Application Name: Trout Creek Meadows

Application Number: 223-9900-22451

By: Oregon Desert Land Trust

Offering Type: Land Acquisition

Application Type: Land Acquisition

OWEB Region: Eastern Oregon
County: Harney
Coordinates: 42.1641491089372,-118.541488560221

Applicant:
Brad Nye Deputy Director
2843 NW Lolo Drive Suite 200
Bend OR 97703-6914
541.410.2625
bnye@oregondesertlandtrust.org

Payee:
Brent Fenty, Executive Director
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Project Manager:
Brad Nye Deputy Director
2843 NW Lolo Drive Suite 200
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Budget Summary:
OWEB Amount Requested: $2,875,000
Total Project Amount: $3,636,899

Administrative Information

Abstract

Provide an abstract statement for the project. Include the following information: 1) Identify the project location; 2) Briefly state the project need; 3) Describe the proposed work; 4) Identify project partners.

The Oregon Desert Land Trust and The Nature Conservancy have partnered to acquire the 16,645-acre Trout Creek Ranch near the unincorporated community of Fields in southeast Oregon. Among other things, the property lies in the SONEC project area, one of the most important landscapes in western North America for waterbird migration. The proposed OWEB investment area also includes more than five miles of Trout Creek, an important habitat for the state-sensitive Alvord chub.

The project need is to permanently protect and establish conservation management on the property's wet meadows. We will accomplish this by developing a conservation easement with OWEB that makes wildlife habitat the driving consideration in management planning. At the same time, we plan to use working lands practices, including livestock grazing and haying, as appropriate to achieve habitat goals.

Our primary project partner is The Nature Conservancy, which has dedicated significant planning and stewardship capacity to the project. We will also rely on our local ranch partners to help us develop, monitor, and implement appropriate agricultural practices.

Location Information

What is the ownership of the project site(s)?

❑ *Public land (any lands owned by the Federal government, the State of Oregon, a city, county, district or municipal or public corporation in Oregon)*

❑ *Tribal lands (any lands owned/managed by a Tribal government)*

✓ *Private (land owned by non-governmental entities)*

Please select one of the following Landowner Contact Certification statements:

● I certify that I have informed all participating private landowners involved in the project of the existence of the application, and I have advised all of them that all monitoring information obtained on their property is public record.

❍ I certify that contact with all participating private landowners was not possible at the time of application for the following reasons: Furthermore, I understand that should this project be awarded, I will be required by the terms of the OWEB grant agreement to secure cooperative landowner agreements with all participating private landowners prior to expending Board funds on a property.

Please include a complete list of participating private landowners

Oregon Desert Land Trust

✓ *Not applicable to this project*

❑ *This grant will take place in more than one county.*

Permits

Other than the land-use form, do you need a permit, license or other regulatory approval of any of the proposed project activities?

❍ Yes
● No

Racial and Ethnic Impact Statement

Racial and Ethnic Impact Statement

❍ The proposed grant project policies or programs could have a disproportionate or unique POSITIVE impact on the following minority persons. (indicate all that apply)

❍ The proposed grant project policies or programs could have a disproportionate or unique NEGATIVE impact on the following minority persons. (indicate all that apply)

● The proposed grant project policies or programs WILL HAVE NO disproportionate or unique impact on minority persons.

Insurance Information

If applicable, select all the activities that are part of your project - These require a risk assessment tool unless otherwise noted (check all that apply).

❑*Working with hazardous materials (not including materials used in the normal operation of equipment such as hydraulic fluid)*

❑*Earth moving work around the footprint of a drinking water well*

❑*Removal or alteration of structures that hold back water on land or instream including dams, levees, dikes, tidegates and other water control devices (this does not include temporary diversion dams used solely to divert water for irrigation)*

❑*Applicant's staff or volunteers are working with kids related to this project (DAS Risk assessment tool not required, additional insurance is required)*

❑*Applicant's staff are applying herbicides or pesticides (DAS Risk assessment tool not required, additional insurance is required)*

✓*Insurance not applicable to this project*

Additional Information

❑ *This project affects Sage-Grouse.*

Problem Statement

Why is it important for OWEB to consider the Project, at this time, and at the requested level of funding?

The Oregon Desert Land Trust and The Nature Conservancy have partnered to acquire the 16,645-acre Trout Creek Ranch in southeast Oregon, creating one of Oregon's largest conservation projects. Ranging in elevation from 4,005’ in the Alvord Desert to 8,632’ on Pueblo Mountain, this iconic property spans three watersheds and includes a wide variety of habitats including aspen woodlands, grasslands, creeks, wet meadows, and sagebrush-steppe.

The Trout Creek Meadows anchor the conservation potential of the larger Trout Creek Ranch project. The meadows are fed by Trout Creek, which flows from the Trout Creek Mountains to the east, and by Little Cottonwood and Willow Creeks flowing out of the Pueblo Mountains to the west. The Trout Creek Meadows link these high-elevation sites and support a wide variety of the Pacific Flyway's migrating birds. OWEB's investment in this project will set the stage for restoring the Trout Creek Meadows and building connectivity across this landscape.

Why is your organization, and the long-term holder(s) if applicable, the right organization to acquire the fee simple or conservation easement property interest(s) proposed for OWEB funding?

ODLT was formed to conserve wild and working lands in Oregon's high desert. We moved forward with the purchase of Trout Creek Ranch knowing it presented a rare opportunity to protect, restore, and manage a connected and resilient landscape. We recognized that we could influence connectivity and resilience in two primary ways: protecting and restoring Trout Creek Ranch and positively influencing grazing management on up to 500,000 acres of federal land.

ODLT and The Nature Conservancy partnered in the assessment and purchase of Trout Creek Ranch and have executed a collaboration agreement for the project. ODLT owns the property and has management and stewardship authority. The Nature Conservancy is supporting ODLT in achieving joint conservation outcomes.

Our overall goals for the project are to (1) enhance climate-resilient habitat for sensitive fish and wildlife; (2) demonstrate intentional sagebrush-steppe management for landscape resiliency; (3) where possible, partner with Tribal stakeholders on restoration, cooperative land management, cultural resource protection, and access agreements, or other means appropriate to Tribal interests and capacities; (4) collaborate with local ranchers and the Bureau of Land Management to implement innovative management and restoration strategies designed to control non-native grasses and reduce wildfire risk; (5) help resolve conservation challenges presented by mixed private/federal land ownership patterns.

We are fiscally responsible and have the staff, board, and partner expertise to take on a project of this magnitude. With a mission that recognizes the importance of working lands in addressing ecological challenges, ODLT is the right group to take on the permanent conservation of Trout Creek Ranch and the Trout Creek Meadows.

Describe the threats and opportunities that will be addressed by the acquisition(s).

The opportunity presented by this project is to ensure this important ecological setting is intact and functioning at a high level. Trout Creek Ranch has been used for cattle grazing and hay production for more than 140 years. These activities, when appropriately managed, are compatible with the needs of many species that use the site. In fact, grazing can help maintain foraging habitat for migrating birds, a critical need in the SONEC region. However, not all species have benefitted from past management—the Alvord chub being one example. By converting Trout Creek into a network of ditches, past owners have impacted not only the chub's immediate habitat but also constrained migration, a key factor to this relatively adaptable species' survival.

The great opportunity with Trout Creek Meadows is very much as described in a 2022 paper on the SONEC region's drying wetlands: "Invest in projects that maintain and restore areas that provide multiple benefits to multiple species."

How will permanent protection complement the ecological outcomes and benefits of this Project?

Permanent protection will help secure proposed management and restoration investments. Our purchase of Trout Creek Ranch has generated considerable interest among potential restoration partners. Most of these partners will be more willing to make restoration investment when they're confident their investments are protected from ownership and management changes.

Permanent protection will also complement ecological outcomes by attracting academic interest. Just a year into this project, we have already hosted or been approached by three universities interested in using the property for graduate research. These research efforts will increase our knowledge of how meadow systems function in the desert, how they'll respond to climate change, and how we can increase connectivity and resilience to help mitigate climate change.

Does this Project address one or both of the following:

❑ *Habitat needs for one or more Endangered Species Act listed species and/or species of concern.*
✓ *Concerns identified on 303(d) listed streams.*
❑ *Neither.*

Property Information

Property #1

Property Name

Trout Creek Ranch OWEB Conservation Easement Parcel

Tax Lot Numbers

Includes portions of Harney County taxlots 39S35E250000100, 39S35E230000101, 39S35E000000700, 39S35E000000701, 39S35E000000900, 39S36E000000200, and 39S36E290000600.

