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# X. Developing and Maintaining Partner Relationships

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Districts can do a better job fulfilling their mission when they partner with a variety of different groups, such as county governments, watershed councils, and state and federal agencies. There are different methods to formalize these relationships. This chapter covers some of the common partners that districts are likely to work with and talks about some of the agreements the district needs to maintain and cultivate these relationships.

## A. Oregon Department of Agriculture Natural Resources Division

### 1. Governing Legislation

ORS 561.400

### 2. Purpose and Function

The Natural Resources Division has various responsibilities in the management of natural resource programs in the state of Oregon. Among these are the responsibility to provide administrative oversight of the soil and water conservation districts. According to ORS 561.400:

**ORS 561.400 Natural Resources Division; duties; insurance for soil and water conservation districts.**

- (1) There is established within the State Department of Agriculture a Natural Resources Division which shall have the duties and powers conferred by subsection (2) of this section, by ORS 568.210 to 568.808 and 568.900 to 568.933 and by the Director of Agriculture. The administrator of the division shall be appointed by the director under ORS 561.050 after consultation with the Soil and Water Conservation Commission.
- (2) In addition to other duties and powers, the division is authorized:
  - (a) To review and approve or disapprove all projects, practices, budgets, contracts or regulations of soil and water conservation districts organized under ORS 568.300 to 568.790;
  - (b) To keep the directors of the soil and water conservation districts informed of the activities and experiences of other districts, to

- assist in the interchange of advice and information among the districts, and to promote cooperation among the districts;
- (c) To coordinate, as much as possible, the various programs of the soil and water conservation districts;
  - (d) To solicit the cooperation and assistance of any department or agency of the United States or other department or agency of this state;
  - (e) To disseminate information concerning the activities and programs of soil and water conservation districts and encourage formation of such districts in areas where they would be desirable and feasible;
  - (f) To receive, from any source, materials, machinery and equipment and to transfer such to any soil and water conservation district under terms and conditions deemed appropriate, including payment by the district for costs of delivery or use;
  - (g) To receive from any public or private source, donations, gifts and grants for the furtherance of soil and water conservation, the provisions of ORS 568.225 or the protection of natural resources affecting agriculture, which moneys are continuously appropriated to the department for the administration of the Natural Resources Division and functions related thereto and for furnishing support and financial assistance for the projects and activities of soil and water conservation districts or other projects and activities relating to natural resources affecting agriculture or consistent with ORS 568.225;
  - (h) To establish the procedures for developing and implementing extended stream bank erosion plans under ORS 561.403;
  - (i) To review and evaluate documents and proposals of the federal government, agencies of the State of Oregon, counties, cities, other governmental bodies or subdivisions thereof relating to natural resources affecting agriculture or consistent with ORS 568.225; and
  - (j) To assist in the development of agricultural management procedures and practices relating to natural resources for the prevention of soil erosion and water contamination or enhancement of water quality and quantity.
- (3) The administrator of the division shall coordinate any activities of the Natural Resources Division related to a watershed enhancement project approved by the Oregon Watershed Enhancement Board under ORS 541.375 with activities of other cooperating state and federal agencies participating in the project.
- (4) In addition to or in lieu of the coverage provided pursuant to ORS 30.282 (3), the Oregon Department of Administrative Services may provide to soil and water conservation districts and their officers, employees and agents acting within the scope of their employment or duties, protection against

liability as part of the insurance provided to the State Department of Agriculture pursuant to ORS 278.120 to 278.215. The Oregon Department of Administrative Services shall determine any additional contributions to be apportioned to the State Department of Agriculture under ORS 278.110 for extending insurance to soil and water conservation districts, and the State Department of Agriculture shall pay the assessments from such moneys as may be available therefor.

These are the primary responsibilities of the Natural Resources Division. There are other responsibilities:

- Coordinate board member elections
- Administer grants
- Technical Assistance
- Administrate Local Management Agency
- Review annual work plans and long-range business plans
- Receive and file district minutes
- Receive annual reports and financial reports

The primary responsibilities of the division is to assist districts with answering questions, provide training, solicit legal advise from the attorney general's office, provide tort coverage through the Department of Administrative Services, co-sponsor grants, develop training materials, fact sheets, and other resources.

