

Guidance for WHCMP Cooperators

December 2024

Welcome, and thank you for offering your time and expertise to help landowners apply for and manage their lands for the Wildlife Habitat and Conservation Management Program (WHCMP). We greatly appreciate your technical assistance to ensure that ODFW can adequately support landowners and manage a successful program. ORS 308A.412 4b delegated technical assistance, plan review, and inspection of lands to cooperating agencies. Cooperating agencies are defined in OAR 635-430-0010 (1) as ODFW, the U.S. Fish and Wildlife Service, the Natural Resources Conservation Service, the Oregon State University Extension Service, Oregon Department of Forestry, Soil and Water Conservation Districts, Watershed Councils, Land Trusts, organizations whose mission includes fish and wildlife conservation and others with wildlife conservation and management training that meet certain qualifications.

The WHCMP program was revised in 2024 to ensure that each new property enrolled in the WHCMP would provide a conservation benefit and meet regional priorities. Properties proposed for enrollment must meet both the [statewide criteria](#) below and [Watershed District criteria](#) posted on the WHCMP website.

To be eligible, properties must meet the following statewide criteria:

- (a) Large acreage. Minimum acreage requirements are set by each Watershed District and will be posted to the Department's webpages;
- (b) A large proportion of property in a native habitat of conservation concern;
- (c) Intact habitat;
- (d) Connectivity or overlap with Department mapped priorities such as those identified by the Oregon Conservation Strategy (further described in d below), or adjacent to other public or private lands managed for conservation objectives; and
- (e) A cooperating agency, or other person meeting the qualifications as defined in [OAR 635-430-0010\(1\)](#), willing to provide technical assistance, including development and review of the Plan, and possibly conducting field inspections.

Statewide Criteria (a)-(d) are described in more detail below.

- (a) Large acreage- On the west side of the state, most Watershed Districts have defined the minimum property size for enrollment as 10 acres. On the east side of the state, the participating Watershed Districts have defined the minimum property size for enrollment at 40 acres. In certain rare situations, Watershed District may allow exceptions to these criteria, but it will be based on a special and unique habitat quality not found nearby. These exceptions will be considered by agency staff on a case-by case-basis.

(b) Large portion of the property is in a native habitat of conservation concern. The term “Native habitats of conservation concern” is defined in OAR 635-430-0010(7) and are habitat types that have experienced a high degree of loss since European settlement and continue to face impacts that threaten their conservation values. These habitats have been identified by state or federal resource agencies, local governments, federally recognized tribes, regional governments, watershed councils, conservation organizations or other qualified entities as important habitats for protection or ecological restoration to prevent additional loss of native habits or species. These may include but are not limited to Strategy Habitats and Local and Specialized Habitats as defined by the Oregon Conservation Strategy.

So, for example, if the native habitat of conservation concern proposed for protection is oak woodlands, we are expecting that at least 50% of the enrolled acreage will have oak woodlands on it. We are no longer enrolling properties that have a small percentage of the habitat of concern. Furthermore, we are prioritizing enrollment of properties that offer protection of intact native habitat over those that need significant active or ongoing restoration.

(c) Intact habitat is defined in OAR 635-430-0010(11) as “native habitat of conservation concern that shows minimal sign of human activity or habitat fragmentation and is large enough to maintain native biodiversity.” We acknowledge that oak is a historically managed landscape that will continue to need to be managed.

(d) Connectivity or overlap with Department mapped priorities. We want to ensure that future properties enrolled in the program are within or adjacent to [Conservation Opportunity Areas](#), [Priority Wildlife Connectivity Areas](#), big game winter areas or future mapped priorities identified in the Oregon Conservation Strategy and [USGS Protected Areas Database](#). We want to ensure that the proposed properties connect or overlap with other public or private lands managed for conservation objectives. Check the appropriate [Watershed District Criteria](#) to see the additional project landscape context attributes of interest for the watershed you are working in.

