

OREGON DEPARTMENT OF FISH AND WILDLIFE

PRIVATE FOREST ACCORD

MITIGATION PROGRAM



Photo is a placeholder and needs to be updated

Grant GUIDELINES



Created: XX XX, XXXX

Style Definition: TOC 2: Tab stops: 6.49", Right, Leader: ...

Commented [SAJ*O1]: Notes to add: Discussion about the potential for partial funding of proposals

Commented [SAJ*O2R1]: Add to Appendices:

- Agreements
- Landowner
- Contract agreements with grantees (advancements & reimbursements)
- Easement agreements

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SECTION 1 - PROGRAM OVERVIEW

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Background

On February 10, 2020, a landmark Private Forest Accord (PFA) Memorandum of Understanding (the MOU) was established then formalized and funded through the passage by the 80th Oregon Legislative Assembly - 2020 Special Session, facilitating funding for Mitigation on Aquatic Life species listed in the Habitat Conservation Plan (HCP) and Incidental Take Permits (ITP).

The MOU, which was signed by twelve forest sector companies, Oregon's largest small woodlands owner organization, and thirteen conservation and fishing organizations, was the result of a decades long narrative between industry and conservationist. The MOU recognizes the value of private forest land and constitutes a landmark understanding to work collaboratively in conserving the natural resources of Oregon's private forest for current and future generations. The PFA will result in regulatory changes to reduce the impact of timber activities on watersheds, while allocating mitigation funding. Mitigation funding for this Solicitation is appropriated by the State Department of Fish and Wildlife (ODFW) to carry out activities that serve to protect, maintain, or enhance fish and wildlife resource in Oregon.

Program Focus, Priorities, & HCP Covered Species

Eligible projects seeking grant funding must be consistent with the conservation strategy of the anticipated Habitat Conservation Plan (HCP) and must work to offset the impact of one or more covered species from the covered activities discussed in the anticipated HCP. Mitigation funding will also work to align with the PFA Authors Report and other State of Oregon Conservation Priorities and Plans and State-wide initiatives such as the ODFW Fish and Wildlife Habitat Mitigation Policy, the State Listed Threatened and Endangered Species, and the Oregon Conservation Strategy.

Mitigation efforts should be focused on the following priority categories, with a priority given to categories 1 – 4 below:

1. Restoration of degraded habitat to natural condition/function, or to a condition likely to be resilient to projected changes.
2. Land, water, and habitat preservation.
3. Habitat enhancement.
4. Threat reduction or elimination.
5. Creation of new habitat or new populations.
6. Translocation of affected individuals or family groups to establish new or augment existing populations.
7. Translocation of species to formerly occupied and still suitable or enhanced habitat.

Commented [GU3]: There seems to be some overlap in my mind between these three -- Sara Gregory

Commented [AS4R3]: Agreed but this is what the authors report has. Direct copy from it

Eligible projects will provide ecological uplift for one or more of the following covered species covered under the HCP, listed below. It is encouraged applicants review the detailed list of covered Amphibians and Fish found here in the Draft HCP.

- All native salmon and trout (*Oncorhynchus spp.*)
- Bull trout (*Salvelinus confluentus*)
- Mountain whitefish (*Prosopium williamsoni*)
- Pacific eulachon/smelt (*Thaleichthys pacificus*)
- Green sturgeon (*Acipenser medirostris*)
- Columbia torrent salamander (*Rhyacotriton kezeri*)
- Southern torrent salamander (*Rhyacotriton variegatus*)
- Coastal giant salamander (*Dicamptodon tenebrosus*)
- Cope's giant salamander (*Dicamptodon copei*)
- Coastal tailed frog (*Ascaphus truei*)
- Lahontan cutthroat trout.

Commented [SAJ*O5]: Update and hyperlink from ODF draft HCP

Commented [GU6]: Is this including species that transit through the Columbia, if so that would include Snake River ESU/DPSs what other "trout" species are they talking about? Are we covering effects to prey abundance for Southern Resident Killer Whales? Perhaps put sub bullets for the actual species included so there is no ambiguity whatsoever.

Commented [SAJ*O7R6]: This list will be updated pending ODF and a Map will be included

Commented [SAJ*O8]: Note: Update list from ODF once finalized and include the Map

In addition to, all projects should try to demonstrate benefit to the Habitat Conservation Plan Biological Goals and Objectives listed below. The Draft Habitat Conservation Plan may be found here.

Goal 1: Provide clean water and substrate for the covered species.

- Objective 1.1 - **Ensure** that forest practices near streams minimize sediment delivery.
- Objective 1.2 – Ensure that slope Retention Areas reduce episodic sediment delivery to fish-bearing streams.
- Objective 1.3 – Ensure road runoff directly to streams is minimized.
- Objective 1.4 – Ensure roads are not a significant source of episodic sediment delivery to streams.

Commented [SAJ*O9]: Ensure section is updated prior to launch and matched draft HCP

Commented [GU10R9]: I would also make these read as though they are commitments so just statements. See my edits under Goal 1.

Commented [SAJ*O11R9]: Changed - but need to discuss jennifer @ ODF

Commented [SAJ*O12]: Get link from Jennifer at ODF

Goal 2: Shade and watershed processes controlling stream temperature provide cool water compatible with the needs of the covered species.