In addition, the above responsibilities relating specifically to districts, the division is responsible for:

- Confined animal feeding operations
- Field burning/smoke management programs,
- Administering the following programs
  - Nonpoint source pollution control from agricultural lands
  - Implementation of the Oregon Plan for Salmon and Watershed through Senate Bill 1010
  - Water Quantity issues related to agriculture
  - Protection of groundwater in agricultural areas
  - Well-head protection in selected areas
  - Land leases for commercial oyster production on state estuary lands
  - Weather modification permit requests
  - Implementation of Oregon's rare plant conservation biology program
  - Land use issues related to use of prime farm land for development

### **3. Contact Information**

Oregon Department of Agriculture  
Natural Resources Division  
635 Capitol Street, NE  
Salem, OR 97301  
Phone: (503) 986-4775  
Fax: (503) 986-4730  
<http://www.oda.state.or.us>

## **B. Soil and Water Conservation Commission**

### **1. Governing Legislation**

In 1981 the Oregon Legislature established the Soil and Water Conservation Commission, under ORS 561.395, to provide for coordination between Oregon's Soil and Water Conservation Districts and the Department. Prior to 1981 the Commission was an independent agency with agency policy-making authority. When the Commission was incorporated into the Department of Agriculture its policy-making authority was changed to authority to recommend policy to the director of the department.

### **2. Purpose and Function**

The function of the Commission is to advise and develop policy with the department in the administration of its duties.

To assist with this advisory role the Chair of the Commission, by statute, is also a member of the State Board of Agriculture.

The Commission also has a major role in overseeing the grant programs to districts including the technical assistance and administrative assistance funds.

The Commission provides assistance and direction to Oregon's 45 conservation districts and coordinates with the department, the division, Natural Resources Conservation Service, Farm Service Agency, Oregon State University, Oregon Association of Conservation Districts, and Oregon Watershed Enhancement Board.

### **3. Membership**

The Commission consists of seven members appointed by the Director of the Department of Agriculture. Each member must be a citizen of the state of Oregon and a director of a conservation district board at the time of appointment. Commission members serve staggered four-year terms.

Commission members each represent different regions of the state and often times a specific natural resource expertise. Commission members are not salaried and serve as volunteers. In addition to per diem, they receive reimbursement for actual and necessary travel expenses as a result of the performance of their official duties.

The Commission has non-voting advisory members, who represent various state and federal agencies, and other organizations. Current advisors represent the Natural Resources Conservation Service, National Association of Conservation Districts, Farm Service Agency, OSU Extension Service, Oregon Association of Conservation Districts, Oregon Department of Forestry, and the Oregon Watershed Enhancement Board.

Staff support for the Commission is provided by the Natural Resources Division. A list of the commission members, their areas of assignment, and the commission advisors is provided in the Soil and Water Conservation Directory.

#### **4. Contact Information**

Soil and Water Conservation Commission  
c/o Natural Resources Division  
635 Capitol Street, NE  
Salem, OR 97301  
Phone: (503) 986-4775  
Fax: (503) 986-4730

## **C. Oregon Association of Conservation Districts**

### **1. Formation**

The Oregon Association of Conservation Districts was established as an association on December 29, 1948. It was incorporated as a nonprofit corporation under the laws of Oregon on January 29, 1976.



### **2. Membership**

All conservation district and water control districts are eligible to become members of the association. A member district is one that has paid, in full, the regularly assessed dues of the association for the current calendar year. Individuals or businesses that pay the assigned dues become Associate Members. Associate members do not vote on OACD matters. However they receive information, minutes, and other updates from OACD. Associate members are welcome to attend OACD business meetings and the OACD Annual Meeting and Convention.

### **3. Structure**

Oversight of OACD is through elected officers and basin chairs. Only conservation district directors can hold board positions. Officer positions include: President, first vice president, second vice president, immediate past president, and secretary-treasurer. OACD has identified eight major basins in the state which are represented by a director who is elected to be the basin chair. The eight basins include:

North Coast Basin	Lower Willamette Basin
Upper Willamette Basin	Southwest Oregon Basin
Deschutes-Hood Basin	High Desert Basin
John Day-Umatilla Basin	Snake River Basin

The board establishes standing committees and ad hoc committees as needed.

The OACD board meets quarterly and holds an annual meeting and convention in November. All meetings are open to the public. All programs and services of OACD are offered on a non-discriminatory basis.

### **4. Purpose and Function**

OACD's constitution and bylaws define its purposes and operational procedures. It also has a mission and vision statement, and a set of guiding principals.

