

# **Wildlife Habitat Conservation and Management Program**

## **2024 Manual for Counties and Cities**



**Oregon Department of Fish and Wildlife  
2024**

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# 1. Introduction

## 1.1 Purpose of the habitat program

*Provide an incentive for habitat conservation*

The Wildlife Habitat Conservation and Management Program (habitat program), administered by the Oregon Department of Fish and Wildlife (ODFW), is a cooperative effort involving state and local governments and other partners to help private landowners voluntarily conserve native wildlife habitat. The Oregon Legislature created the habitat program to offer an incentive for private landowners who want to provide wildlife habitat on their properties instead of, or in addition to, farming, growing timber or other land uses. Incentive programs help promote voluntary conservation on privately owned land and support the state effort in reaching strategic conservation goals as described in [The Oregon Conservation Strategy](#). Under the habitat program, land subject to an approved wildlife habitat conservation and management plan receives a wildlife habitat special assessment, where property taxes are assessed at the relatively low value that would apply if the land were being farmed or used for commercial forestry.

The process for a county or city to follow to participate in the habitat program, or to add eligible lands, is described in Section 2. The process for a landowner to follow to participate in the program is described in Section 3. Additional information, including ODFW contacts by county are available on the ODFW website: <http://www.dfw.state.or.us/lands/whcmp/>.

## 1.2 Objective of the habitat program

*Preserve, enhance or improve significant native habitat*

The objective of the Wildlife Habitat Conservation and Management Program is to preserve, enhance or improve the composition, structure or function of habitat for native wildlife species. Counties and cities can select lands for eligibility based on zoning and/or significant native wildlife habitat. [ORS 308A.415; OAR 635-430-0025]

“Significant wildlife habitat” is land that provides native habitats of conservation concern and meets property enrollment criteria identified in OAR 635-430-0027(2)(a)-(d).

“Native habitats of conservation concern” 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 Strategy Habitats and Local and Specialized Habitats as defined by the Oregon Conservation Strategy. [OAR 635-430-0010(7)]

## 1.3 Dwellings and homesites

Participation in the habitat program has no effect on the assessment of homesites (the land located underneath a dwelling). New dwellings must comply with all applicable state and local requirements, and the house location and landscaping must avoid impacts on native wildlife and habitat. [(OAR 635-430-0060(6); 635-430-0100(2))]

The acreage of the homesite, garage, garden, mowed lawn and fenced areas for pets and livestock are excluded from the WHCMP enrolled area. Counties and ODFW personnel managing the plans

usually exclude an acre from the WHCMP enrolled area to incorporate the homesite and associated improvements and uses.

## **1.4 Revenue impacts**

In rural areas, where most properties have a farm or forest special assessment, the habitat program generally has no revenue impact for these specially assessed properties to change to a wildlife habitat special assessment. In more urban areas, where few or no properties are in farm or forest special assessment, property tax revenues would decrease when a landowner changes to wildlife habitat special assessment for their property. The habitat program is a flexible tool that allows counties and cities to select which lands will be eligible for wildlife habitat special assessment. Counties and cities can limit eligibility to lands zoned for farming or forestry. In addition, or alternatively, counties and cities can select significant habitat areas they consider worth investing in. A public investment in reduced property taxes is used to secure the public benefits of the ecosystem services that accompany habitat protection and restoration.

## **2. County and City participation**

### **2.1 Current status of participation**

Currently, fifteen counties participate in the program – Benton, Clackamas, Columbia, Deschutes, Douglas, Lake, Lane, Marion, Morrow, Multnomah, Polk, Sherman, Washington, Wheeler, and Yamhill (see map on page 5). The process for counties to participate in WHCMP or remove the WHCMP designation are outlined in OAR 635-430-0025.

