



COALITION OF OREGON LAND TRUSTS

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August 31, 2023

To: Private Forest Accords Mitigation Advisory Committee

From: Coalition of Oregon Land Trusts

RE: Support for Land Conservation through the Private Forest Accord Mitigation Fund

Members of the Mitigation Advisory Committee:

On behalf of the Coalition of Oregon Land Trusts (COLT), thank you for the opportunity to provide comments on the development of the Private Forest Accords Mitigation Fund. Our conservation and land trust community is pleased to watch the program develop under the guidance and expertise of the Mitigation Advisory Committee. This Committee has worked hard to create administrative rules and guidelines for this program in a short period of time, and we thank you for the engagement and discussion along the way.

Oregon's land trust community stands ready to achieve the same goals envisioned by the Committee and Private Forest Accords, and deliver high-quality protection and restoration projects that mitigate impacts to covered species in the developing Habitat Conservation Plan.

COLT is a network of 31 organizations working across Oregon to protect our natural world – our water, wildlife, and open space – for all people, forever.



24 MEMBER ORGANIZATIONS: Blue Mountain Land Trust • Center for Natural Lands Management • Columbia Land Trust
Deschutes Land Trust • Ducks Unlimited • Forest Park Conservancy • Friends of the Columbia Gorge Land Trust
Greenbelt Land Trust • Klamath Lake Land Trust • Lower Nehalem Community Trust • McKenzie River Trust
North Coast Land Conservancy • Northwest Rangeland Trust • Oregon Agricultural Trust • Oregon Desert Land Trust
Pacific Forest Trust • Southern Oregon Land Conservancy • The Conservation Fund • The Nature Conservancy in Oregon

The Trust for Public Land • The Wetlands Conservancy • Wallowa Land Trust • Western Rivers Conservancy • Wild Rivers Land Trust
8 ASSOCIATE MEMBER ORGANIZATIONS: Black Oregon Land Trust • Cerro Gordo Land Conservancy • Clackamas Soil & Water
Conservation District • East Multnomah Soil & Water Conservation District • Helvetia Community Association
Tualatin Soil & Water Conservation District • View the Future • Yamhill Soil & Water Conservation District

Together, our statewide community of land trusts, soil and water conservation districts, and conservation organizations have protected more than 290,000 acres of land.

At the August MAC meeting, our members learned that 1) acquisitions would be delayed for the first round of grant funding and 2) there was concern around the value of acquiring land as a mitigation strategy when compared to other mitigation strategies. While we understand ODFW's desire to have staff capacity to process acquisition applications, there are certain shovel-ready projects that would provide immediate mitigation benefits that are in need of funding now.

These projects have completed full due-diligence review by local and federal grant programs and have been awarded partial funding. **We respectfully request the MAC not close the door on acquisition applications in the first grant round, especially for shovel-ready projects that have passed the muster of other state and federal grant programs. Matching grant programs like the Forest Legacy Program require a robust due diligence and project readiness review. Land acquisition projects often require multiple funding partners and the Mitigation Grant Program could be the key co-funding source to complete projects with match while also providing clear benefits for covered species.**

We recommend that the MAC include an avenue for acquisition projects in the first grant cycle in which 1) There are clear and demonstrated benefits to covered species, 2) Applicants have demonstrated the capacity to complete the acquisition and due diligence within the Mitigation Fund timeline including realty information, title details, water rights and status, and environmental assessments, and 3) Applicants demonstrate secured cost-share for the project.

Mitigation is not a new practice in the land trust community. Many of our members rely on funding from the Willamette Wildlife Mitigation Program (WWMP) to protect habitat for fish and wildlife throughout the Willamette River Basin. (This program is funded by the Bonneville Power Administration but administered by the Oregon Department of Fish and Wildlife). For example, the McKenzie River Trust (MRT) purchased the 1,100-acre Green Island property in 2003. Located at the confluence of the McKenzie and Willamette Rivers, Green Island contains some of the least altered fish and wildlife habitat in the Willamette Valley and provides essential habitat for numerous endangered and threatened species.

Since 2006, McKenzie River Trust has converted more than 450 acres of Green Island from agricultural fields into floodplain forest and riparian habitat, enhancing river flow processes of flooding, channel migration, groundwater interaction, and formation of backwater areas. Their team removed more than 5,600 feet of levees,



permitting high waters to flow through swales and portions of the property and connecting the area channels to the river flow for the first time in more than 30 years. Bringing back the river's flow to these channels will provide critical habitat for juvenile spring Chinook and Oregon Chub.

This project is one of many land trust mitigation projects around the state that have provided clear benefits for salmonid species. Conservation easements and acquisitions are explicitly mentioned as land preservation & threat reduction/elimination strategies in the Private Forest Accords, and the scientific literature is clear that for salmon, successful restoration includes protecting natural functions of watersheds (Booth et al., 2016) ¹, protecting high-quality habitats and restoring connectivity and watershed processes before implementing instream habitat improvements (Roni et al., 2011) ², and should proceed in the following order 1) protect intact habitats 2) remove migration barriers to intact habitats 3) restore watershed processes and 4) instream habitat enhancement (Beechie et al., 2008). ³

In some cases, acquisition is the only path towards protecting critical habitat and allowing for restoration on high-value properties. On the Washougal River, Columbia Land Trust is working with the Cowlitz Indian Tribe to remove a 50' X 400' dam to provide benefits for federally threatened steelhead and coho salmon. Columbia Land Trust had to purchase the site outright to conduct this restoration, as the previous landowner did not want the liability of enabling dam removal. On the Hood River, Columbia Land Trust is working with Confederated Tribes of Warm Springs to purchase a property so that the Tribe can implement habitat management that is not allowed under the current ownership.

We hope these examples provide clarity on the value of *strategic acquisition* of high-priority conservation lands to provide benefits for covered species. Although acquisition is a critical tool in the land trust toolbox, our members across the state are also engaged in a wide variety of restoration, mitigation, and conservation activities that the Mitigation Fund could support.

We look forward to working together as partners to deploy Mitigation dollars on the ground that will provide benefits across the state. Thank you for your time and consideration.

¹ Booth, D., Scholz, J., Beechie, T., and S. Ralph. (2016). Integrating limiting-factor analysis with process-based restoration to improve recovery of endangered salmonids in the Pacific Northwest, USA. *Water 8* (5), pp. 174.

² Roni, P., Hanson, K., and T. Beechie. (2011). Global review of the physical and biological effectiveness of stream habitat rehabilitation techniques. *North American Journal of Fisheries Management 28* (3), pp. 856-890.

³ Beechie, T., Pess, G., Roni, P., and G. Giannico. (2008). Setting river restoration priorities: A review of approaches and a general protocol for identifying and prioritizing actions. *North American Journal of Fisheries Management 28* (3), pp. 891-905.



In partnership,

Kelley Beamer

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