The purposes of OACD are:

- (1) To promote the conservation and wise use of the natural resources of the state of Oregon, by serving as the state association of member soil and water conservation districts and water control districts.
- (2) To speak for those who are committed to the belief Oregon's soil, water, air, and renewable resources must be used in accordance with the needs of the people of the state, while maintaining a quality environment and a productive economy.
- (3) To cooperate with public and private organizations with similar purposes toward the adoption of statewide policies and programs which will effectively contribute a quality environment and a productive economy.
- (4) To inform the public of the value of soil and water conservation, flood prevention, proper land use planning, orderly economic development, recreation development, fish and wildlife enhancement, and other benefits.

### **5. Policies**

Policies are established by resolution or by board vote. Resolutions are voted on by the membership at a business meeting during OACD's annual convention in November. Each member district is entitled to one vote by an elected or officially-appointed director at any legally-called meeting of OACD.

## **6. OACD Foundation**

OACD established a 501(c)(3) tax exempt, nonprofit organization in 1987 called the "OACD Foundation". The OACD Foundation's purpose is to establish, promote, maintain, and conduct informational, educational, and research purposes within the state of Oregon. It also receives and provides grant funds for special projects relating to soil and water conservation. A board of trustees governs the OACD Foundation.

## **7. Contact Information**

Oregon Association of Conservation Districts  
2200 W 2<sup>nd</sup>  
McMinnville, OR 97128  
Phone: (503) 472-6403  
Fax: (503) 472-2459  
<http://www.oacd.org>

## **D. Oregon Conservation Employees Association Network**

The Oregon Conservation Employees Association Network (OCEAN) is a voluntary organization affiliated with the Oregon Association of Conservation Districts. All conservation district and watershed council personnel are eligible for OCEAN membership. All dues-paying members are eligible to vote on OCEAN business.

OCEAN is managed by a 10-member board of directors. One director is elected from each of the eight OACD basins in addition to two at-large director positions. Directors serve for two years with a maximum of two consecutive terms.

OCEAN represents employee interests to OACD and NACD, sponsors employee trainings and workshops, and holds

### **Contact Information**

Janet Greenup, President  
Morrow Soil and Water Conservation District  
PO Box 127  
Heppner, OR 97836  
Phone: (541) 934-5452  
Fax: (541) 676-9624

# E. National Association of Conservation Districts

## 1. Formation

The National Association of Conservation Districts (NACD) was formed in 1946 by districts and their state associations. It is the



national voice for the nearly 3,000 conservation districts in the United States and its territories. On behalf of districts, NACD develops national conservation policies, influences lawmakers and builds partnerships with other agencies and organizations. NACD also provides services to its districts to help them share ideas in order to better serve their local communities. State associations, such as OACD, participate in NACD by serving on the board and various committees to help determine and set national priorities and policies.

NACD's primary committees include:

Agricultural Land Resources	District Operations
Education	Environmental and Resource Policy
Forest Resources	Grazing Lands and Public Lands Resources
Water Resources	Urban, Community and Coastal Resources

Special committees include Resolutions and Great Lakes. The Business Alliance Advisory and Soil and Water Stewardship are advisory committees.

Conservation district directors and staff may serve on a NACD committee, whether or not they serve on the OACD board.

NACD also provides training materials and information to districts regarding national legislative issues, program development, federal agency activities, district capacity, etc.

NACD has a Washington, DC office and a Service Center in Texas. Contact information is as follows:

**Washington, DC Office**  
509 Capitol Ct., NE  
Washington, DC 2002-4946  
(202) 547-6223  
FAX (202) 547-6450  
email: [washington@nacdnet.org](mailto:washington@nacdnet.org)

**Service Center**  
408 E. Main St.  
P.O.Box 855  
League City, TX 77574-0855  
(281) 332-3402  
FAX (281) 332-5259  
email: [servicedept@nacdnet.org](mailto:servicedept@nacdnet.org)

In addition, NACD has a conservation “district capacity building” office in Washington State and a Conservation Technology Information Center in Indiana.

**Washington State Office**  
NE 1610 Eastgate Ste 250  
Pullman, WA 99163-5609  
(509) 334-1823  
FAX (509) 334-3453  
email: [capacity@nacdnet.org](mailto:capacity@nacdnet.org)

**Conservation Technology  
Information Center**  
1220 Potter Drive, Room 170  
Purdue Research Park  
West Lafayette, IN 47906-1383  
317) 494-9555  
FAX (317) 494-5969