Vested Owner

Name
Oregon Desert Land Trust

Address
2843 NW Lolo Drive, Suite 200

City
Bend

State
OR

ZIP
97703

Property Interest Type (select one)
❍ Conservation easement
● Fee simple

Acreage
2365

Describe the property's improvements (e.g., buildings, irrigation ditches, etc).
Prior owners have used the property for hay production and livestock grazing. As a result, the property includes improvements that support those uses, including: (1) barbed-wire fences and gates; (2) stock watering facilities, including various shallow wells, pumps, and troughs; (3) numerous irrigation ditches; (4) a center-pivot sprinkler system; (5) overhead electrical power.

Describe the property's current zoning and any pending changes.
The property is zoned EFRU-1, with minimum parcel sizes of 160 acres. No changes pending or anticipated.

Describe the property's current uses and historic uses if known.
Prehistorically, the property was used by indigenous peoples—including the Northern Paiute people —for traditional uses such as hunting, fishing, gathering, and shelter.

Beginning around 1880 and continuing to the present, the property was a working cattle ranch. According to General Land Office Records, John Catlow had established Trout Creek Ranch prior to 1881, with Catlow's home and associated range fences noted on the December 30, 1881, GLO survey for T39SR35E. The property has been used for cattle ranching from that time to the present, with the only notable change being an increased focus on groundwater irrigation and hay production since the mid-1980s.

Are persons or companies, other than the owner of the property, using the property or improvements described above for residential or business purposes, including but not limited to grazing?
● Yes
❍ No

Identify the users.
South End Grazing Collaborative, LLC ("South End"), a group of local ranching families.

Describe the use.

South End is irrigating, grazing, and haying portions of the proposed OWEB conservation easement parcel under a three-year stewardship lease. The lease expressly identifies the stewardship approach of the Malheur National Wildlife Refuge as the model for haying and grazing in the meadows.

Is this use authorized?

● Yes
❍ No

Estimate the length of time the use has occurred on the property.

ODLT and South End signed the stewardship lease on March 29, 2022. The lease ends on March 1, 2025.

What is the amount of property tax levied for the property?

6500

Will the taxes, or an equal amount in lieu of taxes, continue to be paid after the property interest is acquired?

● Yes
❍ No

Explain your approach to property taxes:

ODLT works in rural counties with limited tax bases. Our approach is to continue paying property taxes on lands we purchase.

Describe the property's water resources.

The property includes approximately 5.3 miles of Trout Creek and approximately .6 miles of Spring Creek, a short, spring-fed stream. Trout Creek is intermittent and flows vary considerably from year-to-year depending on snowpack in the Trout Creek Mountains to the southeast. Trout Creek flows peak in late spring with snowmelt and tend to last through July in the vicinity of the OWEB Conservation Easement Parcel.

Describe legal rights to use the water.

There are approximately 1536 acres of Trout Creek surface-water rights on the OWEB easement parcel. These rights are documented in the May 1, 1916, Trout Creek Decree. The majority of these rights are dated 1884, which is the most senior water right on Trout Creek. The neighboring ranch to the east has a smaller portion of senior water rights. The legal point of diversion for the water rights on the proposed OWEB conservation easement parcel is on the neighboring ranch to the east in the NW1/4 of the NW1/4 of Section 29, T35SR36.

Will match be contributed from the appraised value or restoration of one or more property interest(s) other than the property interest(s) proposed for OWEB funding?

❍ Yes
● No

Proposed Solution

Qualifications and Capacity

Is the applicant/long-term holder in compliance with applicable federal, state and local laws, including in good standing with the Secretary of State?

- ● Yes
- ❍ No

Is the applicant/long-term holder accredited by the Land Trust Alliance (LTA)?

- ❍ Yes
- ● No

Describe the applicant/long-term holder's policies and procedures for selecting and acquiring fee simple and conservation easement property interests.

The following conservation priorities are excerpted from ODLT's Principles and Guidelines, a document that has guided the organization's conservation efforts for its first five years of existence. With the aid of a contracted conservation planning professional, we are currently developing a strategic plan and an accompanying conservation plan that will replace the Principles and Guidelines.

"Functional Priorities: The Trust's acquisition activities shall be undertaken to protect the natural, scenic, recreational and cultural resources of Oregon's high desert. The Trust will place highest priority on wilderness and wildlife habitat protection, followed secondly by recreational access and scenic protection. Finally, the Trust will consider lands with important cultural resources.

Core Priorities: The Trust has designated three key areas of interest: conservation area inholdings and connectivity, Greater sage-grouse priority habitat, and springs and wet meadows surrounded by intact habitat. These areas of interest warrant special attention, but not at the exclusion of other strategic properties."

Describe the applicant/long-term holder's processes for keeping accurate financial records in accordance with Generally Accepted Accounting Principles (GAAP).

Our financial team includes our executive director, our finance committee, a contracted Licensed Tax Consultant, and a CPA. Our finance committee includes two accounting professionals (one retired, one currently the controller of Ruffwear, an 80-employee company) and a small business owner.

We also seek additional professional guidance when appropriate. For example, in 2020 we contracted with Kay Sohl, a leading non-profit finance advisor, to review and provide recommendations on our financial systems.

We also contracted with Kay shortly after closing the Trout Creek Ranch purchase for advice on integrating our Trout Creek Ranch operating budget with our organizational operating budget.

The ODLT finance committee meets monthly to review financial statements prepared by the executive direct and tax consultant, and reports on finances at each quarterly board meeting.

We are currently reviewing our financial forms with an eye toward applying for Land Trust Alliance Accreditation Commission accreditation in 2023 (lottery application submitted July 14, 2022, results pending).

Describe the applicant/long-term holder's written conflict of interest policy to ensure that conflicts of interest,

or the appearance of conflicts of interest, are appropriately avoided.

ODLT has a written conflict of interest policy designed to "prevent the institutional or personal interests of Oregon Desert Land Trust, Inc (ODLT) board members, officers, and staff from interfering with the performance of their duties to ODLT, and to ensure that there is no personal, professional, or political gain at the expense of ODLT." The policy includes application definitions and procedures that facilitate identification, disclosure, and resolution of conflicts. The policy requires directors and committee members to review the policy annually and submit an annual conflict disclosure form. ODLT's board adopted this policy in 2018. As part of our accreditation preparation, we have flagged the need to amend the annual disclosure requirement to include staff members.

Describe the applicant/long-term holder's annual independent financial review or audit.

ODLT secured an independent financial review for 2020 and is currently working with Chris Mahr + Associates on its first full financial audit. We expect to receive our 2021 Audited Financial Statements by October 1, 2022. We would be glad to provide the audit to OWEB as soon as it's available.

Describe the applicant/long-term holder's records management system for safe storage of irreplaceable documents.

The ODLT office is in a modern office space with sprinkler protection in each individual office. We currently keep original documents in a metal file cabinet in our locked office. We scan all important documents and upload them to Google Drive, which is where we store all electronic files. In our preparation for accreditation, we have identified a need to develop a formal recordkeeping policy and procedures that describes how and when organization and transaction records are maintained.

Describe the applicant/long-term holder’s source of funding for monitoring, stewardship, and defense of fee simple and conservation easement property interests.

As discussed above, ODLT has not yet established a stewardship fund but does plan to establish one in connection with the Trout Creek Ranch project and its planned 2023 accreditation. At the present, ODLT has sufficient resources to meet the modest needs of the properties it acquired prior to Trout Creek Ranch. Going forward, we will need to establish a stewardship fund and look closely at whether programs like Terra Firma are appropriate given the new level of stewardship demand associated with projects like Trout Creek Ranch.

Describe the applicant/long-term holder’s policies and procedures for ensuring effective management of fee simple and conservation easement property interests.

ODLT has developed formal baseline documentation and monitoring procedures and uses a management plan template. These tools focus on implementing Land Trust Alliance Standards and Practices. We prepare management plans for each property and formally monitor each property. We have attached examples of this approach for a sample property, Burma Rim. We have also attached our monitoring guidelines, which we operated under until this year. We recently adjusted those guidelines to meet LTA's requirements for fee properties, which require inspection rather than the formal photopoint monitoring we'd previously completed. We've also uploaded our new inspection template.

While our management planning and monitoring practices meet current LTA standards, we do plan to develop a formal stewardship policy in connection with our upcoming (pending lottery results) accreditation application.

Describe the applicant/long-term holder’s succession strategy for addressing the possibility that the organization may no longer exist at some point in the future.

ODLT, like many land trusts, has not yet developed a formal long-term succession strategy. A primary challenge in developing a succession strategy is finding a partner willing and able to take on the ownership of conservation lands. For Trout Creek Ranch, our initial backup protection strategy was to grant a right of first refusal to The Nature Conservancy. This allows TNC to step in and purchase the property in the event of a proposed sale. A more robust backup strategy is working with OWEB to develop a conservation easement for Trout Creek Meadows, and with other funders like the Oregon Agricultural Trust and the Natural Resources Conservation Service to develop a conservation easement for the balance of the property.