There has been some interest from cities to adopt the habitat program as an incentive program. However, no cities have completed this process. If a city is interested in adopting the habitat program, early coordination with ODFW, as well as prior consent of the governing body of a city, is necessary. [308A.415(2 and 3); OAR 635-430-0025(2)]

### **2.3 Process to opt in or add eligible lands**

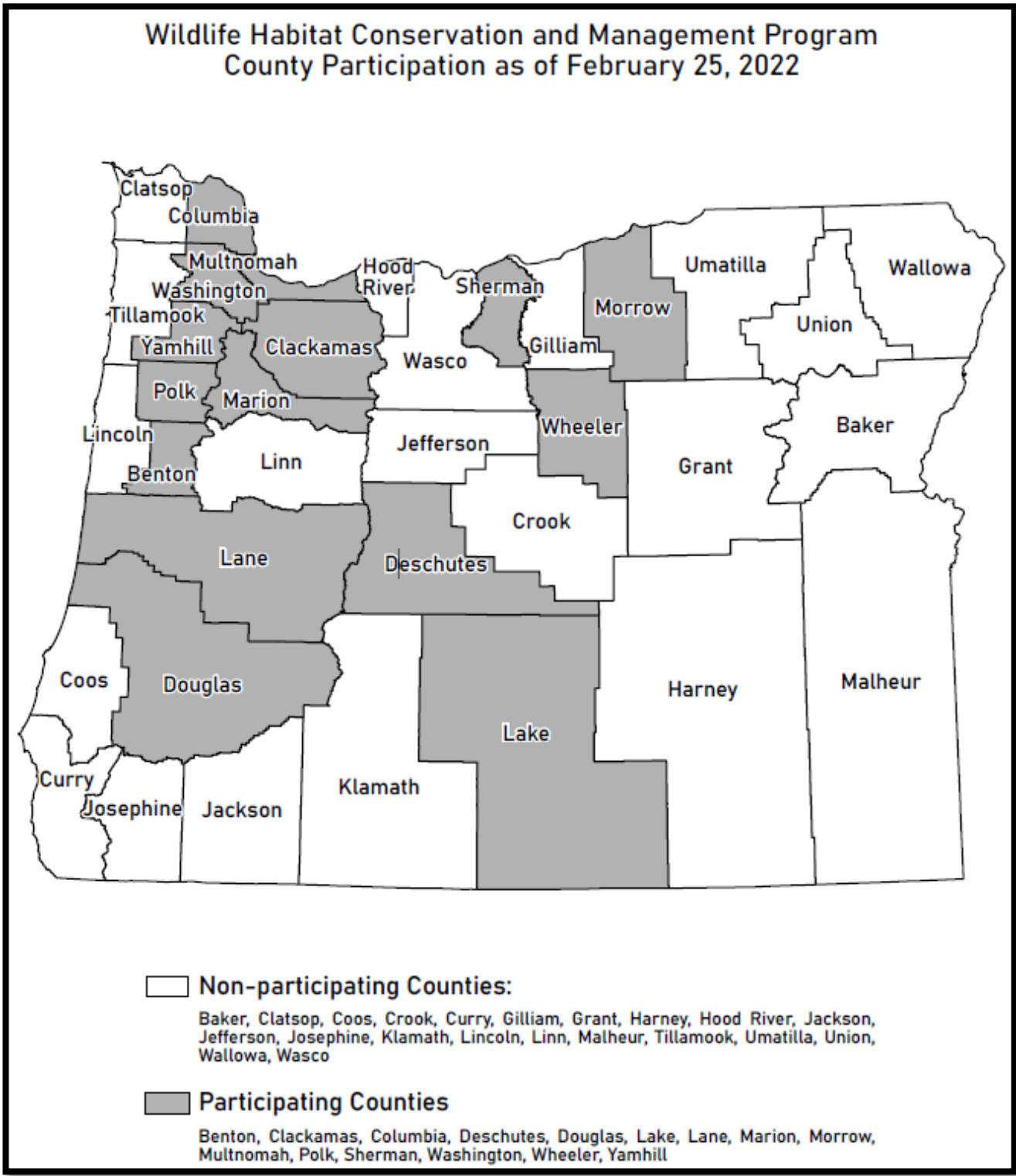
The process for a participating county or city to opt in, or for a participating county or city to add eligible land is the same. The governing body of the county or city must decide to participate, select lands they would like to be eligible for the habitat program and submit the request to the ODFW Habitat Program, for approval by the Director. Counties may select lands within unincorporated areas, while cities may select lands within incorporated areas. A county, with the prior consent of a city, may select lands within the county and the city for eligibility in the habitat program. Counties and cities may select:

1. Land that is zoned for exclusive farm use, mixed farm and forest use, or forest use; and/or
2. Land that is clearly identifiable as containing significant wildlife habitat as defined. [308A.415(1-3); OAR 635-430-0010 (10); OAR 635-430-0025(1-3)]

The county or city must submit a request to ODFW indicating the lands being requested for habitat program eligibility. The Director of ODFW may designate land as eligible for participation if it finds the designation promotes the objectives of the program. Land does not qualify for wildlife habitat special assessment unless a county or city requests, and the Director approves, the designation of lands. [308A.415(4 and 5); OAR 635-430-0025(4)]

Interested counties or cities should contact ODFW, which can provide information and assistance about the habitat program.