NACD Home Page: <http://www.nacdnet.org>

## F. Natural Resources Conservation Service

The Natural Resources Conservation Service (NRCS) is the primary federal agency that works hand-in-hand with the American people to conserve natural resources on private lands, bringing 60 years of scientific and technical expertise to the partnership. NRCS predates the formation of conservation districts in Oregon. Its predecessors were the Soil Erosion Service (1933) and the Soil Conservation Service (1935). The name of the Soil Conservation Service was changed to the Natural Resources Conservation Service in 1994 to more accurately reflect the service provided on all resource issues, not just soils. The first Soil and Water Conservation District in Oregon was established in 1940. NRCS has been a very significant partner with Oregon conservation districts since that time. The principles that guided the service’s heritage still guide its work today:

- (1) Assess the resources on the land, the conservation problems and opportunities.
- (2) Draw on various sciences and disciplines and integrate all their contributions into a plan for the whole property.
- (3) Work closely with land users so the plans for conservation mesh with their objectives.
- (4) Contribute to the overall quality of the life in the watershed or region through implementing conservation on individual properties.



Soil and water conservation districts are crucial partners with NRCS as it applies these

principles to implement its programs. Historically, NRCS has provided technical

expertise for districts, and districts have provided local staffpower and community leadership to identify area resource concerns to implement conservation on the ground. Today both partners team with other entities to promote locally-led conservation.

Some natural resource programs the NRCS, along with the USDA Farm Service Agency, administers are described as follows

- (1) The *Environmental Quality Incentives Program* works primarily in locally identified priority areas where there are significant natural resource concerns.
- (2) The *Wetland Reserve Program* is a voluntary program, which allows landowners to establish conservation easements of either permanent or 30-year duration.
- (3) The *Wildlife Habitat Incentives Program* provides financial incentives to develop habitat for fish and wildlife on private lands.
- (4) The *Farmland Protection Program* provides funds to state, tribal, or local entities to help purchase developmental rights to keep productive farmland in agricultural use.
- (5) The *Small Watershed Program* works through local government sponsors and helps participants solve natural resource and related economic problems in a specific watershed.
- (6) The *Emergency Watershed Protection Program* is designed to reduce threats to life and property in the wake of a natural disaster. Conservation districts often serve as the local sponsor for this program.
- (7) The *Forest Incentive Program* supports good forest management practices on privately-owned, nonindustrial lands, and is designed to benefit the environment while meeting future demands for wood products.
- (8) The *Stewardship Incentive Program* provides technical and financial assistance to encourage nonindustrial private forest landowners to keep their lands and natural resources productive and healthy.
- (9) Technical assistance for the *Conservation Reserve Program* which reduces soil erosion, protects the nation's ability to produce fiber, reduces sedimentation in streams and lakes, improves water quality, establishes wildlife habitat, and enhances forest and wetland resources. This program encourages farmers to convert highly erodible crop acreage to vegetative cover. (This program is not used in Oregon yet—probably will be with the new Farm bill (last) Technical assistance for the *Conservation Reserve Enhancement Program* that provides a flexible and cost effective means to target state and federal resources to specific geographic regions of particular environmental sensitivity.

NRCS and the conservation districts have teamed up with the Oregon Association of Conservation Districts, Oregon Department of Agriculture, USDA Farm Service Agency, RC&D Councils, Oregon Watershed Enhancement Board, Oregon

Department of Forestry and the Oregon State University Extension Service to form TEAM OREGON, a partnership for natural resource management in Oregon. The Oregon Conservation Partnership is committed to a voluntary, locally led, watershed-based approach to natural resource management.

## **Contact Information**

Natural Resources Conservation Service  
101 SW Main Street, Suite 1300  
Portland, OR 97204  
Phone: (503) 414-3200  
Fax: (503) 414-3277  
<http://www.or.nrcs.usda.gov>

## **G. Resource Conservation and Development**

Congress authorized the first Resource Conservation and Development (RC&D) pilot project in the United States in 1963. Since that time RC&D program areas have been approved throughout most of Oregon. RC&D coordinators and councils are very important partners with conservation districts by assisting in inventorying problems, obtaining funds, and implementing natural resource projects. The RC&D gets people involved, from the private sector, corporations, counties, foundations, and all levels of government, to identify and solve human, economic, and environmental problems in their community.

RC&Ds are involved in land conservation, water management, community development, and environmental enhancement projects. Each RC&D program area has a council, whose members represent sponsoring organizations, soil and water conservation districts, towns, water control districts, and nonprofit groups. The local council determines what problems exist in the area it represents, identifies priorities, and sets goals to find solutions.

The Natural Resources Conservation Service administers the RC&D program for the United States Department of Agriculture. RC&D areas are multi-county in scope and most are nonprofit corporations. The RC&D Councils are not a Federal agency, but rather a group of local concerned citizens who represent farmers, businesses, and units of government to coordinate economic development projects, primarily in rural areas.

