

House Bill 4014

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Climate, Energy, and Environment for Representative Pam Marsh)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act allows agencies to award moneys under a grant program related to living with beavers on private land. The Act directs an agency and a committee to report on the grant program. The Act gives moneys to the agency for the grant program. The Act goes into effect on the 91st day after the 2024 session ends. (Flesch Readability Score: 62.3).

Authorizes the State Department of Fish and Wildlife and the State Fish and Wildlife Commission to award moneys from the Oregon Conservation and Recreation Fund under a Landowners Living with Beavers Grant Program, on recommendations from the Oregon Conservation and Recreation Advisory Committee.

Directs the department and the committee to jointly report on the grant program to committees or interim committees of the Legislative Assembly related to the environment on or before September 15, 2026.

Appropriates moneys from the General Fund to the department for deposit in the Oregon Conservation and Recreation Fund for purposes related to the grant program.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to fostering coexistence with beavers; creating new provisions; amending ORS 496.252 and
3 496.254; and prescribing an effective date.

4 Whereas a warming climate is increasing the frequency of droughts and wildfires; and

5 Whereas beavers have a significant role in increasing the quantity and quality of water on a
6 landscape and decreasing the risks of wildfire, and therefore act as a buffer against climate ex-
7 tremes; and

8 Whereas the beaver is a keystone species that serves as nature's engineer and the beavers'
9 habitat has the ability to provide refugia, stimulate the recovery of other species and foster
10 resilience on landscapes impacted by climate change; and

11 Whereas private landowners can have substantive positive impacts on beaver populations and
12 the condition of beaver habitat in Oregon; now, therefore,

13 **Be It Enacted by the People of the State of Oregon:**

14 **SECTION 1.** ORS 496.252 is amended to read:

15 496.252. (1) The Oregon Conservation and Recreation Fund is established in the State Treasury,
16 separate and distinct from the General Fund. Interest earned by the Oregon Conservation and Re-
17 creation Fund shall be credited to the fund.

18 (2) Moneys in the fund are continuously appropriated to the State Department of Fish and
19 Wildlife to carry out activities that serve to protect, maintain or enhance fish and wildlife resources
20 in Oregon. The activities for which the department may expend fund moneys include, but are not
21 limited to:

22 (a) Promoting the health of Oregon's ecosystems and fish and wildlife species by implementing
23 conservation programs and strategies identified in the Oregon Conservation Strategy, as defined in

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 ORS 541.890, including conservation programs and strategies for the nearshore identified in the
 2 marine component of the Oregon Conservation Strategy;

3 (b) Improving engagement of the public in hunting and fishing opportunities and in other outdoor
 4 recreation opportunities related to and in support of healthy fish, wildlife and habitats;

5 (c) Improving educational outreach and engagement of the public, including diverse and under-
 6 served communities, related to and in support of healthy fish, wildlife and habitats;

7 (d) Engaging in, and providing funding for, joint projects of the department and the State Parks
 8 and Recreation Department or other state agencies as recommended by the Oregon Conservation
 9 and Recreation Advisory Committee established under ORS 496.254;

10 (e) **Implementing a Landowners Living with Beavers Grant Program under which the**
 11 **State Department of Fish and Wildlife and the State Fish and Wildlife Commission undertake**
 12 **the following, on recommendations from the Oregon Conservation and Recreation Advisory**
 13 **Committee:**

14 (A) **Awarding grants to eligible applicants, including watershed councils, soil and water**
 15 **conservation districts and nonprofit organizations, of not more than \$50,000, in each grant**
 16 **cycle, to implement projects on private land that quickly and efficiently mitigate the effects**
 17 **of beavers that live on, or regularly visit, the private land, including:**

18 (i) **Tree protection tools;**

19 (ii) **Flood prevention devices;**

20 (iii) **Culvert and infrastructure protection systems;**

21 (iv) **Crop protection strategies;**

22 (v) **Landowner education and outreach; and**

23 (vi) **Training related to mitigating the effects of beavers;**

24 (B) **Providing statewide technical assistance to develop and expand skills and strategies**
 25 **for coexisting with beavers; and**

26 (C) **Authorizing and administering the expenditures described in this paragraph; and**

27 [(e)] (f) Other conservation, management, research, habitat improvement, enforcement, outdoor
 28 recreation or education activities.

