area \(COA ID: 086\)](#) identified in the [Oregon Conservation Strategy](#) (adopted 2016). The West Eugene Area Conservation Opportunity Area extends from Camas Swale north along the foothills to Cox Butte, and includes the West Eugene wetlands and Fern Ridge Reservoir. This Conservation Opportunity Area (COA) contains some of the largest remaining fragments of the Willamette Valley's native wet prairies and includes important habitat for oak and grassland-associated species as well as migratory birds. Acquisition of these two sites will contribute to the protection and restoration of these important habitats in decline and will facilitate management of the adjoining wildlife area due to consolidation of boundaries and efficiencies of scale. Protection of existing high functioning habitat, and restoration and enhancement actions that result in high functioning habitat, are consistent with the department's Climate and Ocean Change Policy. Public ownership of these sites will provide increased wildlife-oriented recreational opportunities.

## **South Coyote II**

This 40 acre property is adjacent to Fern Ridge Wildlife Area's (FRWA) South Coyote Unit, protected by the WWMP in 2013. The appraised purchase price of this property is \$224,500. The department is requesting \$65,136 separately from BPA to offset long-term operations and maintenance costs. Acquisition of this property will contribute to the conservation and enhancement of 30 acres of wet prairie habitat and 10 acres of grassland habitat in the region.

In addition to its proximity to FRWA, the department prioritized this acquisition based on the Oregon Conservation Strategy (OCS) habitats and species that will benefit from protection. This acquisition will provide habitat for a variety of wildlife, including grassland birds, amphibians, reptiles, raptors, and waterfowl. Its protection and restoration will allow for increased habitat connectivity between the on-site wet prairie and large blocks of priority habitats located on adjacent protected sites to the west and north (FRWA's Northeast Coyote Unit and City of Eugene's Coyote Prairie North Mitigation Bank). Microhabitat connectivity may provide an adaptive measure in a changing climate. This landscape-level habitat conservation has the potential to benefit OCS species, including Oregon vesper sparrow, grasshopper sparrow, western meadowlark, streaked horned lark, dusky Canada goose, northern red-legged frog and western pond turtle. The acquisition facilitates several of the recommended conservation actions identified in the OCS for the West Eugene Area COA.

The property is zoned Exclusive Farm Use. Aerial imagery since the 1940's suggests the property has historically been used for grass farming and pasture. All 40 acres are classified as High Value Farmland based on soil type. The property is currently used for equine husbandry. There are no structures on the property. Access to the property is from Halderson Road via FRWA's South Coyote Unit. The property has no water rights. The 2019 annual property taxes were \$3,275 for the entire tax lot (93.53 acres), of which the department is proposing to acquire 40 acres. The department will make payments in lieu of taxes to Lane County.

The acquisition will eventually make possible the restoration of 40 acres of grassland and wet prairie. The current and permitted land uses are conducive to restoration activities; restoring site hydrology will contribute to wet prairie habitat both on this site and on the adjacent South Coyote unit. No impediments to vehicle or equipment access are apparent. If approved, the department plans to purchase the property by early 2022 as an addition to Fern Ridge Wildlife Area. The department would initiate a formal management planning process following acquisition.

Permanent protection of this property will provide an opportunity to restore wetland hydrology within an existing complex of conservation lands. The planned trajectory for this property is to restore the 40-acre existing pasture to grassland and wet prairie consistent with adjacent South Coyote to benefit a variety of OCS species and to provide increased climate resiliency by providing high functioning habitats.

### **South Coyote III**

This 100.62 acre property is adjacent to FRWA's South Coyote Unit. The appraised purchase price is \$500,000. The department is requesting \$162,839 separately from BPA to offset long-term operations and maintenance costs for the property. This property acquisition will contribute to the conservation, enhancement and restoration of a mix of habitat types, including: flowing water and riparian (26 ac), oak woodlands (25 ac, including restoration of 5 acres of mixed conifer/oak habitat to oak woodland), wetlands (24 ac wet prairie), conifer forest (20 ac), and grassland (5 ac, resulting from the restoration of a disturbed area). The habitats on this property are generally in good condition, mostly requiring control of invasive species in coordination with maintenance and enhancement actions. Limited active restoration is necessary.

Similar to South Coyote II, in addition to proximity to FRWA, this acquisition was prioritized based on the OCS habitats and species that will benefit from its protection. Its protection will benefit species identified for South Coyote II, and will additionally benefit OCS priority species associated with oak woodlands, including acorn woodpecker, chipping sparrow, and white breasted nuthatch. Protection of South Coyote III will allow for increased habitat connectivity to the same adjacent protected sites as listed for South Coyote II, further enhancing landscape-level habitat conservation and improved climate resiliency in the area.

