



# Soil and Water Conservation Commission Minutes

DATE	LOCATION	START TIME	END TIME
11/17/2021	Online Via Teams Meeting	8:45AM	11:58AM

CHAIR	COMMISSION MEMBERS PRESENT	ABSENT
Jerry Ward	Ken Bailey, Jim Bob Collins, Stan Dean, Al Hrynyshyn, Tim Kerns	Barbara Boyer

## Oregon Department of Agriculture (ODA) Staff Present

Stephanie Page, Director Natural Resource Programs; Marganne Allen, Soil and Water Conservation Districts (SWCD)/Water Quality Program Manager; Eric Nusbaum, SWCD Operations Specialist; Sandi Hiatt, SWCD Grant Administrator; Jonathan Sandau, Special Assistant to the Director; Brenda Sanchez, Natural Resources Policy Specialist; Patrick Reinhart, Program Assistant

## Advisors Present

Cory Owens, Natural Resources Conservation Service (NRCS); Courtney Shaff, Oregon Watershed Enhancement Board (OWEB); Jan Lee, Oregon Association of Conservation Districts (OACD); Vanessa Green, Network of Oregon Watershed Councils (NOWC); Cynthia Warnock, OCEAN and Wallowa SWCD; Gene Foster, Department of Environmental Quality (DEQ); Nathan Agalzoff, Oregon Department of Forestry (ODF)

## Visitors

Lacey Townsend, Tualatin SWCD; Jason Kesling, Harney SWCD; Randy Williams, Wheeler SWCD; Les Ruark.

## Call to order

The regular quarterly meeting was called to order at 8:45 a.m. by Vice Chair Jerry Ward on November 17, 2021.

## Approval of Minutes

The draft minutes of the August 24 and 25, 2021 were presented for approval. **A motion was made by Tim Kerns to approve the minutes with no changes or corrections. Seconded by Ken Bailey. Motion passed unanimously.**

## Ag Water Quality Program Updates

Marganne Allen to discuss In-person District visits, Position/Funding, Ag Channel 2022.

**District Visits:** Attended the Imnaha SIA Open House for the Wallowa District and toured the area impacted by the Lakeview fire in the Lakeview District. Offered visits and help to other districts (including technical assistance, grants, or any other water quality matters).

**SWCD position:** There were input opportunities starting in the 21-23 ODA budget process into the 20-21 session. The August 2021 meeting had discussion and offered invitation for more input. Offline input was provided by the Jackson SWCD, OACD, and Barbara Boyer. Input highlighted priorities to have a leadership role in the ODA/SWCD program,

advance SWCD work, building relationships, and communication. The outcome is to have a position that will be a staff position (Program Analyst 3). The position will have lead worker duties (program priorities and direction, guide program operations, guide SWCD staff on projects and programs, program administration, building partnerships, and SWCD program development). The next step is recruitment within HR. There are more opportunities for input from commissioners, SWCD mgt/staff, and partners. Contact Marganne Allen.

**Discussion:** Ken would like to see more communication and information on the progress of the position to provide better input from the commission and public. Stan agreed. Stephanie wants to keep people informed while following public meeting law. Marganne would like to follow procedure, provide structure, and would like to know where the commission would like more involvement. Stan wants to focus on the SWCD's role on advising on these topics.

**Funding:** Received funding for one SIA Specialist (administering \$650k, advance SIA small watershed work statewide), two WQ positions (NW and SW regions). Would like feedback on how to deliver the \$650k SIA funds. Grants or ODA contract(s)? Blending the two might be possible as a hybrid. Districts can work with other districts. The districts can compete for ODA contracts. Will reach out to districts with more information and give the districts opportunity for feedback.

**Phased Ag Channel Rollout (HB 2032):** Received authority to officially begin the rollout. Brittany Mills is the new Ag Channel Specialist. Updated the Ag Channel regions to add missing watersheds. There are two options for region mapping: three regions vs four regions (Jefferson, Crook, Deschutes, Klamath, and Lake counties as one region). The east side might not be a priority due to a lack of maintained channels that serve a drainage function, not focused on irrigation channels. There will be a hearing on the rulemaking. Reach out to Ellen Hammond for questions.

**2022:** The focus will be on hiring, SIA's (revisit five-year schedule 2024-2029), and the Willamette Mercury TMDL (implementation plan development).

**Discussion:** Ken would like the commission to be informed on activities relating to districts to be able to add input if needed. Stephanie suggested the chair of the Global Warming Commission (GWC) speak to the SWCC. The GWC will have a good partnership with ODA.