## **H. Farm Service Agency**

The Farm Service Agency (FSA) was formed in 1933 as the USDA Agricultural Adjustment Administration. Over the years the name has changed, as well as the

number and type of programs administered by the agency, and ultimately became the Farm Service Agency. The FSA is a significant partner with soil and water conservation districts by providing considerable financial and other assistance to the agricultural producers serviced by the districts.

According to USDA publication, PA-1551, the FSA currently administers farm commodity, crop insurance, farm credit, and conservation programs for farmers through a network of state and county offices. FSA programs are directed primarily at agricultural producers or, in the case of loans, at those with farming experience. The majority of FSA employees work with producing farmers who maintain a crop history by making an annual report of planted acres to county FSA offices.

Some of the programs administered by the FSA include:

- (1) *Commodity programs* for wheat, corn, grain sorghum, barley, oats, rye, oilseeds, rice, tobacco, peanuts, milk, cotton, sugar, and honey. FSA makes Commodity Credit Corporation or CCC loans to eligible farmers, using the stored crop as collateral.
- (2) *Federal crop insurance* covers production losses due to unavoidable causes, such as drought, hail, wind, and excessive rain, for insurable crops.
- (3) Direct and guaranteed *farm ownership and operating loan* programs to help farmers who are temporarily unable to obtain private, commercial credit.
- (4) *Financing for farm programs*, and for the purchase, storage, and disposal of commodities owned by the federal government, through the government-owned Commodity Credit Corporation.
- (5) *Low interest loans* program, to farmers who qualify, for losses due to a natural disaster event.
- (6) *Conservation Reserve Program*, which targets the most fragile farmland and encourages farmers to stop growing crops on "highly erodible" land.
- (7) *Conservation Reserve Enhancement Program*, which is a partnership between federal, state, and local entities, expands the high value practices established in the Conservation Reserve Program.

Financial incentives are provided by FSA, while local conservation districts, and their state and federal agency partners provide technical assistance.

## Contact Information

Farm Service Agency  
7620 SW Mohawk  
Tualatin, OR 97062  
Phone: (503) 692-6830,  
Fax: (503) 692-8139  
<http://www.fsa.usda.gov>

# I. Oregon State University Extension Service



The Oregon State University Extension Service is a key partner with conservation districts. The OSU Extension Service delivers objective, research-based, education to help Oregonians solve problems, develop leadership, and manage resources wisely. The OSU Extension Service is the "front door to OSU" and the premier provider of education that meets the needs of Oregonians and contributes significantly to strong individuals, families and communities, a vibrant economy, and sustainable natural resources. The OSU Extension Service has been in Oregon since 1911 and has offices and faculty in all 36 counties. OSU Extension Service's educational goals include economic development, youth and family development, natural resource conservation and management, and leadership development. Extension's program areas include agriculture and natural resources, home gardening, 4-H and youth development, family and community development, ocean and coastal resources, nutrition, diet and health, and forestry. OSU Extension Service faculty in field offices around the state work closely with the same private landowners as do the conservation districts. The field office faculty are instrumental in helping landowners apply research principles developed at the university. Districts should work with OSU Extension Service and develop a relationship at the local level and access their assistance in delivering conservation programs.

## Contact Information

Extension Administration  
101 Ballard Extension Hall  
Oregon State University  
Corvallis, OR 97331-3606  
Phone: (541) 737-5535  
Fax: (541) 737-4423  
<http://oregonstate.edu/extension>

# J. Watershed Councils

## 1. Definition

*Watershed Council - A voluntary local organization, designated by a local government group convened by a county government body, to address the goal of sustaining natural resource and watershed protection and enhancement within a watershed [ORS 541.351(15)].*

## 2. Enabling Legislation

### **ORS 541.388 Voluntary local watershed councils.**

- (1) Local government groups are encouraged to form voluntary local watershed councils in accordance with the guidelines set forth in subsection (2) of this section. The Oregon Watershed Enhancement board may work cooperatively with any local watershed council that may be formed. Requests from local watershed councils for state assistance shall be evaluated on the basis of whether the requesting organization reflects the interests of the affected watershed and the potential to protect and enhance the quality of the watershed in question.
- (2) Local watershed councils formed under subsection (1) of this section shall consist of a majority of local residents, including local officials. A watershed council may be a new or existing organization as long as the council represents a balance of interested and affected persons within the watershed and assures a high level of citizen involvement in the development and implementation of a watershed action program. A local watershed council may include representatives of local government, representatives of nongovernment organizations, and private citizens, including, but not limited to:
  - (a) Representatives of local and regional boards, commissions, districts and agencies;
  - (b) Representatives of federally recognized Indian tribes;
  - (c) Public interest group representatives;
  - (d) Private landowners;
  - (e) Industry representatives;
  - (f) Members of academic, scientific, and professional communities; and
  - (g) Representatives of state and federal agencies.
- (3) If more than one watershed council exists in a county, each watershed council shall periodically report the activities of the council to the county governing body.