Does the applicant intend to hold and/or manage the property interest(s) over the long-term?

● Yes
❍ No

Describe the specific annual stewardship activities that are planned for each property.

The main annual stewardship activities for Trout Creek Meadows are:

Weed control. Like many properties, Trout Creek Meadows has noxious weed issues. The primary concerns in the meadows are Scotch thistle, which is present in several spots, and Russian knapweed, which is abundant in certain areas. Other weeds include perennial pepperweed, bull thistle, Canada thistle, and whitetop. We are currently mapping weeds and have developed an ArcGis Quick Capture project to help keep our maps up to date.

Fence repair and maintenance. We have completed a fence inventory and identified the highest priority areas for repair or replacement. Moving forward, we would like to replace approximately six miles of fence with wildlife friendly fence. Once replaced, maintaining these fences will be a regular annual activity.

Irrigation system maintenance. We have just received funding to begin our formal assessment of restoration needs and opportunities in the wet meadows. We expect the assessment and design process to take approximately three years. Until at least that time, we will spend time each year maintaining flood irrigation ditches and diversion structures.

Management planning and monitoring, including bird surveys. Our current grazing program (part of our management plan) requires development of an annual operating plan for the meadows. This plan details whether, how, where, and when flood irrigation, grazing and haying will be used to address weed issues or achieve other habitat goals. In conjunction with this planning, we will develop a monitoring program to help us understand how our management is affecting vegetation and wildlife use.

What is the estimated annual expense of each stewardship activity?

Weed control: $15,000. This estimate assumes treating 300 acres at a cost of $300 per acre. This is a preliminary estimate and assumes we will be dealing with deferred maintenance for the first 3-5 years.

Fence repair and maintenance: $15,000. This estimate assumes replacing 2.5 miles of fence annually at a cost of $6000 per mile. We have inventoried the perimeter and internal fences in the OWEB Conservation Easement Parcel for condition and wildlife passage. We do not have a final fencing plan and will not until we have more experience managing the meadows, but we do plan to replace all perimeter fencing with wildlife friendly fencing within 5 years.

Ditch and diversion maintenance. This cost is relatively low but will depend on whether we lease the meadows in any given year. Under the current lease, irrigation is largely the lessee's responsibility, but we assist when the repair requires a backhoe or other equipment. For planning purposes, we'd estimate the costs (not including the capital cost of the backhoe) at approximately $6000 per year, with most of that cost a portion of the site steward's salary.

Management planning and monitoring. This is primarily a staffing cost with regular help from a contracted GIS specialist. We also have used and will continue to use volunteers for the wildlife survey component of our monitoring program. We'd estimate the annual cost of planning, staff time included, to be $8800, but that will likely lessen as we develop formal protocols and increase our efficiency.

What is the amount of stewardship funding that has been secured for each property?

Our focus to date has been paying off our purchase loan, which now has a balance of approximately $1.3M, while still maintaining an operating reserve sufficient to meet project establishment needs. We expect to pay that

loan off by September 1, 2023. In the meantime, we are actively fundraising to meet our $3M stewardship target for Trout Creek Ranch while still maintaining an operating reserve to cover project establishment needs. The pro rata stewardship target for Trout Creek Meadows is $636,480.17. If OWEB invests in the purchase price, due diligence, and site stabilization components of this project at the requested amount, we can use previously committed private funding to meet our stewardship goal for the larger conservation project.

Will the amount of stewardship funding generate investment income that is adequate to fund the annual stewardship activities?

- ● Yes
- ❍ No

Does the applicant/long-term holder carry Terra Firma insurance for each fee simple property and conservation easement in its portfolio?

- ❍ Yes
- ● No

If no, explain

To date, ODLT has not insured its conservation holdings through Terra Firma but is looking at doing so as part of its preparations for accreditation.

Terra Firma coverage is "solely for litigation, mediation, negotiation and other dispute resolution expenses, and not for damages or the cost of corrective work on the ground." Though litigation can arise from trespass on fee owned land, it is far more common in the context of conservation easements. ODLT holds no conservation easements and its project sites to date are remote and present fewer significant trespass risks than more accessible sites. ODLT has adequate cash reserves to "self-insure" against any foreseeable litigation over trespass.

Land Management, Monitoring and Enforcement Practices

Does the long-term holder have management plans in place for all its fee simple properties and conservation easements?

- ● Yes
- ❍ No

Describe the long-term holder’s property inspection protocols, including the extent and frequency of inspections.

As mentioned elsewhere, ODLT to date holds no conservation easements, only fee properties. LTA standards and practices differentiate between fee land and conservation easement monitoring.

Until recently, we've completed formal monitoring, including photopoints, on each of our properties every two years, and on our Brothers-Shaw property every year (because of proximity to development/access and active sage grouse use). We've recently adopted LTA's inspection requirement, which requires a site visit but not formal photopoint monitoring.

We've uploaded examples of our past and current monitoring/inspection forms.

Describe actions taken to prevent and abate trespass.

We have not yet had to deal with a trespass issue and do not have a formal procedure for dealing with violations. Our baseline documentation and monitoring guidelines (uploaded) do include checklists that facilitates identification and investigation of trespass issues.

Based on past experience (including our deputy director's 20 years of enforcement experience with Deschutes Land Trust), it is difficult to predict exactly how a given trespass event will unfold. That said, as the organization grows, we will need to formalize how we approach trespass issues in terms of safety, evidence preservation, communications, and decision making. This is another area we will address as part of accreditation.

Describe steps taken when use restriction violations are discovered.

To date, ODLT holds no conservation easements. We will develop a restriction enforcement policy if and when we determine that a particular conservation need is best met with a conservation easement.

Estimate the annual percentage of time that the long-term holder dedicates to stewardship activities across its portfolio.

Up until mid-2021, ODLT had a single employee. At present, ODLT has 4 employees and plans on hiring a fifth by the end of 2022.

As a one-employee organization, ODLT spent approximately 10% of its capacity on stewardship, which consisted primarily of annual monitoring and partner relations. With the advent of Trout Creek Ranch, we spend a smaller percentage of time on monitoring (about 80 hours a year for annual inspections, less than 5% of capacity) but much more time on stewardship. We have not yet calculated collective effort at Trout Creek Ranch, but it's likely we have spent more than 50% of the organization's capacity on stewardship in 2022.

Provide a timeline for drafting, and obtaining OWEB's approval of, the management plan no more than 18 months after completing the transaction.

Element	Description	Start Date	End Date
Submit first draft of Interim (3 Year) Management Plan to OWEB for review	ODLT has been working on a interim management plan for the past 12 months. Several components (recreation and access) are complete, others remain in process.	9/2021	12/2022
Finalize Interim (3 year) Management Plan	Final and approved by OWEB	1/2023	9/2023

Element	Q3 2021	Q4 2021	Q1 2022	Q2 2022	Q3 2022	Q4 2022	Q1 2023	Q2 2023	Q3 2023
Submit first draft of Interim (3 Year) Management Plan to OWEB for review									
Finalize Interim (3 year) Management Plan									

Is a conservation easement being acquired?

❍ Yes

● No

Project Team

Fill in the Project team table below. List the people who will be involved over the life of the project, from the transaction to long-term stewardship.

Role	Name	Affiliation	Qualifications	Email	Phone
Trout Creek Ranch Project Manager	Brad Nye	Brad is Oregon Desert Land Trust's deputy director. Brad is managing the Trout Creek Ranch project, including due diligence, transactions, and stewardship planning.	Brad has more than 25 years of experience in conservation, including five years of habitat work with the Confederated Tribes of Warm Springs, and 20 years leading land conservation and stewardship efforts for the Deschutes Land Trust.	bnye@oregondesertlandtrust.org	(541) 410-2625
Trout Creek Ranch Project Lead-TNC	Garth Fuller	Garth Fuller is the Trout Creek Ranch project lead for TNC. Garth manages coordinates the efforts of several TNC teams working on the project, and works with Brad Nye on management planning.	Garth has served as TNC's Eastern Oregon Conservation Director since 2004, and has 28 years of experience in conservation and stewardship.	gfuller@tnc.org	(541) 241-1731
Trout Creek Ranch Restoration Lead-TNC	Jessie Griffen	Jessie is TNC's Precision Restoration Coordinator. Jessie is leading assessment and restoration efforts on TCR, working with Garth Fuller and Brad Nye to inform and implement stewardship planning.		jessie.griffen@tnc.org	(484) 883-7458