### Advisor Reports

**OWEB - Courtney Shaff:** Update on OWEB staffing changes, OWEB recently hired two new partnership coordinators, a new fiscal officer, and a new water and climate policy coordinator. Lisa Charpilloz Hansen was confirmed as the new OWEB Director. In the short session, they will be asking for a limited duration conservation outcomes coordinator and will be posting for the Electronic and Publishing Distribution Specialist position shortly. Applications for the Focused Investment Partnership applications are due in January 2022. OWEB recently finished consultations with prospective applicants. Applicants request up to \$12 million over six years of funding. OWEB has budgeted around \$10 million for new FIPS; Board awards in July 2022. Expecting 10 applications. Emergency Response Fire grants are out for the 2021 fires and received \$20 million in General Fund for grants for the 2020 fire recovery. Board has had discussions in the water and climate committee around purposes and objectives. Starting with the December 2021 committee meetings, the OWEB Board will become public noticed; but won't accept public comment. OWEB diversity equity and inclusion (DEI) has entered a contract with EcoNorthwest for DEI training in 2022 and DEI framework.

**OACD - Jan Lee:** gave updates on conferences, land use forum, working lands guidebook, advocacy forum, carbon sequestration, senate energy and natural resources committee, USDA, and advocacy. The conference had a good turnout (over 100 registered). OACD was pleased to have SWCC board member Jerry Ward speak at the conference, as well as Water Quality Director Marganne. OACD developed a working lands guidebook that can be downloaded from the website, paid from a grant from the Oregon Conservation Partnership (partners OACD, COLT, NOWC and OCEAN) capacity grant. The OACD working lands committee has met monthly to oversee the production of the guidebook and address working lands issues. The guidebook, as part of the working lands forum, was presented to all attendees of the forum. Jim Johnson of ODA spoke on land use trends as part of the forum. In addition to the land use forum, the

conference included an advocacy forum lead by OACD advocacy chair Stan Dean. Each of the two forums was a half-day, allowing for those attending to be more interactive. Recordings of all the sessions are posted to YouTube with links from the OACD website. All documents from the conference are posted on the website, as well as presentations. The conference also included panels on carbon sequestration on working lands. The chair of the Oregon Global Warming Commission talked about the framework proposal for moving forward with a state carbon sequestration program on natural, working lands, and water. She was joined by commission members Senator Findley, Dembrow, and Representative Helm. A presentation was made by the commission at the Senate Energy and Natural Resources Committee. There will be a request in the short session in 2022 for some components of the program to be developed. Barbara Boyer will be confirmed by the Senate to be on the LCDC commission and Jan will be confirmed as a member of the Oregon Water Resources Commission later this morning. Both received unanimous votes from the committee.

**NOWC** - Vanessa Green: Received a grant from the Meyer Memorial Trust for diversity, equity, and inclusion training for three of the six NOWC regions (North Coast, SW Oregon, and Central Oregon). In 2022, the focus will be on revising and reissuing an onboarding guide for coordinators. Beginning a webinar series that is for watershed council members focusing on nonprofit management issues. Put on a summer tour for congressional leaders at Rogue River Watershed Council. Showed them a specific burned area and how it behaved in an area that was treated for invasive weeds. Oregon Conservation Partnership: There were two tours led by the Coalition of Oregon Land Trusts - in the north coast Astoria region and the McKenzie River Watershed in central Oregon. There have been four affinity groups (estuaries and tide gates, aquatic habitat restoration, pollinators, working lands, and easements). Training videos have been uploaded to YouTube.

Discussion: Stan asked if SWCD's could join DEI training. Vanessa said the training is limited to one person/watershed council.

**OCEAN** - Cynthia Warnock: Two new contractors: Administrative Support Contractor (working on organizing documents in Google Drive and taking meeting notes). Deliverables Contractor (responsible for implementing all facets of the NRCS technical assistance contract). Sent out an email to all districts asking if there are Certified Conservation Planners; the deadline to renew their certification is December 31, 2021. They need to contact Samantha for renewal assistance. She is also offering help for those that need an AgLearn Account, a link pass, and/or additional job approval authority. She will be tracking the Certified Conservation Planners and put their information on the OCEAN website to ensure they hear about upcoming deadlines and certification information. Signed the contract two weeks ago with a firm to help organize the Connect Training in 2022. The training will be in the fall of 2022 and will be a hybrid workshop; meaning it will be in-person as well as virtual. OCEAN meets tomorrow and will begin the process of contacting partners to be on the planning committee. We have changed the name to Connect Plus showing the training is the year for partners to attend. We had a strategic planning meeting in October, and even though it was virtual, it went well. We reviewed Roberts Rules of Order and decided what we will use at our meetings, and we updated our three-year plan as some of it was not accomplished because of COVID. One action item that we will work on is getting information out to districts on what OCEAN is and what we offer employees. Logo and website update - contracted with Hoopla Creative to update the OCEAN website and create a new logo. We have made some suggestions on logos that have been submitted.

