

# Case Study on Moving Forward in the Legislative Process

## Wildlife Tax Credit Program

---

Jim Cathcart, West Multnomah SWCD

Jason Faucera, Clackamas SWCD

Advocacy Committee Forum

Oregon Association of Conservation Districts

2021 Annual Meeting (Virtual)

November 10, 2021



# Case Study

## Bringing Back “Fully Functional” Wildlife Tax Deferral Programs

- [Wildlife Habitat Conservation and Management Program](#) (WHCMP)
- [Riparian Lands Tax Incentive Program](#) (RLTIP).



# Case Study Timeline

- ❖ 2016: West Multnomah Board Member Raises Issue of the WHCMP Not Being Available
- ❖ 2017: Initial Discussions at OACD Lower Willamette Basin Team Meetings
- ❖ 2018: Collaborative Meeting of the Minds (Lower Willamette SWCDs, ODFW)
- ❖ 2018: Lower Willamette Basin Team Meeting to Form Consensus on Path Forward
- ❖ 2018: Hard Conversations with ODFW – SWCDs Needed Firm Commitment from ODFW on Goal
- ❖ 2019 (July): Formal Intergovernmental Agreements Executed
- ❖ 2019 (November): Phase I (Getting the House in Order) Completed
- ❖ 2020: Six Month Time Out (COVID-19, Office Relocations, Strategic Planning, Disability, ....)
- ❖ 2020: Effort Resumed – Wildlife Tax Deferral Programs Work Group Formed (SWCDs, Other Partners)
- ❖ 2020 (December): Four pronged approach: (1) Pilot, (2) Legislative, (3) Messaging, (4) Fundraising





# Case Study Timeline - 2021

- ❖ January through July – Monthly Meetings of the Work Group.
- ❖ February – Meeting with ODFW. Reviewed Four Pronged Approach. Set Legislative Agenda
- ❖ Legislative Strategy Developed and Implemented (Details Forthcoming)
- ❖ July through November – Meetings with ODFW North Willamette Watershed District – Develop Pilot
- ❖ July through August – Broaden Awareness (ODFW Conservation Open House, Oak Leaders Group)
- ❖ November through February 2022 – Work Group Preparation for Spring Informational Hearing





# How Did We Get Here

- Confirm Policy Action Need
- Form a Coalition – Initial Collaboration
- Identify Influencers – Decision-Makers
- Agree to Collaborate
- Develop a Plan – Keep End in Mind
- Secure Commitment to the Plan
- Develop Relationships – Expand Collaboration
- Affirm/Modify the Plan
- Stick to the Plan



# Confirm Policy Action Need

**Policy Action** – Bring back fully functional wildlife tax deferral programs (specific emphasis on WHCMP)

- Need identified by West Multnomah SWCD Board Member
- Brought to the attention of neighboring SWCDs
- Recognized and shared by other SWCDs
- Vetted with Oregon Department of Fish and Wildlife
- Consensus – it was a shared priority to pursue taking action.





# Form a Coalition – Initial Collaboration

## Lower Willamette Basin SWCD

### Wildlife Tax Deferral Program Team Formed

- Willing to Lead Effort – West Multnomah, Clackamas SWCDs
- Willing to Support Effort – Polk, Tualatin SWCDs
- Willing to Join Effort if Effort Expanded – East Multnomah SWCD
- Willing to Monitor Effort – Marion, Yamhill SWCDs



# Identify Influencers – Decision-Makers

Decision Maker – Oregon Department of Fish and Wildlife (ODFW) Headquarters Staff

## Influencers

- ODFW North Willamette Watershed District (Internal)
- Oregon Legislature (Primary)
- Secondary Influencers (Entities that Influence the Primary Influencer)
  - ❑ Oregon Conservation and Recreation Fund Advisory Committee
  - ❑ Willamette Partnership
  - ❑ Pacific Birds Habitat Joint Venture
- Tertiary Influencers – Those Who Influence the Secondary





# Agree to Collaborate

## Lower Willamette Basin SWCD Wildlife Tax Deferral Program Team

- Held Meetings with Decision Maker and Internal Influencer
- Invited and Received Participation by Interested Board Members
- First Things First – A barrier for moving for ODFW’s ability to move forward was “getting their house in order”.
- Decision to Collaborate
  - ❑ SWCDs provide resources to ODFW so ODFW can “get things in order”.
  - ❑ ODFW makes commitment to supporting outcome – fully functional wildlife tax deferral programs are available statewide.