Trout Creek Ranch Baseline Co-Lead-TNC	Jeffrey Rosier	Jeff is TNC's Willamette Basin Steward. Jeff is leading TCR baseline documentation efforts, including weed mapping/planning, wildfire planning, and infrastructure assessment.	Jeff has worked in the environmental science and stewardship fields for more than 12 years, publishing a variety of studies on animals like the sagebrush sparrow, and the burrowing owl.	jeffrey.rosier@tnc.org	(541) 343-1010 Ext.304
Trout Creek Ranch Baseline Co-Lead-TNC	Jen Langevin	Jen is TNC's Columbia Basin Project Stewardj.b.langevin@tnc.org	Jen has five years of experience stewarding TNC's Columbia Basin projects. Jen has a BS in environmental science and biology from Washington State University.	j.b.langevin@tnc.org	(360) 904-0194
Trout Creek Ranch Grazing Program Lead-TNC	Jeff Fields	Jeff is TNC's Zumwalt Project Manager.	Jeff's primary responsibility is program management for the Conservancy's diverse projects in Wallowa County., including Zumwalt Prairie. Jeff worked in stewardship for TNC for more than 20 years, with a MS in forestry from University of Idaho.	jfields@tnc.org	(541) 620-1250
Trout Creek Ranch Freshwater Lead-TNC	Melissa Olson	Melissa is TNC's Freshwater Project Manager. She is leading water resource assessment on the project to help inform restoration and water conservation.	Melissa has been with TNC for almost 12 years, focusing on endangered species monitoring, invasive species management, and data collection and analysis. She has a BS from Oregon State Univ. in Botany/Biology and an MLA from Univ. of Oregon.	molson@tnc.org	(541) 343-1010 Ext.309

Describe how the team has the experience, resources, and time to successfully complete the proposed Project, specifically addressing elements of the transaction and subsequent management of the property interest(s).

Both ODLT and TNC are committed to the success of Trout Creek Ranch, as demonstrated among other things by our formal collaboration agreement. We were successful in closing the initial purchase and have secured more than $13M in cash and commitments for the project. Our project team, many of which are listed above, has decades of experience and demonstrated expertise in both conservation transactions and conservation stewardship.

ODLT and TNC meet weekly to discuss management planning and other stewardship. Similarly, TNC's project team meets regularly and establishes formal deliverables associated with the project. Current deliverables include a weed management plan, a fire plan, and annual operating plans associate with our grazing program.

ODLT employs a full-time, on-site project steward and has just received funding to hire a regional stewardship lead. That position, located in Burns, will dedicate 75% or more of their time on Trout Creek Ranch for the foreseeable future.

TNC and ODLT also meet regularly on fundraising are continuing their coordinated efforts to secure stewardship

funding for the project. Both entities have demonstrated fundraising expertise.

Property Use and Management Plan

Describe the intended use of each property interest proposed for OWEB funding and match as applicable.

The intended use of the OWEB Conservation Easement Parcel is to provide high-quality wildlife habitat. In its present condition, the property provides habitat for many species, including OWEB-priority and ODFW designated sensitive species like the ferruginous hawk, the white-faced ibis, and the sandhill crane, and the Alvord chub. Our intended use is to manage the property for a wide variety of habitats and wildlife uses, adapting that management as we learn more about how wildlife are using it.

The Trout Creek Meadows are part of the larger Trout Creek Ranch. Ranging in elevation from 4,005’ in the Alvord Desert to 8,632’ on Pueblo Mountain, the Trout Creek Ranch and Pueblo Mountains project area spans three watersheds and includes a wide variety of habitats including aspen woodlands, grasslands, creeks, wet meadows, and sagebrush-steppe. These lands are home to a wide variety of plant and animal species, including greater sage grouse, California bighorn sheep, pronghorn antelope, pygmy rabbits, and Lahontan cutthroat trout.

Our goals for the larger project include enhancing climate-resilient habitat for sensitive fish and wildlife and collaborating with local ranchers and the Bureau of Land Management to implement innovative management and restoration strategies designed to control non-native grasses and reduce wildfire risk. Each of these goals has some connection to Trout Creek Meadows. Enhancing and restoring habitat in Trout Creek Meadows and on Trout Creek upstream of the meadows will increase connectivity to higher-elevation habitats within the project area, and across the Pueblo Valley. The local ranchers we're partnering with to innovate grazing management on BLM allotments and high-elevation private pastures will help us manage Trout Creek Meadows by haying and grazing as appropriate to meet habitat objectives.

While we perceive public access as a minor component of the Trout Creek Meadows portion of the project, we may wish to use existing roads or trails to facilitate birding. For the foreseeable future, it is likely that this use would be by guided tour rather than direct public access. We would like to keep open the possibility of public access if we determine it is feasible and consistent with our habitat goals.

Results and Benefits

Select the OWEB conservation principles that apply to the project.

✓ *Complementing existing ecological networks*
✓ *Improving connectivity*
❑ *Protecting large, intact area*
❑ *Protecting sites with exceptional biodiversity values*
✓ *Restoring function*
❑ *Securing transition areas*
❑ *Stabilizing areas on the brink*

Describe how each selected OWEB conservation principle applies to the Project.

Complementing existing ecological networks. Trout Creek Meadows is is proximate to or within numerous ecological areas, including the Oregon Conservation Strategy's Pueblo Mountain and Alvord Lake Basin Conservation Opportunity Area (immediately adjacent) and the Intermountain West Joint Venture's SONEC Region/Pueblo Valley Intermountain Region (entirely within). Other proximate sites include the Tum Tum Lake Research Natural Area and the Borax Lake Preserve. We have uploaded a map that shows the ecological networks in the project area.

Improving connectivity. There are three primary ways this project will improve connectivity. First, as noted above, the project is within the Intermountain West Joint Venture's SONEC region. The purpose of SONEC is to increase habitat connectivity through the Pacific Flyway. The means of increasing this connectivity is to conserve working wetlands on private lands in the region. The second way this project will improve connectivity is by restoring to the extent feasible surface water connectivity and fish passage in Trout Creek. Trout Creek is known habitat for the Alvord chub both above and below the project, but the conversion of Trout Creek to a ditch network has degraded chub habitat and impeded fish passage. Our goal is to restore habitat along Trout Creek and assess the feasibility of meeting wet meadow habitat and aquatic habit objectives with a more natural stream channel. A third way we can improve wildlife connectivity is by removing unneeded fences and replacing others with wildlife friendly fences. We know that many species, including greater sage grouse, pronghorn antelope, and mule deer, move across the valley between the Trout Creek and Pueblo Mountains.

Restoring function. While the wet meadows provide quality habitat in their existing state, there is ample room to improve habitat through focused, wildlife-centered management. The Trout Creek Meadows suffer from deferred attention to weeds and recent overuse of willows and other habitat components. Trout Creek itself is degraded from poorly-managed grazing, a long section of the creek runs through a feedlot, and much of the historic stream channel has been disconnected from surface water flow through ditching. Our intent is to restore these areas to the extent feasible, using habitat objectives to guide management.

Is each property located in an ecologically critical or sensitive area?

● Yes
❍ No

If yes, explain.

As noted above and discussed in the various IMWJV SONEC publications, the property lies within an ecologically critical area for waterbirds

Describe the Project's consistency with conservation priorities established in local, regional, or state conservation plans for land acquisitions, including the name, author, and date of each plan.

Oregon Conservation Strategy, Alvord Lakes Basin COA recommends maintaining, restoring, or improving riparian/wetland vegetation communities and promoting early detection and suppression of invasive plants. Oregon

Conservation Strategy. 2016. Oregon Department of Fish and Wildlife, Salem, Oregon

Progress Reports 2013: Distribution and Abundance of Alvord Chub in the Alvord Basin of Southeastern Oregon and Northwestern Nevada, Paul D. Scheerer, James T. Peterson, Brad Bauman, and Shaun Clements.

"We noted widespread impacts from cattle grazing in Alvord chub habitats. We recommend fencing the stream channels and ponds to restrict cattle (and burro) access and providing off-channel or limited instream watering for the cattle. Specifically, this would improve chub habitats in Bog Hot Creek, West Spring, Pueblo Slough, Trout Creek, Dufurrena Pond 13, and Gridley Springs."

Intermountain West Joint Venture Oregon SONEC Working Wet Meadows Initiative Conservation Delivery Business Plan March 2014.

"Wet meadows and flood-irrigated pastures which are hayed and grazed provide available habitat and valuable food source that fuels spring migration for these birds on their way to breeding areas in North America, such as the U.S. and Canadian prairies and tundra of Alaska. These food resources found on SONEC ranches have significant ramifications for sustaining waterfowl populations in the Pacific Flyway. Food fuels migration and builds energy reserves for breeding. Females who have easy access to abundant food supplies arrive on the nesting grounds in peak physical condition. Conversely, inadequate or inconsistent food availability results in increased hen mortality, reduced clutch sizes, and low brood survival. Therefore, these food resources found on SONEC ranches have significant ramifications for sustaining waterfowl populations at continental and Flyway scales."

List the OWEB priority species that will be addressed by the Project and specifically describe how protecting the property/ies will benefit them.