In addition to these statewide criteria, ODFW will be asking cooperators to generally assess when you are working with the landowners, if they have identified conservation goals and have the physical, time, and financial resources to accomplish the short- and long-term work on their property. Do they recognize that this will require manual labor monthly to manage the property? Do they have adequate equipment or financial resources to buy herbicide, mowers, wood and brush chippers or contract labor to do the job? Is their primary interest conservation or a tax break? You will be our eyes and ears and must determine that they can meet these criteria and that the proposed property will be successfully managed by the landowner for the entire time that they own the property.

Each Watershed District will define other listed criteria and details, which will be found on the website. The [District Criteria](#) identify the following elements:

- Watershed District
- Annual limit on the number of plans that will be approved that year
- Minimum enrolled acreage
- Annual deadline for review of plans (if relevant)
- List of native habitats of conservation concern accepted for the WHCMP (i.e. specific strategy habitats or local habitats of conservation concern)
- ODFW mapped priority habitats of interest for that District's WHMCP plans
- Additional Management practices, evaluation or objectives of interest for the WHCMP (i.e. partnership with agencies to implement the work; documented presence of Sensitive, Threatened, or Endangered species; fire management, livestock management)
- Criteria exceptions

The Department may revise these Watershed District priorities and exceptions to these criteria annually.

Expectations

Landowners interested in enrolling their property in the WHCMP are required to contact a cooperating agency (including ODFW) and learn about Program expectations and criteria for enrollment. Cooperators are expected to be familiar with the process outlined below.

Cooperators are expected to help the landowner determine if their property is eligible for the WHCMP, fill out the application form, and ideally work with the landowner long term to provide technical assistance for questions or issues that may arise while the landowner manages the property.

Process

1) Landowners interested in the WHCMP will contact a cooperating agency to learn about Program expectations and criteria for enrollment.

2) The cooperating agency will help the landowner determine whether their property is within a [participating county](#) and if the property is located within an area or zone designated for participating in the WHCMP.

3) The cooperators and/or landowners must have a county assessor or planning department staff member fill out the [Zoning Eligibility Certification Form](#) to prove that the proposed property is eligible for the program.

4) The cooperating agency will assess the proposed property using both the statewide enrollment criteria in OAR 635-430-0027 and the relevant Watershed District criteria

located on the WHCMP website. They will also check with the Watershed District to check that new applications are currently being accepted.

5) If the cooperating agency concludes that the proposed property meets all the statewide and Watershed District criteria and local government zoning eligibility criteria, they will coordinate a meeting with the Department staff in the relevant Watershed District. Refer to the list of ODFW offices and staff on the bottom of the [WHCMP website](#) to discuss the proposed property. This will include providing information that:

- demonstrates how the property meets both sets of criteria;
- confirms county participation and appropriate county zoning; and
- indicates that the landowner has the ability and resources to accomplish the short- and long-term goals of the program on their property.

6) ODFW may choose to conduct a site visit at this point to assess suitability of the property for the Program.

7) If ODFW determines that the proposed property qualifies for the program and meets all the items noted in #5 above, the cooperating agency will help the landowner develop a draft wildlife habitat conservation and management plan. The draft Plan shall include the elements outlined in OAR 635-430-0050.

Filling out the WHCMP Plan Template

The plan template was simplified to make it easier and more efficient for the cooperating agency to fill out. Step by step instructions include:

- 1) Fill out the applicant information, property information, cooperator information, and primary ODFW contact person on the first page.
- 2) If the landowner is enrolled in another conservation program, briefly describe (in 2-3 sentences) what the program is, what the goal is, and what part of the property is covered. Attach the conservation plan (for the conservation program in which they are enrolled). Note- the same acreage cannot be enrolled in ODFW's Riparian Lands Tax Incentive Program.
- 3) Check off which native habitats of conservation concern are on the property and will be conserved, protected or restored. Multiple habitats can be checked. For specialized or local habitats, list those in the 'other' space.
- 4) Include an aerial photo which identifies the property boundary, boundary of the WHCMP enrolled acreage areas, water features, clear delineation of each habitat, identification of other plan overlays as applicable, initial photo locations, and existing fencing, roads, and structures. Provide names of and label the creeks and streets. If shape files are available

for the area that you are seeking to enroll, please submit them to the District Watershed staff when you submit the draft plan.