### **3. Purpose and Function**

Watershed and political boundaries often don't match. Many organizations, agencies and individuals also own and manage the natural resources of a watershed. Councils bring varied interests together in a non-regulatory setting to form a common vision for the ecological and economic sustainability and livability of their watershed. Watershed councils can work across jurisdictional boundaries and across agency mandates to look at the watershed more holistically.

Every watershed council is unique. Membership, operational procedures, and projects vary depending on the concerns, issues and people in that particular watershed. The statutory definition of a watershed council requires that they represent the "balance of interested and affected persons within the watershed."

Council members represent local knowledge and have ties to the existing community. The council can be a forum to bring local, state, and federal land management agencies and plans together with local property owners and private land managers. Councils often identify landowner participants for projects, develop priorities for local projects, and establish goals and standards for future conditions in the watershed.

Watershed councils have typically coordinated the development of watershed assessments, action plans, and monitoring programs. Other roles for watershed councils include planning and implementing on-the-ground restoration projects and educational programs. Watershed councils may also provide coordinated, broad-based review of land management plans to local, state, and federal decision makers.

Conservation districts and watershed councils often cooperate on natural resource and watershed improvement projects, and have close working relationships. Often a district director serves on the watershed council. In some instances conservation districts serve as the fiscal agent for the local watershed council(s). Some council coordinators or other staff are employed by the conservation district or share office space. The partnership of conservation districts and watershed councils in watershed improvement efforts can provide enhanced effectiveness and efficiency and each organization has an important role to play in local watershed improvement efforts.

## **Similarities and Differences of Conservation Districts and Watershed Councils**

### **CONSERVATION DISTRICTS**

- Locally organized. Formed by petition to ODA and referendum vote of the public.
  
- Based largely on county boundaries.
  
- Authorized and governed by statute – ORS 568 and several others.
  
- Must be certified by Secretary of State.
  
- Board members serve voluntarily without pay.
  
- Directors elected on General Election ballot by voters within the district.
  
- Minimum age to be a member is 18, by statute.
  
- Director must be a registered voter and meet land ownership, management and zone requirements
  
- By statute, five or seven board positions (local decision).
  
- Political subdivisions of the state, classified as local government entities (Municipal Corporations). (Not a state agency).

### **WATERSHED COUNCILS**

- Locally organized. Convened by and with the approval of local government.
  
- Based on watershed boundaries. Watershed sizes vary across the state.
  
- Authorized by statute – ORS 541
  
- Not certified by Secretary of State, unless the council decides to incorporate.
  
- Council members serve voluntarily without pay.
  
- Council members selected by various means - some may represent an organization, area of the watershed, or stakeholder group, others may represent themselves.
  
- Minimum age to be a council member is determined by council bylaws or charter.
  
- Qualifications of membership determined by council bylaws or charter.
  
- No set number of council positions. May have designated members, a general membership, or a steering/executive committee.
  
- Local entities. May be advisory boards to other entities. May become an incorporated organization. (Not a state agency).

### **CONSERVATION DISTRICTS**

- Subject to state laws governing public entities, including public contracting, public meetings and records law, municipal audit, state and federal employment laws, workers compensation, public officials ethics law, etc.
- Provided Local Government General Comprehensive Liability Insurance by Oregon Dept. of Agriculture.
- May have employees.
- Funds administered by the district.
- Non-regulatory unless districts exercise authorities under ORS 568.630 – 568.690 (voter approval required).
- By statute, can form land use regulations, by referendum (ORS 568.630 – 568-690).
- As public entities, protected under the Oregon Tort Claims Act.
- Eligible to join the Local Government Investment Pool.
- Classified as a Special District and subject to all statutes governing Special Districts – ORS 198.
- Eligible to join the Special Districts Association of Oregon.
- Eligible to become a member of the Public Employees Retirement System.
- Many options for funding including local tax authority.