The OWEB FIP Closed Basin Priority identifies several indicator species/species of interest that use Trout Creek Meadows, including white-faced ibis and greater sandhill cranes. Other OWEB priority species confirmed using the property include the long-billed curlew and the trumpeter swan. While we have not yet conducted formal surveys, we expect that many additional OWEB priority birds use the property.

The FIP Priority Summary indicates that one threat to these species is "seasonal water availability as a result of altered natural hydrologic functioning, including the conversion to sprinkler irrigation from flood irrigation that provided surrogate wetland habitat and impacts of climate change." While not necessarily a threat to the wet meadows, the immediate vicinity has seen numerous pivot sprinklers installed in the past 5 years. Our objective, will be to maintain seasonal wetlands, whether through natural flooding of a reconstructed Trout Creek channel, a flood irrigation system, or a hybrid model, pending further feasibility assessments.

Will this project benefit a priority fish species?

❍ Yes
● No

List the OWEB priority ecological systems, including acreages of each, that will be addressed by the Project and specifically describe how protecting the property/ies will benefit them.

The main ecological systems we are addressing through this project are freshwater emergent marsh and lowland riparian forest and shrubland. Based on historical aerials and water rights, the OWEB CE Parcel may include as many as 1536 acres of freshwater emergent marsh in a good water year, with most wetlands being seasonal but a small percentage (25-40) acres being more perennial Lowland shrubland is confined to a narrow band along Trout Creek, although portions of the ditch network may meet that functional definition. We would estimate this habitat at approximately 5 acres.

Our management, as discussed in several preceding sections, will be focused on improving the function of these systems, whether through improved management practices (e.g.,, protecting Trout Creek from inappropriate grazing) or restoration actions (e.g., restoring the Trout Creek stream channel).

List the OWEB priority plant communities that will be addressed by the Project and specifically describe how protecting the property/ies will benefit them.

We have not formally surveyed the OWEB CE Parcel but likely OWEB priority rare or at risk plant communities on the drier portions of the property include basin big sagebrush/basin wildrye and/or basin big sagebrush/needle and thread and/or basin wildrye bottom lands. On wetter sites, it's likely we have one of the willow communities, probably coyote willow-pacific willow. Improved and targeted grazing management and controlling invasive weeds will benefit all of these communities.

Condition and Function

Describe the ecological condition of each property included in the Project.

As described above, the property currently provides valuable habitat but there is an opportunity to increase its value for wildlife and broaden the suite of species it benefits. The main conditions we seek to rectify are the degraded condition of Trout Creek, areas of overgrazing on the meadows and surrounding uplands, and deferred attention to invasive weeds.

Describe any site stabilization actions that are necessary to address immediate, significant threats to each property's conservation values in accordance with OWEB's site stabilization guidance.

Our most urgent site stabilization priorities are to begin treating invasive weeds and replacing hazardous fences with wildlife friendly fences. We have budgeted to treat 50 acres of weeds (primarily Russian knapweed and Scotch thistle) and replace 2.5 miles of fence by July 2023.

Is the condition of the property/ties good, requiring minimal restoration to achieve and sustain desired ecological functions?

- ❍ Yes
- ● No

Specifically describe the desired future conditions of each property, including the degree or extent to which you intend to restore the conditions on each property.

The desired future condition of the OWEB Conservation Easement Parcel is a functioning seasonal wetland, ideally fed by a functioning and connected Trout Creek stream channel. We do plan to restore Trout Creek upstream of the wet meadows as a first step, but the feasibility of restoring it within the wet meadows is uncertain pending further assessment.

What restoration actions are necessary to achieve the desired future conditions on each property?

The main restoration action is restoring Trout Creek. On the OWEB CE Parcel upstream of the meadows, this is a relatively straightforward exercise. We expect to use low-tech actions (e.g, beaver dam analogs) to help restore the channel from the property boundary through the west end of the feedlot. Complementary actions will include moving the feedlot out of the floodplain and protecting the stream from grazing, whether through fencing or appropriate grazing management.

Restoring the creek channel through the wet meadows is a more complex undertaking. First, we'll need to determine whether that is physically and financially feasible. Based on past stream restoration experience, it is likely feasible from both perspectives. A second question is whether this is the "highest and best" use of the available natural resources. Will restoring the stream reduce the extent of the wet meadows? Will restoring the stream provide suitable habitat and connect habitat for the Alvord chub? We have already convened experts and partners to discuss these questions, and will continue doing so as we move forward.

Which of the stated restoration actions are you highly confident you will accomplish, and why?

For the reasons stated above, we are highly confident we can restore Trout Creek above the wet meadows.

Which of the stated restoration actions, if any, are you somewhat confident, but not highly confident, you will accomplish, and why?

We are somewhat confident we can restore the stream below the meadows for the reasons stated above. There is no obvious reason why we be unable to rejoin to two historic channel sections that were separated by channeling trout creek into a ditch running west across the south end of the meadows.

Which of the stated restoration actions, if any, do you wish to accomplish but are not confident you can accomplish, and why?

Not applicable.

Explain the projected restoration costs and schedule, and status of funding.

At this point, we would estimate restoration costs for the stream upstream of the wet meadows at $150,000, including the complementary actions of moving the feedlot out of the floodplain and any fence construction necessary to protect the stream from livestock.

The cost of restoring the stream in the wet meadow portion of the property is difficult to estimate. It could be a relatively simple matter of locating the historic channel, revegetating it over the course of 1-2 years, and reactivating it. Whether that approach will work depends on how the stream would interact with the existing ditch network, which is extensive, and how we would prevent the stream from being recaptured in flood events by the existing main ditch, which is extensively down cut. While there are examples of similar projects out there (Ladd Marsh, End Creek), none is directly comparable. Without further information, we would estimate the cost of restoring this section of the creek at $1,500,000.

We recently secured a grant for $365,000 to assess and begin restoration on mesic sites on Trout Creek Ranch. Our plan is to use a significant portion of those funds to begin the studies (LiDAR, Alvord chub surveys and habitat assessment, etc.) that will support development of a conceptual design. This will be a multi-partner process. We are starting on that work immediately and expect to have a conceptual design by mid-2024 and a final design sometime in 2025.

Is a conservation easement being acquired?

❍ Yes
● No

Transaction Details and Schedule for Each Property Interest Proposed for OWEB Funding

Describe how acquisition is intended to work for each property interest proposed for OWEB funding, including the proposed purchase price, property interest type being purchased, any rights the seller intends to reserve, any land use approvals necessary to accomplish the transaction, and the transfer of the property interest to the long-term holder as applicable.

ODLT completed the purchase of Trout Creek Ranch in July 2021 and is the long-term owner. We negotiated the purchase price at arms length in early 2021. We completed an appraisal in connection with our bridge loan, and are using the information in that appraisal to estimate the value of the OWEB Conservation Easement Parcel as described below.

The seller, Pueblo Mountain Land Company, reserved no rights per se but we are as a condition of the sale coordinating with them on a water rights transfer application that will consolidate overlapping groundwater rights on pivots they have recently developed or are developing on their property.

Describe the actions that need to be taken to ensure that the terms and conditions of each transaction (e.g., reserved use rights of the seller) are compatible with the ecological outcomes proposed for the property.

There are no conditions that will impact the ecological outcomes. The water rights transfer mentioned above does not impact the water rights ODLT received as part of the purchase.

Indicate your timeline for completing due diligence and closing the proposed transaction within OWEB's 18-month due diligence period.

Element	Description	Start Date	End Date
Investigate access from Whitehorse Ranch Land	Determine whether there is an existing right of way across the BLM property our main driveway crosses. If not, apply for a right of way permit.	9/2022	9/2023
Determine whether we can purchase severed mineral rights from Harney County	There are several isolated parcels within the OWEB Conservation Easement Parcel that prior owners purchased through foreclosure. Harney County routinely retains the mineral rights in these foreclosure sales. We will explore purchasing the rights.	9/2022	9/2023
Determine whether we can terminate ROWs held by Harney County	On the same isolated parcels described above under mineral rights, Harney County reserved rights of way. These are not connected to or near public roads in the area. Explore release.	9/2022	9/2023
Valuation of OWEB Conservation Easement Parcel	Consult with appraiser to confirm contributory value of OWEB Conservation Easement parcel in initial purchase of Trout Creek Ranch.	9/2022	9/2023
Determine whether we have formal access across BLM land in T39SR36E Section 30.	This access has been in use since at least 1881. Assess whether we have or need formal ROW, if so, apply.	9/2022	9/2023

Element	Q3 2022	Q4 2022	Q1 2023	Q2 2023	Q3 2023
Investigate access from Whitehorse Ranch Land					
Determine whether we can purchase severed mineral rights from Harney County					
Determine whether we can terminate ROWs held by Harney County					
Valuation of OWEB Conservation Easement Parcel					
Determine whether we have formal access across BLM land in T39SR36E Section 30.					

