

APPROVED

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**Oregon Soil and Water Conservation Commission  
Regular Quarterly Meeting  
July 30-31, 2013  
Willow Lake Water Pollution Control Facility  
5915 Windsor Island Road N, Keizer, OR 97303**

**Tuesday, July 30, 2013**

**Soil and Water Conservation Commission (SWCC) Members Present**

Chair Barbara Boyer; Vice Chair Tim Kerns; Gary Jensen; John Morris; Mel Omeg; Marilyn Rice; Jerry Ward.

**Oregon Department of Agriculture (ODA) Staff Present**

Ray Jaindl, Natural Resource Program Area Director; John Byers, Soil and Water Conservation Districts (SWCDs) and Ag Water Quality Management (Ag WQ) Program Manager; Manette Simpson, SWCD Program Lead; Eric Nusbaum, SWCD Operations Specialist; Heather Rickenbach, Grants Administrative Officer; Renita McNaughtan, Ag WQ Support.

**Advisors Present**

Jan Lee, Oregon Association of Conservation Districts (OACD) President; Bill White, U.S. Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) Partnership Liaison; Lois Loop, USDA Farm Service Agency (FSA) Program Specialist.

**Call to Order and Introductions**

Chair Barbara Boyer called the regular quarterly meeting to order at 1:00 p.m. on Tuesday, July 30, 2013. Introductions were made.

**Member Reappointment**

John Byers read the re-appointment letter of Tim A. Kerns to the SWCC. The term is through June 2017.

**Approval of Meeting Minutes**

The SWCC reviewed the minutes from the April 11-12, 2013, SWCC meeting held in Keizer, Oregon.

**Mel Omeg moved and Jerry Ward seconded the motion to approve the minutes from the April 11-12, 2013, SWCC regular quarterly meeting. The motion carried unanimously.**

**Natural Resource Program Update**

Ray Jaindl reviewed the legislative session and indicated it was a good session for ODA and he was very pleased with the support ODA received. The water quality program received additional monitoring funding through 2013-2015, which will become permanent funding. He said ODA is taking the permanent monitoring funding as a positive sign that the Legislature is recognizing the work that Natural Resources does, which includes several agencies.

ODA received another program option package for the Pesticides Stewardship Partnership (PSP). The PSP works with DEQ, districts, and local community efforts to look at toxic pollutant Total Daily

Maximum Loads (TMDLs) in order to target work in specific areas. Another position that will be funded is for a water quantity specialist. ODA had the position in 2001, but lost the funding. This position works with irrigation and water conservation with the Oregon Water Resources Department. The position is funded starting January 1, 2014.

John Byers reported on the positions available now in the Ag WQ Program. There are two positions open; a monitoring position and the position that Dave Wilkinson held until his retirement, which has been rewritten as a lead position. Another position ODA will be recruiting for is the North Coast/North Willamette Water Quality Specialist. Until this is filled, Water Quality Specialist Ellen Hammond will come over from central Oregon to help train new staff and work with the Tualatin Local Advisory Committee to revise their area plan. Ray also reported he will be hiring an Administrative Specialist to handle web page tasks and other administrative duties. The Pesticides Program has two vacant positions and will be working to fill them.

Ray reported on the recent environmental challenges with the bee die-off in Wilsonville due to a pesticides application. There were concerns about the type of pesticide, which is still being investigated. There have been other bee die-off issues around the state as well and Oregon has gained international attention.

#### **Ag Water Quality Management and SWCD Program Update**

John Byers reported staff has done a tremendous job working together. SWCD Program staff has come together as a team and are working well with the Ag WQ staff. Meetings with the Ag Lobby, Conservation, Ag Program Advisory Committee, and state and federal partners have taken place regarding the Ag WQ Assessment Tool. John also reported the Shellfish Plat Leasing Program is slowly getting moved over to Food Safety. He also noted that Stephanie Page is taking over the ODA Tribal Liaison duties that had been one of his responsibilities.

#### **SWCD Program Lead Update**

Manette Simpson reported she attended 11 SWCD board meetings and is learning how each district is unique. Three program services she talks about at these meetings include technical assistance for developing districts' long-range plans, operational reviews, and micro-trainings.

Manette introduced the ODA Delinquent Report Procedure handout. She reminded everyone of the April SWCC discussion regarding corrective actions needed for two districts. She explained ODA has an informal procedure now, but would like to formalize the procedure and include the SWCC chair and SWCC representative as part of the process. Discussion included how ODA would like support from the SWCC. SWCC members agreed to be included in the process, but could abstain from taking action due to a conflict of interest; agreement that due to the length of time between SWCC meetings, the SWCC didn't need to take a vote for ODA to move forward with corrective action; and reiterated that ODA should always work with districts to resolve issues before taking corrective action.

Barbara polled the members; all Commissioners agreed with the procedure change.

#### **SWCD Operations Specialist Update**

Eric Nusbaum reported he has been working on the Guidebook for the last several months and doing some micro-trainings; Klamath SWCD has had several staff changes. Eric reported he has board trainings

lined up for Douglas, Columbia, Crook, and Deschutes SWCDs; when he is done with the Guidebook, he will start working on the operational reviews and revising the website.