- Objective 2.1 – Ensure forest practices maintain stream shade sufficient to support desired cool water temperatures on fish-bearing streams.
- Objective 2.2 – Ensure no-harvest RMAs maintain stream shade sufficient to support desired cool water temperatures for covered amphibians.
- Objective 2.3 – Ensure forest practices near non-fish-bearing perennial streams do not notably increase water temperatures in fish-bearing streams.

Goal 3: Stream network connectivity satisfies freshwater habitat needs for covered species.

- Objective 3.1 – Ensure road crossings on fish-bearing streams are passable by the covered fish species.
- Objective 3.2 – Ensure forest practices maintain the hydrologic continuity of stream-associated wetlands and stream-adjacent seeps and springs to stream habitats.
- Objective 3.3 – Ensure timber harvest maintains stream-associated connectivity in riparian areas along non-fish streams sufficient to support covered amphibians.

Goal 4: Riparian areas function to support complex habitats for the covered species.

- Objective 4.1 – Ensure mature, complex riparian forests are fostered in no-harvest zones of RMAs.
- Objective 4.2 – Ensure forest practices within tree retention areas of RMAs promote delivery of large wood.
- Objective 4.3 – Ensure designated Debris Flow Traversal Areas function to deliver large wood to fish-bearing streams.
- Objective 4.4 – Ensure forest practices maintain stream-associated wetlands and stream-adjacent seep and spring habitat for amphibians.

Timeline for Solicitation

Commented [SAJ*O13]: Updated as needed

The timeline for the 2023 Solicitation is listed below. This timeline is subject to annual updates, reviews, and revisions.

Annual Project Solicitation Begins	
Solicitation Closes. Project Proposals are due	
Technical Review Process Begins (Local and State)	
PFA Mitigation Advisory Committee Meeting Review of Projects	
PFA Mitigation Advisory Committee Meeting Recommendation of Projects	
ODFW Staff recommendation of projects to ODFW Commission	Sometime in Q1 of 2024
Funding Implementation Decision, Grant Awards, Contracts	Sometime Q2 of 2024
Project Conclusion and Reporting	TBD – check law. I think within 5 years?
Post-project reporting. Only applies to special projects that received long-term maintenance funding.	Ongoing based on project needs and agreement

Program Contacts

ODFW contact	Responsibilities
General Program Questions PFA.Grants@odfw.oregon.gov	All general inquiries should be routed to this email for the most prompt response.
Andy Spyrka – Private Forest Accord Grant Coordinator 4034 Fairview Industrial Drive SE Salem, OR 97302 Andrew.j.spyrka@odfw.oregon.gov P 503-871-2421	Program coordinator.
XXXX XXXXX – Private Forest Accord Grant Assistant	Reimbursements <u>and payments</u>
April Brenden-Locke - Contractual and Legal 4034 Fairview Industrial Drive SE Salem, OR 97302 april.d.brenden-locke@odfw.oregon.gov P 503-947-6193	Contracting.

Commented [SAJ*O14]: update

Qualifying projects

The following are qualifying project types:

- Planning (e.g. Design & Permitting)
- Implementation
- Planning & Implementation
- Stakeholder Engagement
- Research
- Monitoring

Commented [GU15]: is the intent that planning covers permitting and design?

Commented [SAJ*O16R15]: updated

Qualifying projects may include the following, but are not limited to:

- In-stream flow benefits
- Fish barrier passage removal projects that increase passage and accessibility to suitable habitat for aquatic species. Examples may include removal or updates-upgrades and modifications to, but are not limited to:

Commented [GU17]: and upgrades? most culverts are upgraded or replaced with bridges not removed.

Commented [SAJ*O18R17]: Updated language

Commented [GU19]: Comment by Kate W: this should say "suitable habitat" as we would not want access to poor or detrimental locations to be lumped in inadvertently. I couldn't turn on track changes so I just inserted it with this note. This is a very important distinction when it comes to fish passage.

- Culverts
- Dams
- Bridges
- Tide Gates
- Fords
- Weirs
- Projects that promote mitigation of the habitat for species covered by the anticipated HCP.
- Climate and Wildfire resiliency
- Projects focused on waterway and buffer benefits as defined by the Private Forest Accord Authors Report.

Commented [SAJ*O20]: Hyperlink

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SECTION 2 – PROGRAM PROCESS

Role of the Private Forest Accord Mitigation Advisory Committee

The Private Forest Accord Mitigation Advisory Committee (MAC) was established by the PFA legislation as an advisory committee to Oregon Fish and Wildlife Commission and the Oregon Department of Fish & Wildlife to advise on funding recommendations using the PFA Mitigation Grant Funds. The MAC consists of twelve members, seven of whom are voting members appointed by the Governor. Each voting member serves a 4-year term after initial appointments and is eligible for appointment for up to two terms. All appointments to the MAC shall be made by the Governor as follows:

- Three non-governmental governor appointed conservation members.
- Three non-governmental governor appointed timber industry members.
- One [Oregon Conservation and Recreation Fund](#) Advisory Committee member.
- Non-voting ex-officio members include representatives from:
 - Oregon Watershed and Enhancement Board (OWEB)
 - Oregon Department of Fish and wildlife (ODFW)
 - Oregon Department of Forestry (ODF)
 - United State Fish and Wildlife Service (USFWS)
 - National Marine Fisheries Service (NMFS – NOAA)

MAC meetings are public and held at a minimum of four times a year, with more meetings as needed and defined by the MAC Chair and Co-Chair. The MAC Operating Procedures can be found in *Section 6* of this document, Appendices.

