

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 runs 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. At least 10 percent of the projects will also benefit ESA listed anadromous fish species through habitat protection. Most of these properties have not and will not be acquisitions by ODFW, but instead are funded by BPA and held by outside parties such as land trusts, tribes, and other governmental agencies. ODFW is currently targeting in-holdings and lands adjacent to already established Wildlife Management Areas in the Willamette Valley or unique habitat protection opportunities for acquisition under this program. Staff is proposing two such acquisitions for Commission approval.

Relevance to Plans and Strategies

Both of the proposed acquisitions are located within Conservation Opportunity Areas (COA) identified in the Oregon Conservation Strategy. The Hayden Island (proposed Gail Achterman Natural Area) property is located in the Willamette River Floodplain COA (WV-03). This COA spans almost the entire length of the Willamette ecoregion encompassing the floodplain of the Willamette River from south of Springfield to the confluence with the Columbia River. Restoration of the Willamette floodplain has important implications not only for wildlife habitats, but also for the social and economic factors resulting from restoring ecological function such as flood control and improvement of water quality.

The Coyote Creek Northeast Property is located in the West Eugene COA (WV-23). This COA extends from Camas Swale north along the foothills to Cox Butte, including the West Eugene wetlands. This COA also contains some of the largest remaining fragments of the Willamette Valley's native wet prairies (West Eugene wetlands) and provides important habitat for migratory birds. Acquisition of this property will facilitate management of adjoining ODFW wildlife management areas due to consolidation of boundaries, efficiencies of scale, and increased public recreational opportunities.

Gail Achterman Natural Area

This 270 acre property is located at the north end of the City of Independence. The proposed purchase price of this property is \$3,000,000, with \$1,500,000 provided by the Willamette Wildlife Mitigation Program (WWMP). The Oregon Department of Transportation (ODOT), Trust for Public Lands (TPL), Oregon Watershed Enhancement Board (OWEB), and the Willamette BiOp Habitat Technical Team will contribute the remaining \$1,500,000. ODFW will

also receive \$170,000 in long-term stewardship funding. Bordered by the Willamette River to the east and farmlands to the west, it is also located within a Priority Area as defined by the Northwest Power Planning Council's Willamette Sub-basin plan. The site currently holds one of the largest and most intact riparian forests along the middle Willamette main stem. It consists entirely of priority habitats identified by the Oregon Conservation Strategy: riparian habitat, wetlands (including deciduous swamps/shrub lands and off-channel habitat), and freshwater aquatic habitats (including the Willamette River shoreline, backwater sloughs, and overflow channels).

The property is currently owned by Oldcastle Building Materials and TPL has an option to purchase which will be completed by December 31, 2015. TPL would like to name the property to honor the late Gail Achterman. Ms. Achterman's vision of a future Willamette Valley, balancing habitat protection and restoration, smart growth, and access to nature, resonated with many over the years, and Ms. Achterman was a Salem native.

Acquisition will protect existing habitat values and allow for restoration and enhanced management, including control of invasive species such as Himalayan blackberry and reed canary grass. Due to the size of the existing habitats on the site, protection would have regionally significant benefits for priority species and habitats. The property is currently zoned for gravel mining which would be precluded by the Conservation Easement and proposed management.

ODFW's habitat restoration goals for the site include maintaining existing high quality habitats such as riparian forests, backwater refuge areas, and restoring degraded habitats to historic plant communities. Restoration activities will be based on the topography, river levels, elevations and historic habitat conditions of the site. ODFW will initiate a formal management plan process upon acquisition of the property.

The Hayden Island site is in close proximity to Minto Brown Island Natural Area (short distance downstream) which provides additional habitat connectivity across this anchor habitat reach. The project can provide dual benefits to both priority fish and wildlife species. The understory of the riparian forest varies in condition with native shrub species such as Douglas spirea and snowberry and non-native reed canary grass. A large backwater slough is present in the northern portion of the site and an overflow channel extends along the entire western side of the site. These features provide potential habitat for reptiles and amphibians and important refuge for salmonids seasonally and during high flow events.

The zoning of this property is Exclusive Farm Use. The historic use of the property was as a gravel mine, and a small portion of the property has been mined in the past but has been inactive for many years. There are no structures on the property. Administrative access to the property is through an easement across private land from Hall Creek Ferry Road to the south. The property has no water rights. The 2013 annual property taxes were \$1,900.

Under ODFW ownership, the property would be incorporated into the management of the South Willamette Watershed District. ODFW's intent is to allow public recreational activities accessible from the river, consistent with the conservation purpose of the acquisition and applicable zoning.