Identify factors which may delay the Project schedule, and describe steps that will be taken as necessary, including bridge financing, to prevent or adapt to reasonable delays, including delays associated with the OWEB grant approval process.

Two potential delays are (1) securing an appraiser to determine the contributory value of the OWEB Conservation Easement at the time of the July 2021 closing; (2) if we need a BLM ROW to establish legal access along our existing driveway, securing that ROW could take up to three years.

Most appraisers we're familiar with are booked out well into the future. On top of that, many appraisers are less interested in consulting on appraisal questions as opposed to performing complete appraisals. It is unclear whether the appraiser that completed our initial appraisal will be available to or interested in determining contributory value through consultation or completing a restricted use appraisal. Finding another appraiser could delay the OWEB closing.

The BLM access issue should not delay closing. We believe access is secure and any questions can be dealt with as described below in the access-specific sections of the application.

Explain the basis of the purchase price of each property interest proposed for OWEB funding.

Prior to purchasing the property, ODLT secured a fair market value appraisal of the entire, 16,645 acre Trout Creek Ranch. The appraisal did not separately value the proposed OWEB conservation easement parcel, but it did compare the property to prior sales of similar properties to bracket the value of its constituent parts, including irrigated meadow pasture and rangeland (p. 55). The appraisal concluded that the overall per-acre value of the property was $550 as compared to $415, $621, and $675 for the most relevant comparable sales. More specifically, the appraisal indicated that the per-acre value of the property's flood irrigated meadows was between $950 and $1508, and that the per-acre value of the property's rangeland was between $289 and $471 per acre.

To estimate the value of the OWEB parcel, we averaged the per-acre values for the wet meadow components of the three "greatest weight" comparable sales. This yielded a value of $1293 for irrigated meadow acres and $398 for rangeland acres, for a total value of $2,315,714. We also took the overall per-acre conclusion for Trout Creek Ranch ($550) and developed ratios against the overall-per acre values of the three "greatest weight" sales. Applying these ratios to the constituent parts of the OWEB conservation easement parcel and then averaging them yielded slightly lower per-acre values of $1246 for irrigated meadows and $383 for rangeland, or a total value of $2,233,313.

The appraisal also assigned a value to the BLM grazing permits associated with the 16,645 acre ranch. For purposes of this application, we allocated that value pro-rata across the full acreage of the ranch, yielding an additional value of $242 per acre.

The above calculations are at best informed estimates of the fair market value of the conservation easement parcel. Given its location along Trout Creek and adjacent to Whitehorse Ranch Road, we have chosen to use the higher value estimates as the best indicator of the contributory value of the OWEB conservation easement parcel to the value of the 16,645-acre Trout Creek Ranch as of the July 16, 2021, closing. The parcel comprises 2365 acres, with 1536 acres of irrigated meadow and 829 acres of rangeland. Our formula for estimate value is therefore (1536 x $1293) + (829 x $398) + (2365 x $242) =$2,888,088.

Summarize all due diligence efforts to date, including due diligence items that have been completed and those that are in process, such as a purchase and sale agreement, title analysis, appraisal, and environmental site assessment.

We purchased Trout Creek Ranch in July 2021. Prior to the purchase, we completed a purchase and sale agreement, Phase 1 environmental site assessment and associated cleanup, an appraisal, a water rights assessment, a full title review, and other due diligence steps.

If it is apparent that certain title matters (e.g., unacceptable easements, outstanding liens or clouds on title) need to be cured prior to closing, describe the title matters and how you intend to address them.

The OWEB Conservation Easement Parcel has relatively few encumbrances. As noted above in the timeline, the two title issues we expect to address prior to closing are the mineral rights and ROWs retained by Harney County in prior foreclosure sales. The County reserves these rights per standard practice, not because there are minerals present on the parcels or public roads connected to them. We do not view these encumbrances as significant threats to the property but will contact the County to explore whether they would have an interest in releasing them.

If any property interest proposed for OWEB funding is owned by more than one entity, describe your plan for communicating and reaching agreement with all the parties during the transaction, and under the conservation easement if an easement is proposed for purchase.

ODLT is the sole owner of Trout Creek Ranch.

If any property has existing legal access, explain how the existing legal acess will sufficiently serve the short- and long-term management needs of the property.

We believe the property has existing legal access, but there is a question as to whether our right to cross BLM to enter the property has been formalized. Please see explanation below.

If any property does not have existing legal access, explain your plans to obtain legal and sufficient access.

The driveway to Trout Creek Ranch and to the OWEB Conservation Easement parcel comes off Whitehorse Ranch Lane, a public road. The driveway crosses BLM land in T39SR36E Section 30. There has been a road across this BLM parcel into Trout Creek Ranch since at least 1881 (shown on GLO survey), and it has been in the current alignment since at least 1953. The BLM has issued both Harney Electric Coop and US West/Quest right of ways over this road in its existing alignment. Our title policy for the property insures access to our property in T39SR36E, which provides direct access to the entire OWEB Conservation Easement Parcel. Portions of this parcel are also include as an FFR (Federal Fenced Range) within our BLM grazing permits.

We will explore whether there is an existing right-of-way for access to Trout Creek Ranch. If not, we will apply for a formal right of way from BLM. If we cannot obtain a right of way, we will commit in the OWEB conservation easement to building a new driveway to the headquarters area across our property just to the west along the T39SR35D Sec 25/T39SR36E Sec 30 boundary should there ever be an issue with access across this BLM parcel.

Describe each property's boundary circumstances.

Generally speaking, the OWEB Conservation Easement Parcel is adjacent to private land (ODLT and Pueblo Mountain Land Company) on the west and public (BLM) on the west. The entire perimeter of the parcel is fenced, whether exactly on the parcel boundary or just outside it.

Public access to the area is limited as most existing roads into the property come through adjacent private lands. There is a native soil road that runs through public land just to the east of the OWEB Conservation Parcel, but it is difficult to access in passenger vehicles and receives little use. In 14 months of ownership with a resident property manager, we have yet to see any trespass onto this portion of the property.

We created the current boundary of the OWEB Conservation Easement in GIS by looking at the flood prone area of Trout Creek along with existing fences and other structures (the road mentioned above, ranch buildings, and a pivot irrigated field). We will ground-truth the configuration and work with a surveyor to finalize a boundary that best ensures the integrity of the OWEB Conservation Easement Parcel. To the extent that configuration includes nominally fewer acres than the mapped configuration, we will reduce the grant request accordingly.

For each property, provide a brief summary of known and possible hazardous material issues that may be associated with current and past property uses, and describe any actions required to address issues that have been identified.

The Phase 1 we completed prior to sale identified two Recognized Environmental Conditions in the ranch headquarters area. These related to a dump site just north of the main ranch house and just south of the OWEB Conservation Easement parcel, and to soil staining in front of large fuel tanks in the same general area.

Per the contractor's recommendations, we excavated the entire dump site down to clean soil and conducted testing to ensure any remaining contamination was within acceptable levels. We also excavated the soils near the fuel tanks to clean soil, and conducted similar confirmation testing. We completed all this work prior to closing, We have uploaded documentation of this work.

Since taking possession of the property, we have removed the two large fuel tanks and constructed a new fueling area. The new fueling area has a concrete slab and curb to contain any foreseeable spills.

Describe actions that may be necessary to address existing land use restrictions and requirements (e.g., planning, zoning, local improvement districts, etc.) so that the proposed ecological outcomes for each property can be achieved.

We know of no land use restrictions that constrain the activities we are proposing.

Project-Specific Circumstances for Each Property Interest Proposed as Match

Will match be contributed from the appraised value of property interest(s) other than the property interest(s) proposed for OWEB funding?

❍ Yes
● No

Will match be contributed from the restoration of property interest(s) other than the property interest(s) proposed for OWEB funding?

❍ Yes
● No

Wrap-Up

Describe how permanently protecting each property will benefit surrounding communities and what the applicant, or long-term holder as applicable, will do to achieve these benefits.

ODLT and The Nature Conservancy share an express goal of carrying out the ecological objectives of this project in a manner that benefits the local community. Those benefits may take many forms, but our approach begins with being a good neighbor in a sparsely-populated community where neighbors necessarily depend on one another.

We also believe we can benefit local ranchers by working in partnership with them to achieve stewardship goals on our private property and permitted grazing allotments. These goals specifically include making our property and surrounding lands more resistant to wildfire, and more resilient to a warming climate. To the extent we can achieve this, these outcomes will also benefit the local ranching community.

A third way we can benefit the local ranching community is by bringing science capacity to our grazing program. Many of the tools and data developed by conservation groups and academics remain unavailable to the ranching community. We recognize this and build this recognition into daily work. We have already encountered several instances where access to these tools has helped local ranchers improve or adjust their operations.