Role of the Review Teams

Each funding cycle will have Review Teams formed across the State to review, score, and rank project proposals based on the Grant Evaluation Criteria, which can be found in *Section 6* of this document. The Review Teams may be comprised of representatives from local, state, and federal agencies, the MAC, academic institutions, ODFW staff, nongovernmental officials, and others with expertise beneficial to the review process. The role of the Review Teams is to provide technical expertise to the MAC, the Department, and the Commission while also elevating important conservation priorities for funding. It is encouraged that applicants work with their local ODFW PFA Stream Bios when forming an application, contact information may be found here.

Commented [SAJ*O21]: Link

Any organization that undergoes a review by the Review Team and holds any concern for the decision may detail their concern in writing and submit to the PFA Grant Coordinator. The Review Team and the State will ensure a written response detailing the evaluation of the specific project is provided and made public. Meetings may be requested to further discuss the proposed project.

Grant Funding Formats & Review Process

All applicants should continually reference the ODFW PFA webpage for the most up to date information regarding grant solicitations: <https://www.dfw.state.or.us/habitat/PFA/index.html>

The PFAMIT will have two pathways for funding, Regular and Urgent Grants. Both grant funding pathways will support projects throughout the State of Oregon that offset the impacts of forest practices on covered species as discussed in the ODF led Habitat Conservation Plan (HCP). It is expected that most applicants seeking funding from the PFAMIT will apply for the Regular Grant Funding opportunity, a competitive solicitation offered no less than once per year. Therefore, Regular Grant Funding will support the vast majority of funding requests. Projects seeking Urgent Grant funding shall demonstrate the time-sensitive need and a meaningful conservation benefit for HCP-covered species and must be ready for implementation. Any applicant can submit requests for the Urgent Grant Funds, which will be submitted directly to Department staff and considered for funding by the MAC. All Urgent Grant Fund requests should demonstrate project readiness and the project's scale, urgency, and impact in the application to the Department and MAC for funding consideration.

Grants made from the PFAMIT must be for projects consistent with the conservation strategy of the HCP and shall work to uplift one or more HCP covered specie(s).

Applicants are encouraged to review the PFA Oregon Administrative Rule 635-097-0000 - 635-097-0110 for additional insight. Applications for both Urgent and Regular Grants must be submitted on the most current form prescribed on the [ODFW PFAMIT Webpage](#).

Regular Grants

All proposals submitted during the Regular Grant solicitation will be scored and ranked against one another for consideration of funding. The following are examples of allowable project types for Regular Grant funding:

- Planning
- Implementation
- Planning & Implementation
- Stakeholder Engagement
- Research & Monitoring

The MAC encourages applicants to pay particular attention to the list of Program Priorities previously listed, these Grant Guidelines, the Expenditure Framework, and the Grant Evaluation worksheets, all of which are found on the [ODFW PFA webpage](#). In addition, when applying, all applicants are encouraged to

Commented [SAJ*O22]: Not sure this is exactly accurate now. Maybe once the HCP is done this is appropriate but we can't really ask for this prior?

be prepared to describe how their work aligns with the PFA Program Priorities and any other relevant local, state, or federal strategic planning document(s).

Project applications may propose to start new efforts or to fund existing efforts, but it is recommended that project timeliness is considered when applying. Projects may be eligible for advancements, reimbursable costs, or post-project monitoring funding, discussed in detail below in *Section 4: Project Costs*. All requests are funded at the discretion of the MAC, Oregon Department of Fish and Wildlife, the Oregon Fish and Wildlife Commission, and reliant on available funding. It is recommended that applicants scale projects appropriately in anticipation of reduced funding awards.

Urgent Grants

Urgent Grant funding is for critical need projects that are time-sensitive and high-priority projects that need funding outside of the Regular Grant funding opportunity. The purpose of Urgent Funding grants is to provide urgent funding throughout the year to meet high-priority resource needs. All applicants considering Urgent Funding should contact the PFA Grant Coordinator, Andrew.j.spyrka@odfw.oregon.gov, as soon as practicable to ensure project eligibility. The yearly Request for Proposals/Solicitation is NOT offered for Urgent funded grants. Urgent-funded grants are available year-round and will prioritize applications leading time-sensitive projects where funding is unavailable in time to meet the need of the project. Urgent Funded grants will be reviewed and evaluated by the MAC before recommendation to Oregon Fish and Wildlife Commission to ensure the proposed project aligns with the PFAMIT priorities. All Urgent Fund requests will require a pre-application, full application, and possible presentation to the MAC, in addition to the eligibility criteria below.