### **WATERSHED COUNCILS**

- Not subject to state laws governing public entities.
- Provided general comprehensive liability insurance by the state [ORS 541].
- May have employees.
- Funds may be administered by the council or by another agency or organization on behalf of the council.
- Non-regulatory.
- Not authorized to form land use regulations.
- Not protected under the Oregon Tort Claims Act.
- Not eligible to join the Local Government Investment Pool.
- Not a special district.
- Not eligible to join the Special Districts Association of Oregon.
- Not eligible to become a member of the Public Employees Retirement System.
- Many options for funding except local tax authority.

### **CONSERVATION DISTRICTS**

- By statute, may obtain a permanent tax rate or local option taxes with voter approval.
- Not eligible for IRS 501(c)(3) nonprofit status.
- By statute, must have a quorum of board positions present to conduct business.
- By statute, may enter onto private property after notification (ORS 568.730). HOWEVER, most districts have policies requiring landowner approval to enter lands.
- By statute, may access legal counsel from the Attorney General, SDAO, or other private source. Must request attorney general counsel through ODA and pay costs.
- Annual requirements of Long-range plan, Annual work plan, annual meeting, annual report and annual financial audit, required by statute. Additional annual requirements determined by grant agreements and district policies.
- Administrative oversight by the Oregon Department of Agriculture.

### **WATERSHED COUNCILS**

- Not eligible to be a taxing body.
- May be eligible for IRS Sec. 501(c)(3) nonprofit status.
- Quorum requirements to conduct business specified in bylaws or charter.
- No authority to enter onto private property without landowner approval.
- Must make own arrangements for legal counsel and be responsible for payment of counsel.
- Annual requirements determined by grant agreements and charter.
- May report to county government, or other entity, as determined by bylaws or charter.

## **4. Contact Information**

Oregon Watershed Enhancement Board (OWEB)  
775 Summer Street, NE - Suite 360  
Salem, OR 97301-1290  
Phone: (503) 986-0718  
Fax: (503) 986-0178  
<http://www.oweb.state.or.us>

# **J. Oregon Watershed Enhancement Board**

## **1. History and Formation of the Agency**

### ***1987 - Creation of GWEB (SB 23)***

The Legislature created the Governor's Watershed Enhancement Board by passage of Senate Bill 23. GWEB's mission was twofold: to provide outreach and assistance to private landowners to restore watershed health locally, and to enable the state's natural resource agencies to work together across bureaucratic and geographic boundaries to achieve better watershed management. To implement this mission, from 1987 to 1995, GWEB funded landowner workshops on land use practices, developed education materials to teach watershed processes to landowners and in local schools, and provided grant funding of \$500,000 to \$1 million per biennium for watershed restoration demonstration projects.

### ***1993–1995 - The Watershed Health Program (HB 2215)***

The Oregon Legislature dedicated \$10 million to establish local watershed councils and fund watershed restoration in the Grande Ronde Basin and the South Coast of Oregon. The program was administered by the Water Resources Department with staff assigned to teams in each basin and a team in Salem. This effort was separate from the GWEB program.

### ***1995 - Recognition of Watershed Councils (HB 3441)***

The Legislature passed House Bill 3441 in 1995 that established local governments as the entity responsible for recognizing the formation of watershed councils representative of the interests in their community. Under HB 3441 GWEB became responsible for providing support to locally established watershed councils engaged in a consensus-based approach to watershed improvement.

### ***1997 - The Oregon Plan for Salmon and Watersheds (HB 5042, 5044, and 3700)***

House Bills 5042, 5044, and 3700 placed the newly created Oregon Plan for Salmon and Watersheds into statute and emphasized the role of local citizens as resource stewards responsible for watershed restoration activities on privately owned lands. The adoption of the Oregon Plan provided a significant increase in funding for locally based restoration efforts.

### ***1998 - Passage of Ballot Measure 66***

Ballot Measure 66 amended the Oregon Constitution to set aside 15 percent of lottery revenues to be spent equally on acquisition and maintenance of state parks and to support restoration of native salmonids and watersheds. The

measure called for the restoration funds to be administered by a single state agency.

### ***1999 - Creation of the Oregon Watershed Enhancement Board (HB 3225)***

House Bill 3225 created the Oregon Watershed Enhancement Board (OWEB) as a new state agency to administer the watershed restoration and protection funds made available by Ballot Measure 66, and further refined the Oregon Plan for Salmon and Watersheds. OWEB was charged with continuing and expanding upon GWEB's support of voluntary local watershed restoration efforts. In addition, the Legislature gave OWEB a variety of coordination and prioritization responsibilities to steer Oregon toward more strategic investments in restoration.