Finally, we will support the local community by creating demand for services, whether that is renovating home, rebuilding fences, or restoring streams. We are not fundamentally different than a private landowner in this way, but we are committed to improving a property and infrastructure that had been neglected for many years. We would like Trout Creek Ranch to be a showcase for conservation and stewardship innovation and a place where all members of the community feel comfortable visiting.

Is public access planned?

- ● Yes
- ❍ No

Describe the specific public uses that are anticipated for each property.

We have no specific plans for public use, but have discussed the long-term potential of providing a kiosk and a wildlife viewing trail in the southern portion of the proposed OWEB Conservation Easement Parcel. Apart from that, we would continue to host guided tours of the area, and to welcome students and others to study there.

Explain how the public uses will be managed to ensure they are consistent with protection of the property/ies.

We do not yet have a plan for public use, this is a longer-term vision. The general idea would be to complement existing wildlife recreation (birding) activities in the area, but we have not explored the idea thoroughly or committed to it. As a first step, we would want to consult with our neighbors to determine whether such use might adversely impact them.

Describe the capacity of the organization to manage the intended public uses.

We have a full-time, on-site ranch manager and accommodating the expected level of public use would be well within their capacity.

Describe community engagement completed to date for the Project, including outreach to the county commission or city government as well as potential interested parties such as neighbors and industry groups.

Our primary focus with respect to community engagement has been to build relationships with neighboring landowners. We are working closely with these landowners and the Bureau of Land Management to design grazing leases on our public land grazing permits that further restoration goals. To-date we have created grazing leases with five neighboring landowners who are helping us manage the Trout Creek Ranch private lands and associated grazing permits on surrounding federal lands. We are also engaging with and supporting the local Rangeland Fire Protection Association.

When we first purchased the property, we contacted the Natural Resources Lead for the Harney County Court as well as the Oregon State Representative and State Senator and offered to provide information about the project. We have conducted field tours with other partners including but not limited to Harney Soil and Water Conservation District, High Desert Partnership, Upper Snake River Tribes Foundation, Eastern Oregon Agricultural Research Center, Natural Resources Conservation Service, Oregon State University, and the Intermountain West Joint Venture. We have and will continue to engage with Oregon Department of Fish and Wildlife, US Fish and Wildlife Service, and Natural Resources Conservation Service to understand how the management plan can best accomplish Oregon Conservation Strategy and other state, regional and federal conservation goals.

Describe the community and partner support for the Project. If there is significant opposition to the Project, describe how the applicant and long-term holder, as applicable, are addressing issues related to the opposition.

We believe we have strong support in the local community. Certainly, it was of interest to the community when a land trust arrived to purchase a well-known working ranch. We assured our neighbors that, while our goals are primarily ecological, we are committed to achieving them in a working lands context. We are also committed to being a community resource, and supporting the local ranching community the best we can when fires, drought, or other events disrupt their operations. So far, we have had a positive response to our presence, and we hope to continue to be a good neighbor to our ranching partners and the Fields community generally.

Is there anticipated tribal government interaction with the project?

● Yes
❍ No

If yes, describe the expected level of tribal interaction.

The project area lands are the traditional home of the Northern Paiute people. The Land Trust has begun to consult with local tribal communities to understand their needs and goals related to, but not limited to, restoration, land management, cultural preservation, and access. An ODLT board member who is a Northern Paiute tribal member and serves on Tribal Council of the Confederated Tribes of Warm Springs is the ODLT board lead on this outreach. As part of that effort, we have sent letters of introduction to the Tribal Councils of each of the five Tribes in the region, including Burns Paiute Tribe, Fort McDermitt Paiute Shoshone Tribe, Shoshone-Bannock Tribes of the Fort Hall Reservation, Shoshone-Paiute Tribes of the Duck Valley Reservation, and Summit Lake Paiute Tribe.

ODLT and the Upper Snake River Tribes Foundation (USRT) are also partnering on a grant application to host gatherings for Tribal members and youth at Trout Creek Ranch. These discussions will focus on opportunities to learn from each other and continue to grow partnerships related to stream and spring restoration, land management and access, cultural preservation, and climate resilience. The gatherings will also provide an opportunity for neighboring landowners and ranchers in the area to learn about the deep Tribal history in the region.

Are there cultural resources on any property that is part of the Project?

● Yes
❍ No

If yes, describe these resources and how they will be managed.

We are not aware of specific cultural resources or resource areas, but we understand the area—formerly a large lake/marsh, was an important hunting ground for the Northern Paiute Tribes as a hunting ground. We are addressing cultural resource protection in our management plan and will seek Tribal input on this issue.

Briefly describe your understanding of how the characteristics and functions of the watershed where the proposed project will occur are anticipated to change due to climate impacts in the future. In particular, describe how species, habitat, and/or water quality variables relevant to the project site location are expected to be affected.

The biggest projected impact is less snowfall in the Trout Creek and Pueblo Mountains, reducing flows in Trout Creek. We also expect that higher temperatures in the Pueblo Valley will cause species to move up in elevation,

making connectivity a major factor in our stewardship planning. A recent study of Pacific Northwest vertebrates ranked the Borax Lake chub and Alvord chub as among the fish species most vulnerable to climate change. (Personal communication, Brian Bangs, Aquatic Ecologist, USFWS).

How have you accounted for these climate-impact considerations in your project planning, design or implementation? Please describe briefly.

We have completed a draft climate adaptation plan as part of a Land Trust Alliance training on planning for climate change. We will complete this draft as part of our interim (3 year) management plan.

Are there any constraints on your ability to incorporate climate considerations into project planning? For example: Lack of information about climate impacts at the project planning scale; Gaps in understanding what nursery or seed stock to use given potential climate impacts; Gaps in accessing these stocks; Lack of methods to quantify climate benefits; Uncertainty about how to define a baseline for assessing potential change; Metrics for understanding climate resilience are not well-defined.

❍ Yes
● No

Carbon sequestration (Capturing, securing and storing carbon dioxide from the atmosphere), including:

✓ *Sequestration benefits from habitats: Project activities that avoid natural habitat conversion, or increase plant biomass within the habitat area, may contribute sequestration benefits. Select any that apply:*

- ❑ *Upland forest*
- ✓ *Riparian*
- ❑ *Grassland*
- ✓ *Wetland*
- ❑ *Estuary*
- ❑ *Other habitat*

✓ *Sequestration benefit through fire management/fuels reduction. Activities that help manage fire frequency and severity will help provide sequestration benefits, because catastrophic wildfires reduce the sequestration potential of upland habitats.*

❑ *Other sequestration benefit*

Mitigation through reduced emissions

❍ Yes
● No

Adaptation Benefits. Project activities may offer multiple climate adaptation benefits for species, habitats and communities, and there may be some overlap in the terminology used to describe these benefits. Check all that apply below, and provide additional and more specific description if possible.

✓ *Fish passage*

Optional description

NA

❑ *Instream flow*
❑ *Irrigation efficiency*
❑ *Wildfire risk reduction*
❑ *Forest-health treatments*
✓ *Wildlife habitat connectivity*

Optional description

NA

✓ *Wetland/floodplain reconnection*

Optional description

NA

✓ *Water temperature mitigation through shading, removal of inline ponds or other action*

Optional description

NA

✓ *Protection or creation of cold water refugia for aquatic species*

Optional description

NA

❑ *Aquifer recharge*
❑ *Drinking water security*
❑ *Food system resilience, including activities that maintain abundance of tribal first foods*
❑ *Other benefit*

To help us understand the current situation, please check all of the following that might apply to your project:

✓ *Driving gas-powered automobiles, including trucks and All Terrain Vehicles (ATVs)*
✓ *Operating gas-powered machinery other than automobiles (e.g., chainsaws or other hand-held equipment)*
✓ *Operating gas-powered machinery larger than automobiles (e.g., excavators)*
❑ *Boats*
❑ *Other*
❑ *Not applicable to project activities*

Are you considering alternative approaches that could reduce emissions (e.g., use of electric chainsaws or motors)?

● Yes
❍ No

If yes, optional: please explain:

We have discussed the need for but have not completed a sustainability plan that will cover ranch operations. This will be a component of our management plan.

Select reviewers who have appropriate ecological expertise and can review the Project objectively without a conflict of interest. Describe the expertise of each person, confirm that he or she does not have a conflict of interest and that each has visited the property/ies, and ensure that each nomination is consistent with the following requirements:

Application Reviewers

Reviewer #1

Name
Tony Svejcar

Organization
Retired

Phone
5414130094

Email Address
tony.svejcar@oregonstate.edu

Expertise and Conflict of Interest Information
Tony is a recognized expert in wet meadow management. He has no association with ODLT but did visit the ranch for a wet meadow tour in June 2021.