Eligibility – Urgent Funding

All Urgent Funding requests must:

- Address one or more of the priorities as identified and outlined by the PFAMIT fund and the PFA Authors Report,
- Demonstrate an urgency to complete the work and an explanation of why work is needed and urgent,
- Demonstrate the capacity and skills to complete project objectives and has completed similar work on a similar timeline as proposed,
- Demonstrate a connection to strategic planning document(s),
- Provide proof of project permitting or proof of submission with anticipated timelines,
- Have secured all landowner access agreements,
- Provide a detailed project implementation timeline,
- Provide at least twenty-five percent matching funds (in-kind or dollar),
- Submit a 1-page pre-application to ODFW staff and a full application upon request,
- Attend a pre-application conference with ODFW staff,
- Present to the MAC on the proposed project prior to an award,
- Perform project monitoring, and
- Be ready to immediately implement.

Commented [SAJ*O23]: Maybe list some project examples?

Commented [SAJ*O24R23]: i.e. response to a major event or need. Need to define an example of a clear indicator

Commented [SAJ*O25R23]: Is this clear enough - How can we better ID that most projects ARE NOT eligible

Mandatory Requirements for Projects

During the proposal review processes, all proposals must meet on or more of the following mandatory requirements:

1. Eligible projects will provide ecological uplift for one or more of the following covered species covered under the HCP, listed below. It is encouraged applicants review the detailed list of covered Amphibians and Fish found [here in the Draft HCP](#).

- All native salmon and trout (*Oncorhynchus spp.*)
- Bull trout (*Salvelinus confluentus*)
- Mountain whitefish (*Prosopium williamsoni*)
- Pacific eulachon/smelt (*Thaleichthys pacificus*)
- Green sturgeon (*Acipenser medirostris*)
- Columbia torrent salamander (*Rhyacotriton kezeri*)
- Southern torrent salamander (*Rhyacotriton variegatus*)
- Coastal giant salamander (*Dicamptodon tenebrosus*)
- Cope's giant salamander (*Dicamptodon copei*)
- Coastal tailed frog (*Ascaphus truei*)
- [Lahontan cutthroat trout](#).

2. Work to implement one or more of the PFA Mitigation Grant Goals.
3. Generates the highest degree of mitigation for HCP covered species.
4. [Must specifically be focused on meeting the "biological goals and objectives" of the anticipated HCP.](#)

Commented [SAJ*O26]: Update and hyperlink and match list from earlier

Commented [GU27]: This begs the question, where is the process for equating benefits from these project to conservation offset needed to comply with the HCP? Will there be some kind of tracking instrument, a database perhaps? Each project will need to be tied to offsetting the adverse effects on aquatic species at the population level. So all of that information will need to be tracked for permit compliance.

Commented [SAJ*O28R27]: Will pin this Pending updates from Services. Very critical questions.

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SECTION 3 – PROJECT SELECTION CRITERIA

Proposal Submission & Review Process – REGULAR GRANT FUNDING

All project proponents seeking Regular Grant PFA funding shall submit a project proposal to the PFA Mitigation Grant Fund for review through the application portal found on the [ODFW PFA Webpage](#). Projects will receive login credentials and a tracking ID Number.

Commented [SAJ*O29]: Confirm if this is still the plan for the first solicitation. Hyperlink webpage if so

Proposals will be evaluated through by Review Teams, the MAC, the Department, and the Fish and Wildlife Commission. All Regular Grant project proponents will be asked to submit proposals that meet basic program information requirements such as, but not limited to, detailed Scopes of Work, maintenance plans, current site condition catalogue, metrics of success, cultural and archeological considerations, comprehensive budget, community involvement, short and long-term benefits, project resilience, and the project proponents' capacity and experience to manage and implement the project.

The review process for **REGULAR GRANTS** will be completed in 4 stages, as described below, elevating to the next tier based on the criteria discussed in this document:

Commented [SAJ*O30]: Andy will update pending the Grant Review Process Working Group

Stage 1: Quality Control and Assessment Review

- Oregon Department of Fish and Wildlife Staff will review all project proposals for completeness. Any incomplete project will be disqualified from the funding round and returned to the applicant with an explanation.

Stage 2: Regional Reviews

- The Regional Review teams previously discussed will review project proposals based on the Grant Evaluation Criteria Worksheet found in *Section 6* of this document. Review team scores and comments will be submitted to the MAC for funding considerations.

Stage 3: MAC Review & Recommendation

- The MAC will review all project proposal with considerations from the regional review team Grant Evaluation Worksheets. The MAC will ensure that projects meet PFAMIT priorities and work with the Department to recommend projects for funding to the Commission.

Stage 4: Funding Decision

- The Fish and Wildlife Commission will hear recommendations from the Department and MAC on which projects to fund. The Commission will make all final funding decisions.

Proposal Submission and Review Process – [URGENT GRANT FUNDING](#)

Before starting an application, interested grant applicants must contact the PFAMIT Grant Coordinator Andrew.i.spyrka@odfw.oregon.gov, for a pre-application conference to communicate intended project goals, outcomes, and urgency/need. It is recommended that projects contact the Grant Coordinator ASAP, at least a month prior to implementation. After the pre-application meeting with the Grant Coordinator, a determination will be made on whether the proposed project meets the PFAMIT Urgent Grant program priorities and guidelines. If so, a short pre-application will be requested and submitted to the PFA MAC Subcommittee. If the Subcommittee approves the proposed project by a

majority vote, the proposal will be recommended for full review and consideration to the PFA Mitigation Advisory Committee at an upcoming meeting.