**OWRD** - Ivan Gall/ Kyle Gorman: Not present. No report given.

**ODF** - Nate Agalzoff: Nate is filling in behind Ryan Gordon who has accepted a new position at ODF as the Partnership and Planning Branch Director. A lot of staffing changes. New state forester, Cal Mukumoto. There are significant organization changes mostly in Salem and the field. The private forest division is being modified to become an all-lands approach, now the Forest Resource Division. The division includes the field support, monitoring, forest health and will have the operational functions of the federal forest restoration program; implementing SB762 umbrellaed under the restoration and assistance unit. Changes are due to the investment from the 2021 legislative session (wildfire risk reduction objective SB762). Expanding the seedling supply and nursery capacity objective (HB5006). Focusing on

HB5006. At the end of October, the legislation started on the Private Forest accord to establish a basis for a habitat conservation plan, which will have significant change to the Oregon Forest Practices Act.

**DEQ - Gene Foster:** The 2021 legislature allocated \$15 million for the Federal American Rescue Plan Act for DEQ to develop and implement a pass-through grant program to provide financial assistance to failing, damaged, and outdated septic systems in Oregon. Conducting targeted outreach for feedback on how to structure the funding distribution. Want to include SWCD's in discussion. Conducting a public comment period on TMDL rule revisions. Will go to the Environmental Quality Commission for action in early February 2022. TMDL development continues in Upper Yaquina TMDL (dissolved oxygen, bacteria), Coquille TMDL (dissolved oxygen, Ph, bacteria, and temperature), and Powder/Burnt TMDL (bacteria). EPA requirement of the state under the Clean Water Act section 319 to submit a non-point source management plan that describes how the state will address non-point sources. Generally, a five-year plan.

**NRCS - Cory Owens:** Wrapped up fiscal year 2021. Delivered over \$50 million in obligations across our portfolio of farm bill programs. Oregon was a pilot state for the environmental quality incentive program conservation incentive contracts. With an additional program at the end of the year, delivered another \$11 million in conservation work across the state with a focus on drought and fire resiliency. Looking ahead to 2022, similar budget. Potentially more funding for watershed programs and infrastructure (watershed public law 566). In the last 18 months, have brought on 40 additional staff members.

**OSU - Sam Angima** provided a written report. Starting October 1, 2021, a new director of the extension started. Dr. Ivory Lyles who came to them from University of Nevada Extension and will spend time visiting the state listening to stakeholders, legislators, commissioners, farmers, rancher, etc. OSU Extension 4-H and Family Community Health programs have new leaders. Allison Myers (FCH) and Cathy Haas (4-H). OSU implemented federal government vaccine mandate. Five-year Oregon Ag Food and Fiber Economic Report (sponsored by OSU and ODA) is out and posted online. [https://agsci.oregonstate.edu/sites/agscid7/files/main/about/oragecon\\_report\\_2021.pdf](https://agsci.oregonstate.edu/sites/agscid7/files/main/about/oragecon_report_2021.pdf). College of Ag Sciences Dean has launched a statewide cattle plan focused on aligning OSU strengths to address the states' economic contributions made by cattle industry and associated industries. Hired extension agent for Lake County, Tammy Barnes. Hiring ag extension agent for Union and Baker counties and hiring a Malheur agronomist.

### **ODA Legislative and Budget Process Presentation**

Jonathan Sandau: Legislative process: Two types of sessions. Long and short. The long is six months long, the short is (in 2022) five to six weeks long. The short session was originally budget only. Now, it has become a condensed long session. In short sessions, agencies have no bills. Members are limited to two bills; the Governor gets three bills. In the 2023 long session, the Governor gets unlimited bills, members get unlimited bills, committees get five bills. It's a long-drawn-out process. This long session will have more dynamics than the short session including more bills, elections, Governor change, redistricting, etc. Policy work for ODA starts in 2022. It's hard to introduce bills/budget to a Governor that isn't elected yet. Don't know what their policy or viewpoint is. ODA has started internally on LC contracts and budget pops. First deadline for all agencies is mid-April to submit concepts to Governor's office and DAS. Then they agree or disagree with them. Two types of policy; Required policy (fee increases, laws to be linked up to federal laws, compliancy) and Nice to Have policy. ODA sends policy to Governor's office, then it moves to Legislative Council, then it is drafted. Then ODA has one opportunity to edit those drafts before the bill gets filed. ODA cannot introduce legislation that directly affects other agencies. ODA cannot change other agency's statutes. The legislature frowns on agencies introducing bills. Therefore, agency bills need to be narrow in scope and focused. If it is a major policy change, it is usually a Governor's bill or elected official's bill for more flexibility. ODA cannot testify or advocate for bills that belong to other agencies (unless directed by Governor). There is no limit to what the agency can put forward, but constrained by politics, Governor's perspective and scope, and resources (practical limits). In 2021, ODA had 14 legislative concepts were officially drafted (paid for). Of those, only ten got introduced. During the session, only eight got advanced. Members of the legislature have much more perspective, jurisdiction, authority and have more flexibility to introduce bills, having a different timeline.