2.2 Figure 1. Map of participating counties.



## **2.4 Process for removing eligible lands**

A county or city that requests the Director to designate land as eligible for the habitat program subsequently may request the Commission to remove the designation for part or all of the lands. For the Director to remove the designation, the county or city must demonstrate, and the Director must agree, that the designation creates a significant economic burden for the county or city. Additional properties cannot enroll in the habitat program in formerly designated areas, but properties already participating in the program may continue to receive wildlife habitat special assessment. [ORS 308A.418; OAR 635-430-0025(6-8)]

## **2.5 Resources counties and cities can provide to assist landowners**

When developing a wildlife habitat conservation and management plan, a landowner must include the Township, Range, Section, Tax lot, zoning, and a map and aerial photo of the property. A county or city may assist the landowner by providing the property zoning and a map with the property boundary (plat map.)

# **3. Landowner process to participate in habitat program**

## **3.1 Program eligibility**

In 2024, ODFW updated the WHCMP program eligibility criteria, focusing property enrollment on agency priorities. It is very important that the County assessors and appraisers coordinate closely with ODFW staff to ensure that they are aware of the agency and Watershed District level criteria for the WHCMP program and only refer landowners to us and cooperating agencies that meet both these sets of criteria.

ODFW will evaluate properties based on regional habitat type, parcel size, connectivity, native vegetation functionality, and commitment of cooperating agency<sup>1</sup> and resources.

In addition, Watershed Districts may limit the number of plans that they are accepting per calendar year. Limits will be posted on the Department's web page.

To be eligible, properties must be or have:

- (a) Large acreage. Minimum acreage requirements are set by each Watershed District and will be posted to the Department's [WHCMP webpage](#);
- (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

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<sup>1</sup> "Cooperating agency" means the Oregon Department of Fish and Wildlife, 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, and organizations whose mission includes fish and wildlife conservation. Other persons with wildlife conservation and management training may be considered cooperating agencies if they meet the following qualifications: (a) A degree or certification from an accredited educational institution in a field of study providing knowledge that may be applied to preserve, enhance or improve habitat for native wildlife. Such fields of study include, but are not limited to, wildlife biology, wildlife management, fisheries management, biology, zoology, limnology, botany, ecology, wetland ecology, forest ecology, ecosystem management, environmental engineering, soil science, other natural science, or landscape architecture; or (b) Certification from a professional society (including but not limited to The Wildlife Society, American Fisheries Society, or Ecological Society of America) or licensure by the state in a field listed in subsection (1)(a) of this rule; and (c) Evidence of professional experience in a field listed in subsection (1)(a) of this rule.

- Oregon Conservation Strategy or adjacent to other public or private lands managed for conservation objectives; and
- (e) A cooperating agency<sup>1</sup>, or other person meeting criteria in OAR 635-430-0010(1), willing to provide technical assistance, including development and review of the Plan, and possibly conducting field inspections.

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

- (a) Large acreage- On the west side of the state, the 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 this criterion, 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 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.”
- (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 WHCMP website to see the listed mapped priority habitats of interest for the watershed you are working in.

In addition to these statewide criteria, ODFW will be asking cooperators to gather information when working with the landowner to assess 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? The cooperators be our eyes and ears and must determine that the landowners can meet these criteria and that the proposed property will be successfully managed for the entire time that they own the property.

The District Criteria posted on WHCMP the website <http://www.dfw.state.or.us/lands/whcmp/> 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, and if so will post them on the website by January 1.

### **3.2 Expectations**

Landowners interested in enrolling their property in the WHCMP are required to contact a cooperating agency and learn about Program expectations and criteria for enrollment.

Cooperators are expected to be familiar with:

- Which counties are participating in the WHCMP program (map),
- How to help landowners determine whether their zoning and area are eligible for county participation,
- The statewide WHCMP criteria (OAR 635-430-0027) and District Watershed criteria (WHCMP website), and
- Specific wildlife conservation and management practices needed to conserve, protect, and restore the native habitats of conservation concern on the proposed property.

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.