This property is zoned Exclusive Farm Use and all 100 acres are classified as High Value Farmland based on soil type. The historic use of the property determined via aerial imagery (1960's-present) indicate logging and agriculture (haying) have occurred. Current uses are haying, logging and hunting. A pole fence paddock and small well-pump building on the property will be removed, along with associated infrastructure. Existing boundary fencing along neighboring private property will be repaired or improved as necessary, however fencing adjacent to FRWA's South Coyote Unit will be removed.

Access to the property is from Halderson Road (county road). A dirt road extends from Halderson Road approximately 650 feet into the property. Approximately 20 acres are currently hayed in summer through a lease with a local farmer. Haying the wet prairie in the short term, particularly during the management planning process, will be advantageous to maintain weeds. Phase-out of haying will be conducted in communication with the farmer. Limited selective Douglas fir timber harvest occurred in 2019. The department will develop a forest management plan to guide management of the conifer forest on the property as part of the management plan process, which will be initiated upon acquisition. All profits from any agricultural lease (currently less than \$1,000 annually) and forestry actions will be placed into a stewardship account managed by the State Treasury to be used to maintain the property. The property has no water rights. The 2019 annual property taxes were \$167.74. The department plans payments in lieu of taxes to Lane County.

If approved, the department plans to purchase the property by early 2022 as an addition to Fern Ridge Wildlife Area.

## **PUBLIC INVOLVEMENT**

It is the department's policy to conduct public meetings, inform local civic clubs, angler/hunter groups, resource industry groups, local private landowners, and contact local governments and legislators to provide information and garner public input on land acquisitions prior to seeking approval from the Fish and Wildlife Commission.

Department staff presented information about the proposed acquisitions of South Coyote II and III at invitational meetings to neighbors conducted March 30, 2021, as well as at a publicly advertised stakeholder meeting conducted virtually April 6, 2021. Directed outreach for the stakeholder meeting targeted local and regional agency staff, conservation and hunting organizations, the local Farm Bureau representative, county, state and federal elected officials or their staff, and stakeholders who had previously attended similar meetings.

The department issued a press release for the stakeholder meeting that was carried by local media outlets, and included links to supplemental material, including several options for how to provide comments. In addition, social media outreach (NextDoor) conducted after the stakeholder meeting targeted the Veneta area.

The department's Willamette Wildlife Mitigation Program website linked to information, the stakeholder meeting presentation, the web portal for comments, and information about when the acquisitions would be presented to the Public Lands Advisory Committee (held April 22, 2021) and Oregon Fish and Wildlife Commission.

Attachment 3 includes a letter to neighbors and fact sheets provided as part of the outreach packet. Targeted stakeholders received similar outreach.

### **ISSUE 1 Purchase South Coyote II and III Additions (140 acres total), for incorporation into the Fern Ridge Wildlife Area**

## **ANALYSIS**

The department seeks approval from the Commission by agency policy for all land transactions valued over \$100,000 (fair market value). *Policy Number ASD-19, November 17, 2000.*

Incorporating South Coyote II and III into the Fern Ridge Wildlife Area serves many needs:

- Contributes to settling the mitigation obligation outlined in the Willamette River Basin Memorandum of Agreement Regarding Wildlife Habitat Protection and Enhancement between the State of Oregon and the Bonneville Power Administration (October 22, 2010)

- Maintains the existing nearby habitat investments by the Oregon Watershed Enhancement Board and Ducks Unlimited
- Restores and increases protections for a variety of Strategy species and habitats as identified in the Oregon Conservation Strategy
- Enhances the ability to manage species and habitats at Fern Ridge Wildlife Area
- Direct, positive impact on outdoor recreation opportunities
- Educational opportunities
- Positive economic benefits to the local communities and Lane County

## **ISSUE 2 Funding – Acquisition and Maintenance**

### **ANALYSIS**

The acquisition funding and a significant portion of operation and maintenance funding for these projects will come from the Willamette Wildlife Mitigation Program funded by the Bonneville Power Administration. No department license funds will be used towards the purchase of these properties.

The existing WWMP budget and personnel will provide funding and management of the properties through the duration of the Program. Long-term management will be under Fern Ridge Wildlife Area.

Lane County will receive the same amount of tax revenue from the Department as it currently receives from the private landowners. Pursuant to statute, the Department will pay in lieu of taxes on all applicable properties (ORS 496.340).

## **ISSUE 3 Public Access**

### **ANALYSIS**

Administrative and public access is an important consideration with all lands to be purchased by the department. Public access to the properties will be consistent with that allowed for the South Coyote Unit of FRWA, which includes general access and hunting access at various times of year.

## OPTIONS

1. Approve the acquisitions of the South Coyote II and III properties.
2. Take no action.

## STAFF RECOMMENDATION

Approve the acquisitions of the South Coyote II and III properties, approximately 140 acres in Lane County, and direct staff to proceed to escrow closing upon completion of all processes required under Oregon law for land acquisition.

### DRAFT MOTION:

I move to approve the acquisitions of the South Coyote II and III properties, and direct staff to proceed to escrow closing upon completion of all processes required under Oregon law for land acquisition.

**Effective Date:** June 18, 2021