### **SWCD Grants Administrative Officer Update**

Heather Rickenbach provided a copy of the summary of third quarter Scope of Works reports and highlighted several accomplishments. She is working on processing the fourth quarter and final reports that were due on July 15. The new 2013-2015 SWCD Support Grant application process is moving forward and most SWCDs have met the new deadlines. Heather provided a handout and discussed how SWCDs budgeted the Scope of Work funds for each task over the 2013-2015 biennium. SWCDs submit their annual work plan and budget as a funding requirement in the grant application and intergovernmental agreement. A handout was provided that had two graphs illustrating the trend in SWCD funds and the type of funds SWCD budgeted for 2013-2014. The total estimated budget of SWCDs is approximately \$51 million.

### **Special Project Update – SWCD Guidebook**

Manette distributed a draft of the Guidebook with the first three chapters. The goal is to continue updating the rest of the chapters and have it completed in time for a roll out at the OACD Conference in November. She requested the SWCC review to see if staff are on track. There was discussion around how the completed Guidebook should be distributed; hard copy, or USB drives, or both.

### **Public Comment**

There was no public comment.

### **SWCC Members Report**

**John Morris** reported the Middle Fork John Day River lost 133 salmon due to water temperature increases within a few days. The river was surveyed and no more dead salmonids were found. A big topic in Grant County is proposed land sales and exchanges as 73% of the county is government owned. Water levels in Eastern Oregon are extremely low.

**Tim Kerns** reported that it's very dry in his area; price of feed is high and that has been prior to wild fires starting. The Baker County Planning Commission refused to allow two wind farms in the Huntington area.

**Gary Jensen** reported the south end of the valley is getting dry and have had a few grass fires. The Grande Ronde Tribe would like to partner on a restoration project with their district. They are continuing to work with the U.S. Forest Service on stewardship projects.

**Marilyn Rice** reported issues in her areas are water, fire, and endangered species. Fires in Josephine and Douglas counties are up to 21,000 acres with only 2% under control. Cow Creek Tribe has bought Rogue River Ranch in Jackson County. Coquille Tribe has purchased an old bowling alley and want to declare it a second casino.

**Barbara Boyer** reported the Warm Springs Tribe asked for support for a land purchase near Lafayette. They are taking on another conservation easement close to 300 acres. There is a request to hold a Tough Mudders event in 2014 on conservation land they manage; and there are some concerns about the environmental impact.

## **Advisor Report**

### **Farm Services Agency (FSA)**

Lois Loop reported there would be 247 contracts expiring in September; most are in the Columbia Basin. They are pleased with sign up and have over 59,000 acres that were accepted; 96.2% of applications received were accepted; some are re-enrollments and some are adding acreage. She said FSA had several under a rare and declining habitat, which gives them additional points in the ranking. Nationwide there is a drop in the total number of acres that will be allowed to sign up; most are 10-year and 15-year contracts.

Lois reported that FSA currently does not have a state executive director; Lynn Voigt retired after 45 years of service with the federal government; Robert Perry is the acting state executive director currently. FSA is trying to cut staff in order to meet budget cuts. A number of offices have only one person, but work is still ongoing.

Chair Barbara Boyer recessed the meeting at 4:00 p.m. to reconvene on Wednesday, July 31, 2013, at 8:30 a.m.

## **Wednesday, July 31, 2013**

### **Soil and Water Conservation Commission (SWCC) Members Present**

Chair Barbara Boyer; Vice Chair Tim Kerns; Gary Jensen; John Morris; Mel Omeg; Marilyn Rice; Jerry Ward.

### **Oregon Department of Agriculture Staff Present**

John Byers, Soil and Water Conservation Districts (SWCDs) and Ag Water Quality Management (Ag WQ) Program Manager; Manette Simpson SWCD Program Lead; Eric Nusbaum, SWCD Operations Specialist; Heather Rickenbach, Grants Administrative Officer; Cheryl Hummon, Riparian Specialist; Renita McNaughtan, Ag WQ Support.

### **Advisors Present**

Jerry Nicolescu, Oregon Association of Conservation Districts (OACD) Executive Director; Bill White, U.S. Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) Partnership Liaison; Robert Wallace, Oregon Association of Resource Conservation and Development (RC&D) Councils; Jeremy Baker, Oregon Conservation Employees Association, OCEAN President; Meta Loftsgaarden, Oregon Watershed Enhancement Board (OWEB) Deputy Director.

### **Visitors Present**

Larry Ojua, Yamhill SWCD Executive Director; Ryan Gordon, Network of Oregon Watershed Councils Executive Director; Gene Foster, Oregon Department of Environmental Quality (DEQ), Water Quality Division, Watershed Management Unit Manager; Tom Watson, NRCS Assistant State Conservationist for Operations; Lauri Aunan, OWEB Grant Program Manager.

### **Call to Order and Introductions**

Chair Barbara Boyer reconvened the regular quarterly meeting at 8:32 a.m. on Wednesday, July 31, 2013. Introductions were made.