29 (3) The fund shall consist of:

30 (a) Moneys appropriated to the State Department of Fish and Wildlife for deposit in the fund
 31 or otherwise transferred to the fund;

32 (b) Gifts, grants, contributions or other donations for use as described in subsection (2) of this
 33 section, that are received by the department from any public or private source and caused to be
 34 deposited and credited to the fund; and

35 (c) Moneys in the subaccount described in subsection (4) of this section.

36 (4) The Private Forest Accord Mitigation Subaccount is established in the fund. The subaccount
 37 shall consist of moneys appropriated to the department for deposit in the subaccount or otherwise
 38 transferred to the subaccount and gifts, grants, contributions or other donations that are received
 39 by the department from any public or private source and caused to be deposited and credited to the
 40 subaccount. Moneys in the subaccount may be used for:

41 (a) The purposes described in, and the administration of, ORS 496.257.

42 (b) Conducting outreach to persons that own or operate an artificial obstruction, as defined in
 43 ORS 509.580, to further the goal of fish passage.

44 (c) Conducting outreach to persons that may undertake projects described in ORS 496.257.

45 (5) The department and the Oregon Conservation and Recreation Advisory Committee shall

1 jointly submit a biennial report to the Legislative Assembly as provided in ORS 293.640 regarding
 2 the expenditure of moneys deposited in the fund, other than moneys deposited in the Private Forest
 3 Accord Mitigation Subaccount, and on the status of various activities funded by the moneys.

4 (6) The department and the Private Forest Accord Mitigation Advisory Committee shall jointly
 5 submit a biennial report to the Legislative Assembly as provided in ORS 293.640 regarding the ex-
 6 penditure of moneys deposited in the Private Forest Accord Mitigation Subaccount and on the status
 7 of various activities funded by the moneys.

8 **SECTION 2.** ORS 496.252, as amended by section 66, chapter 33, Oregon Laws 2022, is amended
 9 to read:

10 496.252. (1) The Oregon Conservation and Recreation Fund is established in the State Treasury,
 11 separate and distinct from the General Fund. Interest earned by the Oregon Conservation and Re-
 12 creation Fund shall be credited to the fund.

13 (2) Moneys in the fund are continuously appropriated to the State Department of Fish and
 14 Wildlife to carry out activities that serve to protect, maintain or enhance fish and wildlife resources
 15 in Oregon. The activities for which the department may expend fund moneys include, but are not
 16 limited to:

17 (a) Promoting the health of Oregon’s ecosystems and fish and wildlife species by implementing
 18 conservation programs and strategies identified in the Oregon Conservation Strategy, as defined in
 19 ORS 541.890, including conservation programs and strategies for the nearshore identified in the
 20 marine component of the Oregon Conservation Strategy;

21 (b) Improving engagement of the public in hunting and fishing opportunities and in other outdoor
 22 recreation opportunities related to and in support of healthy fish, wildlife and habitats;

23 (c) Improving educational outreach and engagement of the public, including diverse and under-
 24 served communities, related to and in support of healthy fish, wildlife and habitats;

25 (d) Engaging in, and providing funding for, joint projects of the department and the State Parks
 26 and Recreation Department or other state agencies as recommended by the Oregon Conservation
 27 and Recreation Advisory Committee established under ORS 496.254;

28 **(e) Implementing a Landowners Living with Beavers Grant Program under which the**
 29 **State Department of Fish and Wildlife and the State Fish and Wildlife Commission undertake**
 30 **the following, on recommendations from the Oregon Conservation and Recreation Advisory**
 31 **Committee:**

32 **(A) Awarding grants to eligible applicants, including watershed councils, soil and water**
 33 **conservation districts and nonprofit organizations, of not more than \$50,000, in each grant**
 34 **cycle, to implement projects on private land that quickly and efficiently mitigate the effects**
 35 **of beavers that live on, or regularly visit, the private land, including:**

36 **(i) Tree protection tools;**

37 **(ii) Flood prevention devices;**

38 **(iii) Culvert and infrastructure protection systems;**

39 **(iv) Crop protection strategies;**

40 **(v) Landowner education and outreach; and**

41 **(vi) Training related to mitigating the effects of beavers;**

42 **(B) Providing statewide technical assistance to develop and expand skills and strategies**
 43 **for coexisting with beavers; and**

44 **(C) Authorizing and administering the expenditures described in this paragraph; and**

45 **[(e)] (f) Other conservation, management, research, habitat improvement, enforcement, outdoor**

1 recreation or education activities.