# Develop a Plan

## Lower Willamette Basin SWCD Wildlife Tax Deferral Program Team

- Plan Mapped Out all the Steps Needed to Achieve End in Mind (Fully Functional Wildlife Tax Deferral Programs)
  - ❑ Phase 1 - Know What You Got – Monitoring and Compliance
  - ❑ Phase 2 - Implement WHCMP And RLTIP Monitoring Schedule
  - ❑ Phase 3 - Accept New WHMCP and RLTIP Applications
  - ❑ Phase 4 –Secure Fully Functional Programs



# Secure Commitment to the Plan

## Inked Formal Agreements

- 1) External Intergovernmental Agreement (IGA) -- *Working Towards Fully Functional Habitat Incentive Programs for Private Lands in Partnership with Soil and Water Conservation Districts* between Lower Willamette Basin SWCDs (as a coalition) and ODFW
- 2) Internal Intergovernmental Agreement (IGA) -- *Lower Willamette Basin Soil and Water Conservation District Funding for Fully Functional Oregon Department of Fish and Wildlife Tax Incentive Programs* between individual Lower Willamette Basin SWCDs





# Develop Relationships Expand Collaboration

- Willamette Partnership Joined the Coalition
  - ❑ Brought in Pacific Birds Joint Habitat Venture
  - ❑ Connected the Effort to Oak and Prairie Leaders Group
- OACD Advocacy Committee Prioritized the Need for Policy Action
  - ❑ Executive Director Became a Critical Resource
  - ❑ Legislative Tracking by the Advocacy Committee
- Jackson SWCD Joined and Expanded the Scope of the Coalition



# 2021 Legislative Strategy

- ❖ February – Briefed OACD Advocacy Committee; Solicited Support, Became Member
- ❖ April – Meeting with Representative Jeff Reardon about ODFW Budget and Link to Tax Programs
- ❖ May 3rd – OACD Testimony on ODFW Budget, Ways and Means Subcommittee on Natural Resources
- ❖ May 19th – Meeting w/ Senator Kathleen Taylor’s Legislative Aide – Need for Field Positions
- ❖ June – Legislatively Adopted Budget – Includes Habitat Division and 7 New Field Biologist Positions
- ❖ July – Meeting with Rep Reardon – Request for Support for Fall 2021 Informational Hearing
- ❖ July – Request for Informational Hearing to Rep Zach Hudson (Chair, House Ag & Natural Resources)
- ❖ Sept – Request Handed Off to Rep Pam Marsh (Chair, House Environment & Natural Resources)
- ❖ Sept – Meeting with Rep Marsh – Verbal Commitment to Informational Hearing (Spring Session)
- ❖ January 2022 – Check In with Rep Marsh – Get Spring Informational Hearing Scheduled



# Affirm/Modify the Plan

## First PIVOT – The Need for An Informational Hearing

- Address Misinformation about the Need for Wildlife Tax Deferral Programs
- Adopted Oak Woodlands as the Poster Child for the Need for WHCMP
  - ❑ Oak Woodlands – Priority “Strategy” Habitat in Oregon Conservation Strategy
  - ❑ Oak Woodland Conservation – Statewide in Scope (5 Regional Efforts)
  - ❑ Oak Woodland Conservation Opportunity – Primarily on Private Lands
  - ❑ Oak Woodland Conservation – Does not fit Agriculture and Forestry Tax Deferrals
  - ❑ Oak Woodland Conservation – Costly to Landowners; Reduced Revenue Opportunity
  - ❑ Wildlife Tax Deferral – Removes Key Barrier to Private Landowners Taking Action
- Show how Leveraging SWCD Capacity to Lower State Program Costs



# Affirm/Modify the Plan

## Second PIVOT – Legislative Strategy for 2021 Session

- Phase 2 – Monitoring and Compliance – Blocked by Lack of Field Capacity
- Budget Outlook Favorable to Discussing ODFW’s Field Capacity
  - ❑ Governor’s Budget – Proposed Recreating ODFW’s Non-Game Habitat Division
  - ❑ ODFW’s Budget Request – Identified Field Positions Needed in Habitat Division
  - ❑ Legislative Support for the Oregon Conservation and Recreation Fund
  - ❑ OACD Advocated for Adding Back the Habitat Division Field Positions
- Supporting ODFW’s Budget for Habitat Division Would Further Our Cause
  - ❑ Increased Field Biologist Capacity Helps with Offering WHCMP and RLTIP
  - ❑ Allowed for Behind the Scene Discussions on Importance of the Wildlife Tax Deferral Programs; Set the Stage for Asking for Informational Hearing



# Affirm/Modify the Plan

## Where We Got Lucky

- Turned Out the State Legislature Had Plenty of Money to Work With
  - ❑ Federal Initiatives – Recovering America’s Wildlife Act – Showed Promise
  - ❑ Loss of Revenue from Pandemic was Lower than Forecasted
  - ❑ Federal Stimulus Money Added Free Up State \$\$\$ that Otherwise Were Unavailable
- Clackamas SWCD, Jackson SWCD - Constituents of Key Legislators On Key Committee’s (Representative Jeff Reardon, Representative Pam Marsh)







# Stick to the Plan

## Collaboration

- We Worked to Help ODFW Succeed in 2021 Session with respect to the Budget for Field Positions within the Habitat Division
- ODFW North Willamette Watershed District Helped Us Succeed
  - ❑ Agreed to Enter the WHCMP Pilot Project (Centered on Oak Woodlands)
  - ❑ Supportive of Initiating Legislative Discussion through the Informational Hearing



# Questions?



## Contact Us!

**Jim Cathcart, District Manager, West Multnomah SWCD**  
**(503) 238-4775, Ext. 106 (message); [jim@wmswcd.org](mailto:jim@wmswcd.org)**

**Jason Faucera, Conservation Initiatives Manager, Clackamas SWCD**  
**(503) 998-3525; [jfaucera@conservationdistrict.org](mailto:jfaucera@conservationdistrict.org)**