The Department will be prioritizing enrollment of properties that offer protection of intact native habitats over those that need active or ongoing restoration.

In addition to the criteria above, it will be important for the landowner to demonstrate, to the satisfaction of the cooperating agency and Department, that they have the ability and resources to accomplish the short and long-term goals of the Program on their property.

In certain situations, Watershed Districts may allow exceptions to their criteria. The cooperating agency will be the responsible party for negotiating these rare situations. The Department will post any

exceptions on the Department webpages.

Properties enrolled in the Wildlife Habitat Conservation and Management Program prior to August 2024 will not be subject to the criteria described in (a)-(e) listed above.

[ORS 496.012, 496.138, 496.146 & 496.162; 308A.400 - 308A.430]

### **3.3 Obtain certification of eligibility from county or city**

To participate in the habitat program, an interested landowner needs to contact the county or city planning or assessment department to ensure the property is eligible for the program. To be eligible, (1) the county or city must be participating in the habitat program (Figure 1 page 5), and (2) the property must be in an area or zone selected by the county or city and designated by the Commission for the program. A local county or city official must complete the ODFW Certification Form (see page 10) to confirm the property's eligibility. [OAR 635-430-0050(1)]



### **3.5 Process and plan preparation**

Prior to developing a habitat plan, a landowner must confirm that their property is eligible for the program:

- County/City has opted into the program,
- The property zoning is valid and the property is within an area selected by the County or city and designated by the Commission for the program,
- Cooperating agency has confirmed that the property meets all the ODFW and ODFW Watershed District criteria for enrollment, and that the
- ODFW Watershed District is open for enrollment.

Once the steps above have been complete, the cooperating agency [OAR 635-430-0010(1)] coordinates, presents, and discusses the proposed property with ODFW Department staff in the relevant District. ODFW determines if the proposed property qualifies for the Program and meets all the criteria in OAR 635-430-0027 and the Watershed District criteria posted on the Department website.

If the property qualifies for the program, the cooperating agency and landowner will develop a draft wildlife habitat conservation and management plan, including all elements outlined in OAR 635-430-0050.

The habitat plan must create or maintain a conservation benefit and meet the standards and objectives of the program. The plans can accommodate agricultural or forestry activities that are consistent with the habitat objectives of the program. Habitat plans should be written to emphasize native habitat values on the property and need to exclude parts of the property where ongoing uses and activities do not support habitat conservation as the primary objective. A habitat plan does not grant public access to a landowner's property. [ORS 308A.409]

### **3.6 Information needed in a habitat plan**

A habitat plan must include:

- A signed certification of eligibility from the county or city;
- Contact information for the landowner and cooperating agency;
- Township, Range, Section, tax lot numbers, zoning and acreage of the land proposed for enrollment. (Enrolled acreage does not include dwellings);
- Aerial photo and maps that are readable, reproducible and based on current technology,
- Written descriptions of physical features, habitats, location and nature of farming or forestry activities,
- Habitat conservation and management objectives, practices and timeline,
- Long term maintenance plan for the property, and
- Signed acknowledgement by the landowner or trustees with a commitment to the following:
  - i. Long- term active maintenance of the property following implementation of the plan and reporting the results of wildlife habitat conservation and management objectives and actions;
  - ii. Maintaining the capacity, tools, and resources to actively manage and maintain the habitat on the acres of the subject property that are enrolled in the Program for the length of time that they own the property;

- iii. Submitting a yearly self-attestation report in accordance with OAR 635-430-0080 (2) with relevant photographs that document the status of Program management activities in relation to the goals and outcomes outlined in the Plan and that they shall continue to actively manage the property as required to maintain enrollment in the Program.
- iv. Understanding that failure to submit an annual report to the Department shall result in disqualification from the Program, which may have potential tax liability for the landowner. See ORS 308A.703.  
[OAR 635-430-0050]

### **3.7 Conservation and management actions in a habitat plan**

Each habitat plan identifies landowner practices that benefit native wildlife species and their habitats. These include, but are not limited to:

- Protecting existing native vegetation;
- Restoring, enhancing or creating wetlands, riparian areas or other native habitats;
- Planting native trees, shrubs, grasses and other native vegetation;
- Forest stand improvement, including forest thinning;
- Removing or controlling invasive, non-native plant or animal species;
- Leasing or selling instream water rights;
- Using prescribed burns to maintain fire-dependent native vegetation;
- Improving habitat diversity and structure by adding boulders and logs in streams or snags and downed wood in uplands;
- Installing fencing to exclude livestock and protect habitat and plant communities;
- Removing artificial features such as buildings, pavement, fences and culverts and placing new structures to minimize impacts on native habitat areas;
- Locating new dwellings or structural improvements to minimize conflict with existing or proposed habitat for native wildlife species;
- Establishing vegetative buffers or structural setbacks adjacent to wildlife habitat; and
- Using farm or forest management practices that protect, restore or enhance habitat.  
[OAR 635-430-0030]

### **3.8 Submission of a habitat plan for review**

The Department shall review the draft Plan prepared by the cooperating agency and landowner to ensure that it meets the Program criteria and Watershed District priorities for enrollment as outlined in OAR 635-430-0027, certify that the subject property lies within an area or zone designated in the wildlife habitat conservation and management program and ensure that it includes all Plan elements outlined in OAR 635-430-0050.

Within 90 days of receiving a complete plan, ODFW will review the plan to ensure it meets the program standards and approve, recommend changes or reject the habitat plan, and will notify the landowner of the decision in writing. The landowner can appeal the decision. ODFW will send a copy of the approved plan to the landowner, cooperator and the appropriate county or city assessment office. ODFW may limit the number of plans reviewed each year due to workload constraints.

[ORS 308A.412; OAR 635-430-0040(5-10); OAR 635-430-0080(1-3)]

### **3.9 Application for wildlife habitat special assessment**

The landowner must apply to the county assessor, on a form created by the Oregon Department of Revenue and supplied by the assessor, for wildlife habitat special assessment. Applications must be submitted by April 1 for the tax year for which special assessment is desired, for a habitat plan that was approved prior to January 1. The application must include:

- a) A copy of the approved wildlife habitat conservation and management plan,
- b) A certified copy of ODFW's declaration that the land is subject to a wildlife habitat conservation and management plan approved by the Department [ORS 308A.412(3); OAR 635-430-0040(8)]
- c) A copy of the certification of eligibility (a description of the land that is the subject of the application that is sufficient for the county assessor to determine whether the land for which wildlife habitat special assessment is sought is within an area eligible for wildlife habitat special assessment) [ORS 308A.424 3c],
- d) A statement that the applicant is aware of the potential tax liability that arises under ORS 308A.703 upon disqualification from wildlife habitat special assessment,
- e) An affirmation that the wildlife habitat conservation and management plan is being implemented substantially as approved, and
- f) An affirmation that all representations contained in the application are true.

The application for wildlife habitat special assessment will be considered approved if the assessor does not notify the landowner of a denial before August 15.  
[ORS 308A.424]

### **3.10 Annual self-reporting, site inspection, and removal of land**

By April 1 of each year, the landowner of the WHCMP shall provide documentation to ODFW [and the appropriate County assessor's office (*if they are interested*)] that their plan is in compliance with the rules. The documentation shall include:

- a) An affirmation that the wildlife habitat conservation and management plan is being implemented substantially as approved,
- b) An affirmation that all representation in the report and photographic attachments is true,
- c) Acknowledgment that the landowner is aware of the tax liability that arises under ORS 308A.703 upon disqualification from the Program;
- d) An affirmation that prior to when the property is sold, the landowner will disclose enrollment in the program to the new landowner, which includes disclosing the requirement to maintain an active Plan to continue eligibility for the Program; and
- e) Acknowledgement that if their annual report is not received by April 1 that they will receive notification from ODFW that they are at risk of disqualification from the Program.

If by May 1 of each year, the Department does not receive annual documentation from the landowner of a subject property as described above, the ODFW will notify the landowner and the appropriate County assessor in writing, that the property is disqualified from the Wildlife Habitat Conservation and Management Program and *will not be allowed to re-enroll*.

The Department or its designee may, periodically or in response to a complaint or other evidence of

non-compliance, conduct a physical inspection of a subject project to determine continued compliance with the Plan. The Department or its designee will notify the landowner prior to initiating the site inspection. The landowner must allow the Department staff or delegate agency to access the property in a reasonable amount of time to assess the property's compliance with the Plan, or the property will be deemed out of compliance by default and be subject to removal.

If the County Assessor, during one of their routine assessment inspections, sees something egregious during the site visit, such as unpermitted large buildings, new fencing in the riparian area, or a large number of new livestock on the property, ODFW would appreciate being alerted, so that we can look into the situation and compare the new conditions to the areas approved for the wildlife habitat conservation management plan.