Proponents of projects recommended by the subcommittee will prepare a full grant proposal and present the project to the entire PFA Mitigation Advisory Committee (MAC). Committee members will engage with the project proponent and ask questions, concerns, or request scope of work changes prior to any funding recommendations to the Fish and Wildlife Commission. All final MAC funding decisions regarding Urgent Grants will be held during regularly scheduled MAC meetings. Urgent-funded grant requests will be reviewed and considered for funding by the MAC on a case-by-case basis and reliant on available funding. A consensus vote by the voting members of the MAC is required for any Urgent funded project to be recommended for funding.

Commented [SAJ*O31]: Confirm and update as needed

The following are additional factors that may be considered by the Review Teams, the MAC, and ODFW when evaluating **BOTH** Regular and Urgent project proposals.

1. The project clearly demonstrates how it proposes ecological uplift of one or more of the HCP-covered species. Projects are not required to take place in forested timberland areas.
2. The proposal clearly identifies the focus of the grant, and plan for implementation with clear objectives, goals, and milestones.
3. The proposal clearly addresses the goals of the PFA Mitigation Program and the greater PFA HCP goals and objectives.
4. The project creates or proposes to create long-term lasting benefits.
5. The project is resilient against the threat of climate change.
6. Level of community support displayed in letters or written testimony.
7. Public engagement in planning.

Commented [GU32]: We need to offsets to be demonstrated at the population level. For example, which population of OC Coho will benefit? Not just the species.

Commented [SAJ*O3R32]: Critical question. But pinning for internal discussion with ODFW, ODF & the services

Commented [SAJ*O34]: fyi

Commented [GU35]: maybe a better way to state this is the proposal should discuss how it specifically offsets adverse effects of particular covered activities.

Commented [SAJ*O3R35]: Pinning for internal conversation with ODFW, ODF and Services

SECTION 4 – PROJECT IMPLEMENTATION POLICIES AND GUIDELINES

Amendments

Projects may be amended and modified, following agreement execution, if submitted to ODFW staff in writing with signatures from the grantee acknowledging any grant amendments. Requested amendments should be transmitted via email to the Grant Coordinator. Any requests for an amendment such as budget or scope of work changes must be approved by ODFW. Grantees shall submit electronic requests to the ODFW PFA Grant Coordinator on the entity letterhead for review and approval. Changes will not take effect until ODFW staff have responded on formal letterhead or executed a newly signed agreement between both parties.

Accounting Requirements

The grantee shall work to maintain an adequate and up to date accounting system throughout the term of the grant agreement that adheres to generally accepted accounting principles. ODFW reserves the right to audit and request accounting documents at any time for any reason. The grantee shall maintain records that reflect all transactions, including source documents, invoices, payments, timecards, etc. Records shall remain on hand for a period of X years after the final grant payment.

Commented [SAJ*O37]: Confirm

The State of Oregon reserves the right to Audit the project any time during or upon completion of the project. **ODFW recommends that grantees should expect an audit and promotes readiness.**

Payment of Grant Funds

Fund disbursement will be detailed in the executed agreements between the grantee and the Department and upon the receipt of a progress report from the grantee to ODFW. A fully executed agreement shall occur when the final signatory is the ODFW Director. **NO work prior to agreement execution will be reimbursed.**

10% of project funds will be held until the final invoice is submitted for the project.

Advance Payments

Advance payments may be considered at the discretion of the MAC and ODFW on a rolling basis based on need and available funding. Advance payments must be requested in the original project application, explicitly identifying how funding will be used over the course of the advancements, including quotes, expected charges, etc. Advancement requests at any one time may not exceed 25% of the total grant award and must be at least 75% expended prior to requesting another advance payment. Any awarded advancement will be required to submit enhanced quarterly reporting and specific benchmarks of performance, defined in the advancement agreement, or the grantee risks paying back the advanced funds to ODFW. **All advance payments must be fully spent within 120 days of the receipt of advance funding or the grantee must pay the advancement back to ODFW.**

Post-Project Maintenance & Monitoring Funding Assistance

Long-term project maintenance is not required by this Grant Program. But applicants may request additional funding for long-term post-project maintenance following the implementation date. **Funding requests must be submitted with the grant application** and outline what the funding will be used for. Post-project maintenance funding is up to the discretion of ODFW and the MAC, a request does not reserve the right to award of the funding. If awarded, ODFW will work with the grantee to incorporate the additional funding into the agreement, which may result in longer project performance periods. Project applicants requesting post-project maintenance funding should have a contingency in case maintenance funding is not awarded. No request for post-project maintenance funding will be considered if not submitted with the initial project proposal. Applicants may reference the “post-award maintenance conditions” form [here](#) to understand if your project is applicable.

Examples of post-project maintenance funding may include, but is not limited to, replacement plantings, irrigation repairs, and staff time to conduct maintenance after the project is implemented.

Permitting

The Grantee will obtain the necessary permits and licenses from local, state or federal agencies or governing bodies and provide to ODFW satisfactory evidence that the necessary permits or licenses have been granted. As of the 2023, no Programmatic Permits are in place for any of the HCP-covered species, so it is the responsibility of the Grantee to ensure that proper permits cover any proposed groundwork.