## **2. Mission Statement**

To promote and implement programs to restore, maintain, and enhance watersheds in the state of Oregon in order to protect the economic and social well-being of the state and its citizens.

## **3. Board Membership**

The Oregon Watershed Enhancement Board consists of 17 members drawn from state natural resource agency commissions, federal agencies, and the public at large [ORS 541.360]. The Board brings together a diverse range of interests to decide on applications for grant awards. The current list of Board members can be found at [www.oweb.state.or.us](http://www.oweb.state.or.us).

Voting members:

- Oregon Environmental Quality Commission
- Oregon Fish and Wildlife Commission
- Oregon Water Resources Commission
- Oregon Board of Forestry
- Oregon Board of Agriculture
- One tribal representative
- Five public members

Non-voting members:

- OSU Extension Service
- U.S. Forest Service (federal)
- Bureau of Land Management (federal)
- Natural Resources Conservation Service (federal)
- Environmental Protection Agency (federal)
- National Marine Fisheries Service (federal)

Public members are appointed by the Governor and confirmed by the Senate for a term of four years. A member is eligible for reappointment, but may not serve

more than two consecutive terms. At least eight voting members of the board must be present to take action to award grant funds under ORS 541.370.

#### 4. Programs

OWEB provides a number of program services to local groups interested in conducting watershed restoration activities. The following are program services provided by OWEB.

##### A. Grant Program

The primary responsibility of the OWEB program is to solicit, review, evaluate, award, and manage grants for watershed enhancement projects. The program manages a portfolio of more than 700 active grants.

OWEB administers a grant program funding a variety of activities, all of which fall into two general categories of grants: Grants for Capacity and Grants for Restoration Activities. The primary responsibility for grant administration is with regional staff.

Grants for Capacity	
Council Support	Watershed Education
Monitoring	Landowner Technical Assistance
Watershed Assessments	Restoration Action Planning

Grants for Restoration Activities	
Upland Erosion Control	Land or Water Acquisition
Instream Water Enhancement	Vegetation Management
Riparian Area Enhancement	Estuarine Enhancement
Channel and Bank Alteration	Wetland Enhancement
Stream Habitat Enhancement	Grazing Management
Fish Passage Improvement	

##### B. Fiscal Services and Training

The Fiscal Services Section maintains a grant database of all applications and awarded grants. Fiscal staff provide fiscal accounting for the grant program and assists regional staff with the fiscal elements of grant administration. The Fiscal Services Section also provides training for watershed councils, soil and water conservation districts, and other grantees on fiscal administration of grants. Training is provided regionally and at the location of the grant recipient.

##### C. Restoration Inventory

OWEB has maintained a database of watershed restoration and enhancement projects since 1995. The database is maintained to document all grants completed by OWEB grantees. Other state grant programs require successful

applicants to also report to the database. The Restoration Inventory is used to provide the starting data for effectiveness monitoring of restoration investments.

#### **D. Conservation Reserve Enhancement Program**

In September 1998, the Governor signed an agreement with the U.S. Secretary of Agriculture to cooperate on a program that provides incentives for restoring riparian forested habitats. The agreement to participate in this program will be up for renewal in 2002.

#### **E. Watershed Council/SWCD Assistance**

The regional staff of OWEB provide assistance to local conservation groups in their interaction with state agencies. They have assisted in the organization of technical assistance for councils and districts, provided regionally needed technical training, and provided forums for communication among councils and districts.

#### **F. SWCD Small Grant and Landowner Workshops**

OWEB has continued the program that has provided small grants available for soil and water conservation districts in a non-competitive manner. The Board has also funded landowner workshops through the conservation districts. This program is administered by the Oregon Department of Agriculture.

#### **G. Watershed Technical Tools**

OWEB has developed or made available technical tools for watershed groups to use. The tools developed and distributed by OWEB are the Watershed Assessment Manual, Water Quality Monitoring Guide, Guide to Permits, and Aquatic Habitat Restoration and Enhancement Guide.

#### **H. Small Grant Program**

The OWEB Board adopted administrative rules for a new small grant program in January 2002 that makes funding available more quickly for locally identified restoration priorities. Small Grant Teams made up of watershed councils, conservation districts, and tribes may form in 28 areas to award small grants to projects for up to \$10,000.

#### **I. Watershed Research**

The OWEB Board has recently developed a policy to prioritize and solicit research work that will support the Oregon Plan for Salmon and Watersheds. The research priorities will be developed based on the initial recommendations from the IMST, and input received from Oregon's scientific and research community, watershed groups, agencies, tribes and other Oregon Plan stakeholders.

## **5. Contact Information**

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