

(2) All moneys received by the board under this section shall be deposited in the State Treasury and kept in separate accounts in the General Fund designated according to the purposes for which moneys were made available.

(3) Notwithstanding the provisions of ORS 291.238, all moneys received under this section are continuously appropriated to the board for the purpose for which they were made available and shall be expended in accordance with the terms and conditions upon which they were made available. [Formerly 541.372]

Note: See note under 541.890.

541.950 Authority of Governor to accept moneys; disposition. (1) The Governor may receive gifts, grants, bequests, endowments and donations of moneys from public and private sources, including the federal government, for the purpose of implementing the Oregon Plan, as described in ORS 541.898, and the Oregon Conservation Strategy.

(2) If requested by the source, the Governor shall deposit moneys received under this section into the Watershed Conservation Grant Fund for use as provided under ORS 541.956. The Governor shall deposit all other moneys received under this section in the State Treasury to the credit of the Watershed Conservation Operating Fund established under ORS 541.945. [Formerly 541.373]

Note: See note under 541.890.

541.953 [Formerly 541.379; repealed by 2011 c.643 §27]

541.954 [Formerly 541.397; repealed by 2011 c.643 §29]

(Program Projects)

541.956 Watershed Conservation Grant Fund purposes. The purpose of the Watershed Conservation Grant Fund is to provide funding for grants to achieve the purposes and uses described in ORS 541.942 and to implement the mission of the Oregon Plan, including but not limited to grants to further the Oregon Conservation Strategy and the watershed health and native fish recovery programs of this state. Moneys appropriated to the fund shall be used only for the following activities:

(1) Acquiring from willing owners interests in land or water that will protect or restore native fish or wildlife habitats. The interests may include, but need not be limited to, fee interests, conservation easements or leases.

(2) Projects to protect or restore native fish habitat or wildlife habitat.

(3) Projects to protect or restore natural watershed or ecosystem functions in order to improve water quality or stream flows.

(4) Resource assessment, planning, design and engineering, technical assistance, monitoring and outreach activities necessary for carrying out subsections (1) to (3) of this section. [2011 c.643 §13]

Note: See note under 541.890.

541.958 Criteria for project receiving moneys from Watershed Conservation Grant Fund. The Oregon Watershed Enhancement Board may award funds from the Watershed Conservation Grant Fund only for activities described in ORS 541.956. Any project that the board approves for funding shall comply with the following criteria:

(1) There is a matching contribution from other program funds, in-kind services or other investment in the project;

(2) The project to be funded is reviewed and approved by a technical committee established in accordance with ORS 541.926; and

(3) The project provides a public benefit by supporting improved:

(a) Water quality;

(b) Native fish or wildlife habitat; or

(c) Watershed or ecosystem function. [Formerly 541.401]

Note: See note under 541.890.

541.960 Title restrictions on land purchased through grant agreement; rules.

(1) Land purchased through a grant agreement with the Oregon Watershed Enhancement Board shall be subject to title restrictions that are consistent with the conservation purposes of the grant and give the board the authority to approve, approve with conditions or deny the sale or transfer of the land. The board may require conditions on the sale or transfer to:

(a) Ensure consistency with the intent of the original grant;

(b) Ensure the ability of the party receiving the land through the sale or transfer to carry out the obligations under the grant agreement; and

(c) Address the disposition of proceeds from the sale or transfer, including any provisions for repayment, with interest, of any grant funds.

(2) The board may not allow a sale or transfer that results in any profit to any person.

(3) The board shall, by rule, define "profit" for the purpose of not allowing sales or transfers and shall specify the process and criteria that the board will use in considering whether to approve, approve with condi-