If, based on site inspections, the Department, the County assessor, or their designee determines the landowner is not implementing the Plan as approved, the Department will send a letter notifying the landowner and cooperating agencies that the landowner is out of compliance. The notice of non-compliance letter will identify the compliance measures that the landowner must initiate and a reasonable timeline for implementing those measures.

If the landowner does not provide documentation of compliance with the Plan or is not implementing the compliance measures required by the Department within the timeframe described in the warning letter, the Department will notify the landowner and the appropriate County assessor that the landowner is disqualified from the Wildlife Habitat Conservation and Management Program and *will not be allowed to re-enroll*.

[ORS 308A.430; OAR 635-430-0080]

### **3.11 Request for Reconsideration**

The Department is willing to reconsider enrolling landowners in the WHCMP if they have been unable to meet required self-reporting timeframes or compliance issues outlined in OAR 635-430-0080 (2, 5 and 6) because of the following reasons:

- (a) Tragic personal circumstances including a) death or life-threatening injury or illness in the person's immediate family or b) the person's own serious injury or illness, which results in the person's hospitalization, or
- (b) The landowner or cooperator demonstrated a good faith effort to resolve compliance issues, and they were unsuccessful.

We expect that these situations will be rare, and we will coordinate with the County as soon as we are aware of the issue.

### **3.12 Amending an approved habitat plan**

A landowner may request an amendment to an approved habitat plan by contacting the local ODFW office. Review will follow the same procedures as review of the original habitat plan. [OAR 635-430-0070]

### **3.13 Change of ownership**

If a property enrolled in the WHCMP is sold and/or ownership changes, it is the responsibility of the landowner to inform the new property owners of the enrollment and provide a copy of the WHCMP plan. When ODFW is alerted about a land ownership change through the County Assessor's office, ODFW will contact the new landowner, alert them of the WHCMP requirements, and provide the new landowner with a copy of the previous landowner's approved habitat plan. Within 45 days of receiving the Plan, the new landowner must alert the County of their interest in the Program and contact the Department to re-enroll the property in the Program. If the new landowner is interested, the Department may require the landowner to submit a new wildlife habitat conservation and management plan that provides conservation benefits and includes the elements outline in ORS 635-430-0050 within 120 days of receiving the original Plan. [OAR 635-430-0080(7)]

If the new landowner does not continue to implement the habitat plan, ODFW will alert the County, and the County Assessor will disqualify the property from wildlife habitat special assessment. Back taxes would be determined in the same manner as with other reasons for disqualification from the program.

### **3.14 Disqualification of a property from wildlife habitat special assessment**

Land subject to a wildlife habitat conservation management plan may be inspected periodically by the State Department of Fish and Wildlife or a delegate agency designated under a rule adopted pursuant to ORS 308A.412 (4), to ensure that the land is managed in accordance with the plan.

When for any reason the land, or any portion of the land subject to an approved wildlife habitat conservation management plan ceases to be used in a manner consistent with the plan, the owner of the land at the time of the change in use shall notify the county assessor of the change prior to the next following January 1 assessment date.

The county assessor removes land from wildlife habitat special assessment when the property is disqualified from the habitat program. Disqualification will result upon:

Discovery, or notice from ODFW, that the habitat plan is not being implemented;

Landowner request to withdraw from the habitat program;

Land is sold or transferred to an owner exempt from property taxes;

Land qualifies for another special assessment; or

Land is included in a recorded subdivision plat.

Note that the ODFW rules state that if a property is disqualified for either a compliance issue or because the landowner fails to provide documentation that the habitat plan is being implemented, the property is disqualified and *can not reenroll in the program*. [OAR 635-430-0080 (3 and 6)]

When land is disqualified from wildlife habitat special assessment, the county assessor provides a written explanation to the landowner. Upon disqualification, the landowner faces a potential additional tax liability. If the land does not qualify for another special assessment, the landowner will owe back taxes for up to five or 10 years, depending on zoning, land uses and the number of years the land received wildlife habitat special assessment. If the land was under open space special assessment prior to wildlife habitat special assessment and the land no longer qualifies as open space, back taxes will be owed for all years the land was under open space special assessment.

[ORS 308A.318; 308A.430, 308A.703-743; OAR 635-430-0080]