Commented [AS38]: Link "post-award maintenance conditions form "once filled out

Commented [SAJ*O39]: Need to word this better?

Pre-project Reimbursement Requests

Applicants may request additional funding for upfront project costs that were incurred prior to the grant execution. **Funding requests must be submitted with the grant application for considerations and directly relate to the project objectives.** All reimbursement requests must outline in the application what the funding was used for, why it wasn't covered under other funding, and the urgency for reimbursing the funding. Reimbursement funding is up to the discretion of ODFW and the MAC, a request does not reserve

the right to award the funding. If awarded, ODFW will work with the grantee to incorporate the additional funding in an agreement. Project applicants requesting reimbursement funding should have a contingency incase reimbursement funding is not awarded.

Examples of pre-project reimbursement requests may include staff time/consultant reimbursement for administrative and permit costs. **Costs associated with applying for this grant program are not allowed as a reimbursable request.**

Project Costs Breakdown

The following are additional descriptions of eligible costs based on the *Budget Template* found in *Section 6* of this solicitation.

Salary & Wages

Salaries and wages, as well as associated benefits of employees employed by the grantee who are directly engaged in the execution of the grant project. Limited to actual time spent on the grant project, including reporting and other grant specific needs.

Contractual

Direct consultant and contractual services necessary to achieve the objectives of the grant. Examples of contractual costs will be professional and consulting services directly related to achieving the grant goals, objectives, and milestones.

Travel

Travel cost associated with travel to and from project sites, meetings, conferences, etc. directly related to the grant project and must be considered reasonable and necessary for the completion of the project. Reimbursement rates shall be consistent with the grantee's written travel policy, if established. If no travel reimbursement rates are established, the grantee shall follow [United States General Services Administrations Per Diem Rates for the State of Oregon](#). Mileage rates shall not exceed the rates allowable by the IRS.

Supplies

Supplies that are used in the direct support of the project are allowable. Supplies include items under \$5,000 per unit cost or that are consumable with limited number of uses.

Equipment

Equipment is an item of \$5,000 or more per unit cost and has a tangible useful life of more than one year. The cost to lease equipment to use in the grant project may be charged to the grant. A cost-benefit analysis to justify the cost of purchasing equipment versus leasing must be provided in the Budget narrative if the cost is over \$5,000. Procurement of equipment must be done on a competitive basis and include documentation of price analysis. The grantee must include in the application the proposed use and maintenance plans for equipment after the performance period of the grant.

Indirect

Indirect Costs are costs associated with doing business that are of a general nature and are required for the grantee to successfully implement the project, i.e. overhead costs. Examples include salaries and benefits of employees not directly assigned to a project; functions such as personnel, accounting, budgeting, audits, business services, information technology, janitorial, and rent, utilities, supplies, etc. Unless a federally negotiated rate exists, which should be discussed in the proposal Scope of Work application, all indirect costs should follow a 10% de minimis rate.

Other Costs

Other costs that do not fit in any of the above categories. The cost must be directly related to the grant project. This can include but is not limited to

- Land Acquisition or Easement Costs
- Reimbursement Requests
- Matching funds
- Insurance costs
- Publication costs
- Advance Payment
- Post-Project Maintenance funding requests

All "Other Costs" must be discussed in detail in the project Scope of Work *budget discussion* section.

Archaeological and Cultural Considerations

It is the responsibility of the Grantee to ensure all permits and requirements are met, including any archeological and cultural requirements. All funded projects that involve ground disturbance are required to undergo a project review and compliance in consultation with the Oregon State Historic Preservation Office (SHPO) to determine if a project will have impacts on properties of historic significance. These include, but are not limited to, prehistoric or historic districts, sites, buildings, structures, objects, artifacts, records, material remains, and traditional, religious, spiritual, storied, or legendary places. **To receive reimbursement of funds all projects must provide proof of communication with SHPO in either the project application or the first reimbursement request.** If SHPO requires conditions for the project ODFW must be immediately consulted. If an inadvertent discovery occurs ODFW must be immediately contacted to work with the Grantee on an action plan.

It is encouraged all applicants consider the proposed project against possible SHPO requirements and incorporate potential costs into the grant application such as personnel costs, consulting, monitoring, etc. Information on requirements for a project compliance review can be found on the [Oregon State Historic Preservation Office](#) webpage. Additional resources may be found [here](#) and in *Section 6: Appendices*.

Eligibility and Conditions

Commented [SAJ*O40]: Confirm budget has matching funds under "other costs" and confirm applicants can edit cells to fit these categories.

Eligible Applicants

Eligible Applicants are any local, State of Oregon, or federal agency, Tribe, political subdivision of this state, college or university, non-profit or private corporation, or limited liability corporation. Individuals may partner with an eligible entity.