✓ *Has Visited the Property*

Reviewer #2

Name
Craig Miller

Organization
Independent/East Cascade Audubon Society

Phone
5418159924

Email Address
gismiller@gmail.com

Expertise and Conflict of Interest Information
Craig is a recognized expert birder and knows the project vicinity very well. He is a GIS consultant and has performed contract work for Oregon Desert Land Trust. Craig offered to visit the property to assess bird use.

✓ *Has Visited the Property*

Budget

Item	Unit Type	Unit Number	Unit Cost	OWEB Funds	External Cash	External In-Kind	Total Costs
Salaries, Wages and Benefits							
ODLT Deputy Director	Hours	200	$45.00	$6,750	$0	$2,250	$9,000
ODLT TCR Stewardship Lead	Hours	56	$32.00	$1,344	$0	$448	$1,792
ODLT Regional Stewardship Lead	Hours	56	$35.00	$0	$0	$1,960	$1,960
			Category Sub-total	**$8,094**	$0	$4,658	$12,752
Contracted Services							
Surface water rights assessment (pro-rated)	Each	1	$1,465.00	$1,100	$365	$0	$1,465
Phase 1 ESA and cleanup (pro-rated)	Each	1	$3,282.00	$2,462	$820	$0	$3,282
GIS Contract-due diligence (initial purchase pro-rated and OWEB CE parcel)	Hours	20	$67.50	$1,013	$337	$0	$1,350
GIS contract-baseline documentation	Hours	24	$67.50	$1,215	$405	$0	$1,620
GIS contract-management planning	Hours	24	$67.50	$1,215	$405	$0	$1,620
OWEB CE Parcel survey	Each	1	$7,500.00	$5,625	$1,875	$0	$7,500
Appraisal for initial purchase (pro-rated)	Each	1	$3,830.00	$2,460	$1,370	$0	$3,830
OWEB CE Parcel valuation	Each	1	$7,500.00	$5,625	$1,875	$0	$7,500
Escrow fee for initial purchase (pro-rated)	Each	1	$1,326.00	$995	$331	$0	$1,326
Escrow fee (OWEB CE Parcel closing)	Each	1	$1,200.00	$900	$300	$0	$1,200
Site stabilization-noxious weed control	Acres	50	$300.00	$11,250	$3,750	$0	$15,000
Site stabilization-fence repair and conversion to wildlife friendly	Miles	2.5	$6,000.00	$11,250	$3,750	$0	$15,000
Consolidated TNC staff hours (in-kind contributions on baseline, management planning, site stabilization)	Each	1	$14,400.00	$0 *	$0	$14,400	$14,400
			Category Sub-total	**$45,110**	$15,583	$14,400	$75,093
Travel and Training							
Travel to Trout Creek Ranch	Miles	3000	$0.59	$1,316	$439	$0	$1,755
			Category Sub-total	**$1,316**	$439	$0	$1,755
Materials and Supplies							
			$0	$0	$0	$0	$0
			Category Sub-total	**$0**	$0	$0	$0
Other							
Purchase Price of OWEB CE Parcel	Each	1	$2,888,088.00	$2,802,000 *	$86,088	$0	$2,888,088
Stewardship fund contribution (match only)	Each	1	$636,480.00	$0 *	$636,480	$0	$636,480
Bridge loan interest (initial purchase, pro-rated)	Each	1	$16,941.00	$12,774 *	$4,167	$0	$16,941
Recording fees (initial purchase, pro-rated)	Each	1	$138.00	$104 *	$34	$0	$138

Recording fees OWEB CE Parcel closing	Each	1	$200.00	$150 *	$50	$0	$200
Category Sub-total				**$2,815,028**	$726,819	$0	$3,541,847

* = OWEB funds excluded from indirect.

Modified Total Direct Cost Amounts				**$2,869,548**	$742,841	$19,058	$3,631,447
Indirect Costs							
Federally Accepted 'de minimis' Indirect Cost Rate (up to 10%)	10%			$5,452	$0		$5,452
Post Grant							
Total				**$2,875,000**	$742,841	$19,058	$3,636,899

Provide context and justification for how your budget was developed. Explain how project costs and/or rates were determined.

The pro-rated costs are actual costs incurred in the initial purchase of Trout Creek Ranch. We pro-rated these costs based on the estimated value of the OWEB CE Parcel relative to the purchase price of Trout Creek Ranch (approximately 21%). The application summarizes how we arrived at this ratio.

We estimated future staffing and contract costs using best professional judgment gained over many similar projects. We also received a bid for the OWEB parcel survey from the surveyor that completed a property line adjustment as part of our purchase of the ranch. The biggest single unknown in the budget is the cost of valuing the OWEB CE parcel—this could range from $2500 to well over $10,000 depending on the appraiser selected and whether performed as a consultation or an independent restricted use appraisal.

Our weed treatment estimates are based on ongoing weed mapping and fence assessment and prior experience with fence construction and weed treatment. These costs represent the amount of that stabilization work we believe we can complete within OWEB's reimbursement window (24 months from purchase, or July 2023).

Does the budget identify a contingency amount for specific line item(s) within the Contracted Services and/or Material and Supplies budget category?

❍Yes

●No

Funding and Match

Fund Sources and Amounts

Organization Type	Name	Source Note	Contribution Type	Amount	Description	Status
University	Individual donors	Unrestricted individual donations to project	Cash	$653,717	Individual contributions to project	Pending
Non-Governmental Organization	Land Trust Alliance Resilient Lands Initiative	$350k grant for purchase price	Cash	$89,124	To cover ODLT match on purchase price	Pending
Non-Governmental Organization	The Nature Conservancy	Staff in kind for baseline, management planning, site stabilization	In-Kind - Labor	$14,400	TNC staff time for management planning, baseline, site stabilization	Pending
Non-Governmental Organization	Oregon Desert Land Trust	In kind time from regional stewardship lead	In-Kind - Labor	$1,960	in kind staff hours	Pending
Non-Governmental Organization	Oregon Desert Land Trust	In-kind, deputy director	In-Kind - Labor	$2,250	deputy director in kind	Pending
Non-Governmental Organization	Oregon Desert Land Trust	In kind, TCR stewardship lead	In-Kind - Labor	$448	in kind TCR stewardship lead	Pending
Fund Source Cash Total		**$742,841**	**Fund Source In-Kind Total**		**$19,058**	

Match

Contribution Source-Type: Description	Amount
Individual donors-Cash: Individual contributions to project	$653,717
Land Trust Alliance Resilient Lands Initiative-Cash: To cover ODLT match on purchase price	$89,124
The Nature Conservancy-In-Kind - Labor: TNC staff time for management planning, baseline, site stabilization	$14,400
Oregon Desert Land Trust-In-Kind - Labor: in kind staff hours	$1,960
Oregon Desert Land Trust-In-Kind - Labor: deputy director in kind	$2,250
Oregon Desert Land Trust-In-Kind - Labor: in kind TCR stewardship lead	$448
Match Total	**$761,899**

Do match funding sources have any restrictions on how funds are used, timelines or other limitations that would impact the portion of the project proposed for OWEB funding?

❍ Yes

● No

Do you need state OWEB dollars (not Federal) to match the requirements of any other federal funding you will be using to complete this project?

❍ Yes

● No

Does the non-OWEB cash funding include Pacific Coast Salmon Recovery Funds?

❍ Yes

● No

Uploads

Accreditation Information: [Accreditation] Thank you for your First-Time Land Trust Accreditation Lottery Registration.pdf **- Accreditation lottery confirmation**

Letters: Trout Creek Ranch Wet Meadows community and partner support letters.pdf **- Community and Partner Support Letters**

Evidence of Organization Eligibility: 2018_10_07 COLT LTA Standards board resolution.pdf **- Resolution seeking admission to Coalition of Oregon Land Trusts**

Water Rights Information: Trout Creek Ranch Water Rights Information.pdf **-**

Map: 11x17_OWEB_wildlife_083022.pdf **- Map of project vicinity showing wildlife values**

Map: 11X17_OWEB_parcel_083022.pdf **- Map of proposed OWEB Conservation Easement Parcel**

Map: 11X17_OWEB_historic1953_083022.pdf **- Map of proposed OWEB Conservation Easement Parcel 1953 Aerial**

Map: 11x17_OWEB_vicinity_083022.pdf **- Topographic map of Trout Creek Ranch vicinity**

Map: Proposed OWEB CE Parcel_2011_08_01.pdf **- Map of Proposed OWEB Conservation Easement Parcel August 1, 2011 (shows extent of wet meadows in a good water year)**

Photo (other): Trout_Creek_Meadows_Photos_FULL.pdf **- Photos of the proposed OWEB CE Parcel**

Property Management Plan: Outline of Trout Creek Ranch Stewardship Plan.pdf.pdf **- Outlines of existing management and operations plans**

Permit Page

No Permits have been identified for this application.