5) For each WHCMP native habitats of conservation concern on the property, briefly describe the existing vegetation and physical features. Include vegetation composition and percent cover, buffer widths, and proportion of non-native species (i.e. blackberry, scotch broom, cheatgrass, thistle and knapweed). Include an estimate of acreage and qualitative assessment of habitat quality.

6) For each WHCMP native habitat of conservation concern, describe the desired future habitat conditions and outcomes that the landowner would like to achieve through protection and restoration efforts. Include acreage; habitat structure, composition and density; buffer widths and percent non-native composition.

7) For each WHCMP native habitat of conservation concern, describe the location and initial protection and restoration actions that the landowner will take to meet program goals and outcomes. (Refer to Attachments 1-5 in the plan template for examples)

8) For each WHCMP native habitat of concern, describe the planned habitat actions that the landowner will implement for the lifetime of the deferral. Describe the action (i.e. mowing, tree removal, herbicide application, etc.), mode of implementation (manually or with equipment and what type of equipment), and time of year that you will be conducting each activity.

9) Describe the landowner's capacity, tools and resources to actively manage and maintain this habitat for the foreseeable future. Note: This program requires dedication of time, money, and sweat equity. Do they recognize that this will require manual labor monthly to manage the property? Do they have adequate equipment or financial resources to buy herbicide, mowers, wood and brush chippers or contract labor to do the job? Do they recognize that this requires management and effort for the entire time that they own the property?

10) Attachments

- a) Aerial photo with attributes and features outlined in #4 of section of Filling out the Plan template.
- b) Initial photo locations and descriptions- one photo for project context, 1-2 photos for specific restoration actions.
- c) Conservation plan that the property is currently enrolled in from #2 section Filling out the Plan template.

11) Have the landowner read, understand, and initial the commitments and affirmations at the end of the application.

12) Ensure that the landowner signs and dates the application.

ODFW Review of the WHCMP plan

The Department will review the draft Plan prepared by the cooperating agency and landowner to ensure that it meets the statewide and Watershed District criteria, certify that it lies within an area or zone eligible for the WHCMP, and ensure that it includes all plan elements outlined in OAR 635-430-0050.

If the draft plan does not meet the standards and criteria outlined in OAR-635-430, the ODFW staff will communicate with the cooperating agency and landowner either by email, mail, or on the phone and provide an opportunity for plan revisions or refinements as necessary. Refinements are expected within 45 days.

ODFW will, within 90 days of receiving a complete plan, make a decision to either approve, approve with modifications, or reject the plan and will notify the landowner of its decision in writing. If the plan is rejected, ODFW will describe in writing the reasons for the decision. The landowner may accept the proposed modifications, correct plan deficiencies identified by ODFW and resubmit the plan for review or withdraw their draft plan if proposed modifications are unacceptable.

If ODFW approves the plan, ODFW will prepare a written declaration that the land is subject to the Program and implementation of the wildlife habitat conservation and management plan. At that point, the landowner must submit a supplemental WHCMP form to ODFW with written statements from the landowner that:

- a) They are aware of the potential tax liability that arises under ORS 308A.703 upon disqualification from the WHCMP Program
- b) An affirmation that the wildlife habitat conservation management plan is being implemented substantially as approved, and
- c) An affirmation that all representations in the Plan are true.

The Department will send a copy of the approved plan, declaration that the land is subject to the WHCMP plan, and the landowner's written statements A-C above, to the landowner, cooperating agency and appropriate county assessment office.

Apply to County for WHCMP Special Assessment

At this point, after ODFW has approved the plan, the landowner must apply to the County assessor to receive the wildlife habitat special assessment. The landowner needs to fill out and submit the WHCMP special assessment [application form](#) and a copy of their WHCMP management plan to the County Assessor on or before April 1 for the year that they want to be enrolled in the wildlife habitat special assessment. *The landowner will not receive the WHCMP tax incentive until this step has been completed.* Some Counties have a fee associated with enrollment. The County Assessor's Office will send confirmation to ODFW once the County has enrolled the property in the Wildlife Habitat Conservation Management Program.