Ineligible Costs

Ineligible costs include but are not limited to:

- Costs that are **not** directly associated with the project
- Costs already funded or budgeted through another funding source
- Cost of preparing a grant and application
- Lat fees, penalties, and bank fees
- Establishing carbon credits

Conditions and Important Points

1. No funding maximum or minimum is set.
 - a. **Minimum of \$25,000 or \$50,000 and maximum of \$2 million?**
2. Grants can be made only to eligible applicants.
3. Projects must provide measurable and realized benefits to the covered species in the anticipated HCP.
4. Applicants should consider in-stream flow benefits for project activities.
5. Grantee must have the ability to plan, administer, and complete the project
6. **Grantee must be responsible for all project permitting and reporting and document this in reports to ODFW.**
7. GIS data files supporting the project are required to be delivered to ODFW as created and requested by ODFW.
8. Grantee shall provide data reporting to ODFW as defined in the grant agreements and this programmatic guide.
9. Quarterly reimbursement requests are required with progress reports within 30 days of the end of every calendar quarter, even if no fiscal activity has occurred.
10. All funded projects must clearly follow the publicity requirements defined *Section 4* of this procedural guide.
11. No reimbursable work shall commence until a fully executed agreement between ODFW and the grantee. A fully executed agreement is upon signature and approval of the Director of ODFW
12. All project and activity work related to the project but be completed by the final completion date in the Grant Agreement
13. No ground disturbance work shall commence until the grantee satisfies all permit requirements.

Commented [SAJ*O41]: Recommended by MAC member to consider caps by project types?

14. All educational materials and planning documents created and used for a PFA Mitigation grant must be submitted to ODFW in reports. ODFW has the right to obtain copies of these materials and use them at its discretion.
15. **All projects that involve implementation must have a landowner agreement with the owner of the parcel.** The landowner agreement shall be signed between the landowner and the grantee. A fully executed landowner agreement must be in place prior to any request for reimbursement of funding and a copy submitted in the earliest progress report to ODFW. Projects may be submitted without landowner agreements, but must specify the course of action for securing one.

Project Progress Assessments & Reporting

Progress Reporting & Reimbursement

All funded projects are required to submit at a minimum quarterly progress report, even if no fiscal activity has occurred. Any request for reimbursement of funds, or advancement of funds, requires a progress report that documents progress, which will be detailed in project agreements with ODFW and the Grantee.

At a minimum, the progress reports should include a summary of activities the grant paid for since the last submitted report, including fiscal expenditures, invoices, project highlights, achieved milestones, and next quarter expectations, reference *Template Quarterly Report form in Section 6 below*. Quarterly reports should also include a discussion of lessons learned, project shortcomings, and any recommendations for mitigation to keep the project on track, in budget, and on time. **The first progress report(s) for all projects should include any baseline data such as ArcGIS files, landowner agreements, and any other monitoring data such as long-term monitoring photo points.** Applicants should budget time into proposals to account for reporting.

Commented [SAJ*O42]: Attach

Mid-Project Performance Report

Commented [SAJ*O43]: Create a template if not already

To ensure the viability and longevity of public investment, funded projects are subjected to a review and evaluation period halfway through the performance period. This review and evaluation period may replace a quarterly report. The goal of the Mid-Project Performance Report is for ODFW staff to work with funded project proponents to better understand successes and pitfalls, ensuring that projects remain providing the highest mitigation value as practically possible. The Mid-Project Performance Report should be incorporated into project staff costs, project grantees should expect to prepare the following for ODFW staff review. ODFW staff may request additional clarification or documentation as needed to help determine the status of the project, or a field trip to the project location. The following is what ODFW staff will request for mid-project performance reviews, which are to be more comprehensive than quarterly reports:

1. Comprehensive Budget Update
2. Update on Goals, Milestones, and Objectives
3. Overall successes and potential pitfalls
4. Match update (if applicable)
5. Ability to complete the project on time and in budget
6. (Optional) In-person field tour.

If a review and evaluation results in the possibility of the funded project not being completed as previously agreed, ODFW staff will work with project grantee to restructure timelines and deliverables to ensure the original benefit is met.

Cooperative/Landowner Agreement Requirements

Template Cooperative/Landowner agreement are in *Section 6* of this document. This template may be modified as necessary to meet Project needs, but must be submitted to the Project Coordinator prior to any ground work for final approval of language. All Cooperative/Landowner Agreements for projects shall include, but is not limited to:

- Landowner’s certification that the landowner owns the land where the work will be carried out.
- Landowner’s agreement to allow Grantee to carry out the work, or a portion of the work on the Landowner’s property.
- Landowner’s agreement to maintain the Project, or allow maintenance of the Project, over a time period consistent with the grant application.
- Landowner’s agreement to allow the Fish and Wildlife Commission, ODFW, and its representatives access to the site where the work is being carried out for inspection and evaluation.
- Landowner’s acknowledgment that he/she is aware of the application to ODFW and that information relating to the work, including effectiveness monitoring data, is a public record.

Commented [SAJ*O44]: Make sure section is in agreements too post DOJ

Commented [SAJ*O45R44]: Note: The template agreement has a "constructive notice " clause. Do we want this ?

Publicity & Disclosure of Funding Source

All successfully awarded projects shall adequately cite project funders on any publication, signage, postings, flyers, outreach and educational materials, supplies, press releases, or any other outward facing publication. The following is a statement that must accompany any public publication regarding grant funds:

“This Project was funded in full or part by the Oregon Department of Fish and Wildlife Private Forest Accord Mitigation Grant Program. A result of a landmark conservation initiative working to conserve Oregon’s watersheds for current and future generations.”