They can introduce bills up to six weeks into the session (mid-March). There are different strategies to introduce bills (member introduction, committee bill, member bill). It's best to find a member who supports and will champion a bill. Discussion: Stan requested clarification on the different paths moving forward. Jerry noted that they are reviewing ORS 568. Jonathan gave pros and cons to ODA route. Less political, the Governor must approve. The broader the bill, the broader the "relating to clause" (relating to land, pesticides etc.) which opens the bill to be influenced and changed by others with an interest in the clause topic. Even changing even a few words, opens the door to the "relating to clause." Ken added that it's probably not worth changing technical flaws. Are there other ways to address small technicalities? Jonathan added that Legislative Council will change technical language when opened. It's best only to update language once it is opened. But some things are best left alone if they don't affect the practice of what ODA does. Jonathan suggests looking narrowly at changes for clean and clear communication. ODA must be clear and justified when changing policy. Stephanie added that sometimes stakeholders might have better success pushing specific bills. Jerry asked if it's better to have a sponsor for changes. Jonathan confirms that it can be easier to introduce bills that way if the legislator is engaged with it. Or have multiple legislators with different pieces of the same concept.

Budget: Very different than legislation. One route is to go through the agency budget every 2 years. By law, ODA must submit a 10% reduction list (how to reduce 10% of current budget). The 2<sup>nd</sup> route is a Budget enhancement package (POPS) which include areas inside the budget that ODA would like to see better staffed, funded, resources, etc. It then goes to the Governor who edits it, then it is introduced as the Governor's budget (including all agencies). Depending on the political makeup of the legislature, the Governor's budget can either be used as a state budget framework, or completely thrown out and rewritten. The Ways and Means budget writers will have complete control of the budget. The last cycle asked agencies for a 30% cut list. The 3<sup>rd</sup> option is a policy bill with fiscal additions. When introducing a bill, consider whether it costs money. Fiscal additions have another set of calculations that need to be weighed. The 4<sup>th</sup> unofficial route is to directly lobby for money from the budget writers. There is a Christmas tree bill that comes out at the end of the session for appropriation of funds.

Discussion: Stephanie added that ODA is discussing the asks for next session now. Please submit ideas for POPS requests. Think about the best agency that fits the needs of POPS. Think about climate change requests. Stan suggested to come up with ideas soon. Ken suggests identifying issues and workout solutions, letting others decide if they will tackle those projects. Les Ruark appreciates Jonathan's presentation. Jonathan added that the House Ag committee mentioned to add additional funding to SWCDs to enhance grant capacity of drip irrigation and water efficiencies directly tied to drought response.

### Public Comment

No advanced requests for public comment. No public comment.

### Call for Upcoming Meeting Agenda Items

Vice Chair Jerry Ward: Parking lot for 568, SWCD position, carbon sequestration/climate change, commission member appointments, POPS regarding natural working lands, soil health position, climate change, Executive Order 20-04 – greenhouse gases, new employee introductions, director eligibility options.

### SWCC Member Reports and Wrap up

**AI Hrynshyn:** No major updates. Upper Willamette hired a new financial officer. Created program manager position to run grant program. First tax disbursement check in December from tax levy. Busy with policies and getting books in order.

**Stan Dean:** Jackson SWCD soil had a series of four climate change presentations each one hour in length. Educating board and staff.

**Ken Bailey:** Has an agreement between Google and the city of The Dalles for ground water use. Google turning water rights over to city. Cutting down water usage and will buy back water from the city. Will drill two new wells. One is a recharge well. City to pump mountain water to reserves. District hasn't been directly involved in it. Google agreed to help expand the city water distribution line investing \$28 million. Completed deep wells in the Mosier area. Have received more money to repair up to \$1 million worth in wells in Mosier Creek area. Recharge issues in Dufer at 15-mile creek. Received grants to implement the storage water project for irrigation. Store water in winter/spring and pull from aquifer.

**Jim Bob Collins:** Hired new manager for Wheeler County. Hot item is the River Democracy Act (RDA), having ongoing discussions to talk about it. Grant County is having difficulties with it.

**Tim Kearns:** Have had good weather allowing everything to green up before the cold hits. Appreciates Jim Bob's work with the RDA. Formulating our own responses to it.

**Jerry Ward:** Attending district meetings and board meetings via Zoom. Each district functions a little bit different.

### **Newsletter Topics**

New positions, input on how to use SIA dollars, calendar, and a brief summary of ODA legislative talk and how the commission can use legislative help in back-to-basics context.

Adjournment at 11:58 a.m.