

PFA Mitigation Advisory Committee

December 2023 Staff Report

The purpose of this report is to provide the Private Forest Accord (PFA) Mitigation Advisory Committee and the public with general program updates on the PFA Grant Program in lieu of a December 2023 Committee Meeting.

The PFA Mitigation Advisory Committee has finalized the following important documents:

- ✓ [Advisory Committee Operating Procedures](#)
 - Clarifies the Advisory Committee's basic procedures and roles for Staff, Advisory Committee members, and the public.
 - Adopted in 2023.
- ✓ [Oregon Administrative Rules](#)
 - Implements the PFA Grant Program.
 - Adopted by the Fish and Wildlife Commission on August 4, 2023.
- ✓ [Expenditure Framework](#)
 - Clarifies the Advisory Committee's funding priorities.
 - Adopted in 2023.
- ✓ [Fall 2023 Grant Guidelines](#)
 - Provides guidance for applicants to apply for the Fall 2023 Solicitation

Update Item Round 1 Grant Solicitation

- The first grant solicitation opened November 6th and remains open until 11:59pm December 31, 2023
- Information on how to apply and the link for the Grant Management System are all available at www.PFAGrants.com
- Current Grant Outlook as of December 11, 2023:
 - Of 55 organizations registered in the PFA Grant Management System, 37 have begun drafts in the system.
 - Of that total, 0 applicants have been fully submitted.
 - Registrants are broadly distributed geographically throughout Oregon.

Update Item Conflict of Interest Update

Some MAC members requested information from Staff about possible conflict of interest if a business with which they are associated is applying for a PFA Grant. The following information is provided by the Oregon Government Ethics Commission. If MAC members have additional questions, they may ask Sarah Reif, ODFW Habitat Division Administrator, or contact Hillary Murrieta, Investigator with OGE, at 503-378-6806, or at hillary.murrieta@ogec.oregon.gov.

“Because the board members are on an advisory board without any decision making authority, and they only advise or recommend, they would only be faced with a

potential conflict of interest should they make a recommendation on a business with which they are associated.”

“Business” means any corporation, organization, self-employed individual and any other legal entity operated for economic gain but excluding any income-producing not-for-profit corporation that is tax exempt under section 501(c) of the Internal Revenue Code with which a public official or a relative of the public official is associated only as a member or board director or in a nonremunerative capacity. If a public official is working for a nonprofit as a compensated employee, then that would be a business with which they are associated. [ORS 244.020(2)].

A conflict of interest is defined as any action, decision, or recommendation that a public official makes in his or her official capacity, the effect of which would be or could be to the private financial benefit or detriment of the public official, a relative, or a business with which the public official or their relative is associated. An actual conflict of interest occurs when the effect of the official action, decision, or recommendation would have a certain financial impact. A potential conflict of interest occurs when the effect of the official action, decision, or recommendation could have a financial impact. [ORS 244.020(1) and (13)]. Again, because the members are only in an advisory capacity, it would only be a potential conflict of interest.

When met with a potential conflict of interest, announce publicly the nature of the potential conflict prior to taking any action thereon in the capacity of a public official. Or in this scenario, prior to discussion. [ORS 244.120(2)(a)].”

Note from Staff: While the MAC does make decisions together about what to recommend for funding, it is the Oregon Fish and Wildlife Commission that ultimately makes the decisions on grant selection and funding expenditure. Any MAC member affiliated with a business (non- or for-profit) that has applied for a grant has a ‘potential’ conflict of interest, and should disclose the nature of their potential conflict in a public forum prior to moving forward in the grant review process.

Update Item Grant Review Process Update

- Technical grant reviews will take place January – mid-February 2024
 - Technical review teams are finalized and will consist of staff from ODFW, ODF, and USFWS.
- The MAC will receive the technical reviews in mid-February for review prior to the in-person meeting.
 - The in-person MAC meeting is set to take place in Salem, Oregon, at the ODFW Headquarters on February 29th and March 1st of 2024.
 - The PFA Program Staff Assistant, Tiffany Caldwell, will be in contact to finalize travel and food plans.

Update Item Outreach

- The PFA Grant Coordinator, Andy Spyrka, and the PFA Stream Biologists are continuing to reach out to various groups through webinars, presentations, and direct communications.

- Some of the organizations directly engaged thus far are:
 - Soil and Water Conservation Districts
 - Watershed Councils
 - Oregon Forest Resources Institute
 - Oregon Forest Industries Council
 - ODFW Conservation Open House, which included numerous conservation organizations and federal agencies
 - Oregon Small Woodlands Association
 - Oregon State University & Extension Programs