2 (3) The fund shall consist of:

3 (a) Moneys appropriated to the State Department of Fish and Wildlife for deposit in the fund
4 or otherwise transferred to the fund; and

5 (b) Gifts, grants, contributions or other donations for use as described in subsection (2) of this
6 section, that are received by the department from any public or private source and caused to be
7 deposited and credited to the fund.

8 (4) The department and the Oregon Conservation and Recreation Advisory Committee shall
9 jointly submit a biennial report to the Legislative Assembly as provided in ORS 293.640 regarding
10 the expenditure of moneys deposited in the fund and on the status of various activities funded by
11 the moneys.

12 **SECTION 3.** ORS 496.254 is amended to read:

13 496.254. (1) The Oregon Conservation and Recreation Advisory Committee is established as an
14 advisory committee to the State Fish and Wildlife Commission and the State Department of Fish and
15 Wildlife for the purpose of carrying out the duties described in subsection (2) of this section. The
16 commission shall determine the number of members of the committee and the geographical repre-
17 sentation by the members. The Governor shall appoint the members of the committee. The Associate
18 Director of Outdoor Recreation, or the associate director's designee, shall serve as a nonvoting, ex
19 officio member.

20 (2) The committee shall:

21 (a) Review department policies regarding the use of Oregon Conservation and Recreation Fund
22 moneys, other than policies regarding the use of Private Forest Accord Mitigation Subaccount
23 moneys, and make recommendations to the commission and the department regarding the use of fund
24 moneys for implementing and administering department activities.

25 (b) **Make recommendations to the commission and the department on expenditures under
26 the Landowners Living with Beavers Grant Program, as described in ORS 496.252 (2)(e).**

27 (3) Members of the committee may not receive compensation for service as members. However,
28 subject to any applicable law regulating travel and other expenses of state officers and employees,
29 a member may be reimbursed for actual and necessary travel and other expenses incurred in the
30 performance of official duties from moneys available to the department for the purpose of re-
31 imbursement of committee members.

32 **SECTION 4.** ORS 496.254, as amended by section 67, chapter 33, Oregon Laws 2022, is amended
33 to read:

34 496.254. (1) The Oregon Conservation and Recreation Advisory Committee is established as an
35 advisory committee to the State Fish and Wildlife Commission and the State Department of Fish and
36 Wildlife for the purpose of carrying out the duties described in subsection (2) of this section. The
37 commission shall determine the number of members of the committee and the geographical repre-
38 sentation by the members. The Governor shall appoint the members of the committee. The Associate
39 Director of Outdoor Recreation, or the associate director's designee, shall serve as a nonvoting, ex
40 officio member.

41 (2) The committee shall:

42 (a) Review department policies regarding the use of Oregon Conservation and Recreation Fund
43 moneys and make recommendations to the commission and the department regarding the use of fund
44 moneys for implementing and administering department activities.

45 (b) **Make recommendations to the commission and the department on expenditures under**

1 **the Landowners Living with Beavers Grant Program, as described in ORS 496.252 (2)(e).**

2 (3) Members of the committee may not receive compensation for service as members. However,
3 subject to any applicable law regulating travel and other expenses of state officers and employees,
4 a member may be reimbursed for actual and necessary travel and other expenses incurred in the
5 performance of official duties from moneys available to the department for the purpose of re-
6 imbursement of committee members.

7 **SECTION 5. On or before September 15, 2026, the State Department of Fish and Wildlife**
8 **and the Oregon Conservation and Recreation Advisory Committee shall jointly submit a re-**
9 **port, in the manner provided by ORS 192.245, to the committees or interim committees of**
10 **the Legislative Assembly related to the environment on the expenditures of moneys under**
11 **the Landowners Living with Beavers Grant Program described in ORS 496.252 (2)(e), includ-**
12 **ing the status and outcomes of activities funded under the grant program.**

13 **SECTION 6. (1) In addition to and not in lieu of any other appropriation, there is appro-**
14 **riated to the State Department of Fish and Wildlife, for the biennium ending June 30, 2025,**
15 **out of the General Fund, the amount of \$1,500,000, for deposit in the Oregon Conservation**
16 **and Recreation Fund for purposes related to the Landowners Living with Beavers Grant**
17 **Program described in ORS 496.252 (2)(e).**

18 (2) Up to \$40,000 of the amount described in subsection (1) of this section may be used
19 for the costs of administering the grant program.

20 **SECTION 7. This 2024 Act takes effect on the 91st day after the date on which the 2024**
21 **regular session of the Eighty-second Legislative Assembly adjourns sine die.**

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