Coyote Creek NE Property

This 225 acre property is located just west of the City of Eugene adjacent to the Fern Ridge Wildlife Area. The proposed purchase is composed of two separate pieces of property that are owned by two private entities. The proposed total purchase price of this property is \$570,000; ODFW will receive approximately \$366,388 for long-term stewardship. This area includes the largest remaining wet prairie in the Willamette Valley. This area supports valley bottom wetland, grassland, and riparian habitats with the highest remaining concentration of rare Willamette Valley at-risk endemic species, including the federally Endangered Bradshaw's lomatium (*Lomatium bradshawii*), Willamette daisy (*Erigeron decumbens* var. *decumbens*), Fender's blue butterfly (*Icaricia icariodes fenderi*), and the federally threatened Kincaid's lupine (*Lupinus sulphureus* ssp. *kincaidii*). In addition, there are 13 Federal Species of Concern (four plant and nine animal species) in the conservation area. The surrounding uplands support some of the largest expanses of Oregon white oak woodlands and savannas remaining in the Willamette Valley, along with their associated upland species such as the western grey squirrel, acorn woodpecker, and wayside aster.

The zoning of this property is Exclusive Farm Use and Impacted Forestry and Farm Use. The historic use of the property was agricultural in nature, and it has been farmed for grass hay for many years. There are no structures on the property. Access to the property is from Cantrell Road, a gravel rural road on the southern boundary, and Nielsen Road, a paved rural road from the west. There is a current farm lease with a local farmer which is revised and renewed annually. The property has no water rights. The 2013 annual property taxes were \$2,488. A renewable agricultural lease is in place and currently earns approximately \$8,000/year. The farm will continue to be leased over the next five years as areas are phased out for restoration. Earnings will be used as match for grant applications, which could then be used toward the purchase of seed, herbicide, fencing, or other needed materials.

This acquisition will eventually restore 225 acres of upland and wet prairie, and seasonal wetlands which will provide habitat for foraging waterfowl and grassland birds. Upon restoration the property also will provide opportunities for re-introduction of endangered Willamette valley plant species associated with wet prairie, such as Bradshaw's lomatium and Willamette daisy. The current and permitted land uses are conducive to restoration activities, as the lands are sub-optimal for farming and the site hydrology is optimal for reverting to wet prairie habitat. No impediments to vehicle or equipment access are apparent. The previous disturbance, in the form of farming, has maintained fields in a relatively open aspect, largely free of weedy species. If approved, ODFW will purchase the property by July 15, 2015 as an addition to Fern Ridge Wildlife Area. ODFW would then initiate a formal management planning process for the area. Initially a stand-alone management plan will be

developed for the site and then the plan will be incorporated into the next revision of the Fern Ridge Wildlife Area plan.

Attachment two contains both aerial views and maps of the surrounding areas of both acquisitions.

PUBLIC INVOLVEMENT

The proposed land purchases have been presented by ODFW staff and partners at meetings of conservation organizations, local civic clubs, angler/hunter groups, local governments, and resource industry groups; staff and TPL have also met individually with private landowners. Two public meetings were held on November 5 at ODFW headquarters and November 6 in Veneta to provide information on the proposed land acquisitions and garner public input.

ODFW staff have also met and discussed the proposed acquisitions with several legislators. ODFW staff have also provided information on these purchases to the offices of elected federal officials and both Polk and Lane County Commissioners. Attachment four contains two public information fact sheets used to inform the public about the proposed acquisitions and the WWMP in general.

ISSUE 1

ACQUISITION OF TWO PROPERTIES LOCATED IN THE WILLAMETTE VALLEY

ANALYSIS

The restoration efforts will have direct, positive economic impact on local communities. New wildlife-related recreation access opportunities for the public will be provided, and restoration work may also provide opportunities for local jobs. Both of these properties show future promise to showcase Oregon Conservation Strategy habitats and restoration that would benefit strategy species.

ODFW will follow Oregon law and pay "in lieu of taxes" to counties for the properties involved (ORS 496.340). ODFW will also pay fire protection and drainage district assessments (ORS 547.045, ORS 477.230).

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

OPTIONS

1. Approve the acquisition of the Coyote Creek NE property and the Hayden Island (Gail Achterman Natural Area) property in the Willamette valley.
2. Do not approve the acquisition of the Coyote Creek NE property and the Hayden Island (Gail Achterman Natural Area) property in the Willamette valley.

STAFF RECOMMENDATION

Approve the acquisition of both described properties and direct staff to proceed to escrow closing upon completion of the due diligence processes required under Oregon Administrative Rules for land acquisition.

DRAFT MOTION

I move to approve the acquisition of both the Coyote Creek NE property and the Hayden Island (Gail Achterman Natural Area) property in the Willamette Valley, and direct staff to proceed to escrow closing upon completion of the due diligence processes required under Oregon Administrative Rules.

EFFECTIVE DATE

December 5, 2014