All published materials (electronic and printed) must also have the Oregon Department of Fish and Wildlife Logo and the Private Forest Accord Mitigation Fund Logo present and sized properly with regards

to other logos on the published material. A shortened statement of funding is allowed on publication, as approved by ODFW staff.

Project Data

Data Inventories

Within three months of Project Completion Date, all projects must submit an Oregon Watershed Restoration Inventory (OWRI) report with the required information prior to submitting a project completion/close out report to the Department. Instructions for OWRI reporting and submittal are available on the Oregon Watershed Enhancement Board (OWEB) website at <https://www.oregon.gov/oweb/pages/index.aspx>. Proof of submission must be provided in project completion/close out reports.

Additionally, all projects must submit to

Baseline Data

Baseline data is required for all implementation-based projects. Baseline data at a minimum should include, but is not limited to established photo points, ArcGIS/GPS data, and habitat surveys. Baseline data should incorporate regularly scheduled monitoring protocols that ensure accountability and helps to measure the projects metrics of success. **All baseline data must be submitted in quarterly reports to ODFW, all baseline data should be submitted with the first request for reimbursement, unless otherwise approved.**

Commented [MAE46]: What if this grant is only for partial amount of project? This date would be ambiguous to ascertain...suggest instead that you state: "Within three (3) months of the Project Completion Date set forth in Exhibit A (Statement of Work), the"

Commented [SAJ*O47]: Waiting on responses - this will be ODFW's Habitat inventory

Commented [SAJ*O48]: Update that they must submit to OWEBs inventory - see the agreements

Commented [SAJ*O49R48]: Also ref. ODFW habitat data reporting? Ask around

Commented [SAJ*O50R48]: Require a confirmation email to be submitted

Commented [SAJ*O51R48]: For water quality DEQ database

SECTION 5 – PROJECT APPLICATION INSTRUCTIONS

Project Application, Scope of Work, & Budget

For a proposal to be considered for funding it must complete and submit a Project Application Cover Page and a Scope of Work questionnaire. Project proposals should be submitted through the online portal with

Commented [SAJ*O52]: Hyperlink portal here

the Scope of Work and any additional required documents or relative attachments at time of submission, discussed below in *Submittal Instructions*. Project applications should classify the project type, summarize its budget, and define the primary objectives and metrics for measuring success.

A full and comprehensive budget is required for a proposal to be considered for funding. The Budget must use the Template Budget Form in *Section 6 – Appendices*. It is important that the budget is fair and reasonable for the proposed project scope of work. All budgets must consider prevailing wage when applicable, which is the responsibility of the applicant to decide. Prevailing wage rate laws ensure local participation and community established pay standards on publicly funded projects. These rates include fringe benefit wages to encourage employers to purchase health insurance and other benefits for their workers. Employers must pay prevailing wages for all covered occupations. Please reference the [Oregon Bureau of Labor and Industries](#) for additional information on prevailing wage.

Submittal Instructions

All proposed projects must login to the [PFA Mitigation Program Grant Submission Webpage](#), to create a username and password. Once the username is established and confirmed, the software will allow access to the required submission documents for the grant solicitation. The following is a list of the required documents to be completed and submitted:

Commented [SAJ*053]: hyperlink

1. Project Application Cover Page
2. Project Scope of Work
3. Project Budget
4. Additional Attachments (*As applicable*)
 - a. Project Maps Highlighting Work Locations, impact acreage, land use, and other relevant information - *Project maps should be in .pdf format*
 - b. Project Mapping Shapefiles (*Submit as map package preferably*)
 - c. Baseline and Representative Photographs of Project Area
 - d. Payee Data Record
 - e. Letter(s) of Support
 - f. Landowner work agreement
 - i. This can be finalized following a grant award but must be submitted to ODFW with progress reports.
 - ii. Agreements must identify the landowner, address, and the partnered organization sponsoring the work.
 - iii. All agreements must have a signature and date from all parties involved.
5. Any additional supporting documentation deemed appropriate by the applicant.

ALL PROJECTS MUST BE SUBMITTED BY [Weekday, DD, MM, YYYY at 3 pm](#). **NO EXCEPTIONS.** No late submissions will be permitted, the system will close at the deadline.

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It is recommended that applicants request the username and passwords to explore the application system well in advance of the submission date in case of any technical difficulties. Late submissions will NOT be accepted, NO EXCEPTIONS.

SECTION 6 – APPENDICES

2022 Private Forest Accord Report
Private Forest Accord Mitigation Advisory Committee Operating Procedures
Memorandum of Understanding Establishing the Private Forest Accord
Project Application Cover Page
Project Scope of Work Form
Comprehensive Budget Sheet
Template Cooperative/Landowner Agreement
Template Grantee Agreement (Standard)
Template Grantee Agreement (Advancement)
Template Reimbursement Request Form (Quarterly Report)
Template Restoration, Maintenance, & Monitoring Plan
List of Acronyms
Archeological and Cultural Information

Commented [SAJ*O55]: Fully updated as of 7.25.23

Commented [SAJ*O56]: Attach as one packet of information .. <C:\Users\spvrkaan\OneDrive - Oregon\PFA\Development\Arch and Cultural>