### **OWEB Grant Program and Watershed Council Funding Update**

Lauri Aunan provided background regarding the Oregon Watershed Enhancement Board (OWEB) and

their mission. Beginning in 2010, OWEB began efforts to update the watershed council support grant program, including streamlining the application process. An important goal of the program update is to continue to ensure and improve accountability with public funding. At the June OWEB Board meeting, the Board directed staff to convene a rule advisory committee for developing new program rules by June 2014; the new rules will be implemented in 2015. Following the OWEB Board's 2010 Strategic Plan, the goal is to support a high-capacity local infrastructure for watershed restoration and protection. The updated council support program will seek to promote strategic partnerships and continuous improvement. OWEB is encouraging watershed councils to discuss new business models including more sharing of services and staffing to increase local capacity.

### **Advisor Reports**

#### **Oregon Watershed Enhancement Board (OWEB)**

Meta Loftsgaarden reported ODA came to the OWEB Board meeting to discuss district capacity and the discussion was well received. OWEB is following a similar path with watershed councils as ODA is with districts to improve accountability. She reported the OWEB budget did pretty well; the grant program is funded with lottery funds that are permanently dedicated. She said there was a shift from last year with the Pacific Coast Salmon Recovery Funds, creating some OWEB staffing changes; some positions that previously were limited duration are now permanent positions. The OWEB Board passed the Long-Term Funding Strategy in June. The Deschutes, Willamette, and Klamath are examples of focused investment partnerships; these are projects with multi-partners and multi-year commitments; the goal is to expand these types of investments over time. OWEB is moving to a more strategic funding approach and expect competition will be heavy because there are strong partners throughout the state. The Conservation Reserve Enhancement Program (CREP) funded 13 grants last biennium; they encouraged multi-county and multi-entity projects; they are getting new interest in CREP even with less funding available; will put out new application announcements in September and October.

#### **Natural Resources Conservation Service (NRCS)**

Bill White reported that four years ago NRCS started its Strategic Approach to Conservation (SAC); the SAC builds from a long-range plan and uses Conservation Implementation Strategies (CIS) to focus conservation efforts to ensure priorities are consistent with local concerns, agency funding, and other goals. CISs can be used for projects like precision agriculture, wildlife habitat, irrigation efficiency, and more focus in watersheds. The next step is to measure the actual outcomes and the environmental benefits that address regulatory requirements, e.g., water quality; the Conservation Effectiveness Partnership group will be a critical part of demonstrating the benefits of these conservation actions. The Sage Grouse Conservation Partnership (SageCon) effort is ongoing in Oregon; NRCS is a convener of SageCon with BLM and Governor Kitzhaber; NRCS efforts have addressed the invasion of western juniper on grazing lands in southeastern and central Oregon. NRCS is also working on a MOU with OACD, and state and federal forestry agencies; it will be a shared commitment for how they will work together on non-industrial private forestlands. Over the next year, NRCS in Oregon will be doing some restructuring.

Tom Watson reported that by putting team leads in four basins, it allows for a resource conservationist position in every basin to help the basin team leaders; this is expected to take about a year to finalize; moving from eight basins with eight team leaders to four basin team leaders; this will allow us to keep technical assistance positions in the field offices. Tom also shared that it has been an interesting year budget-wise; NRCS continues to see a decline in staffing with 15 or 16 staff vacancies in the state; they are unable to backfill these positions until there is a 2014 budget and hopefully a Farm Bill.

## **RC&D Councils**

Robert Wallace reported the Bonneville Power Administration (BPA), where Wy'East gets funding for their Save Water Save Energy (SWSE) program, would not be funding the program in the future; the SWSE program works with co-ops and utilities around the state; most of the work is irrigation related; BPA is going to take a multi-state approach; they met with BPA executives to discuss a transition plan. Robert also reported they have a new agreement with Sustainable Northwest, a non-profit, and will work in the Klamath Basin on energy efficiencies. He also noted they are moving from a central Oregon-based RC&D to a regional level for connecting landowners to programs around water and energy efficiency.

## **OCEAN**

Jeremy Baker reported they are starting to plan for Connect 2014 and there would be a change in who will be leading the planning; Josh Uriarte will be lead planner and a location will be determined soon. He is also focusing on working with a strategic partnership committee to identify who, what, where, and when to work with other organizations; he will be meeting with OACD regarding dual conferences.

## **Oregon Association of Conservation Districts (OACD)**

Jerry Nicolescu reported he is able to participate on a regular basis with ODA, providing input as appropriate, regarding the changes in the Ag WQ Program; he also spends time with other agencies and groups representing districts and district abilities. He and Ryan Gordon of the Network of Oregon Watershed Councils have been working to develop a partnership that can share resources and funding; while councils/council boards and districts/district boards may have different philosophies, they both have similar goals for water quality, habitat restoration, and conservation of natural resources. There are many anticipated changes coming for how conservation and restoration work will be accomplished by SWCDs and councils in the near future. Jerry mentioned that if a district would like him to speak at their board meeting, he is glad to attend. He gave a reminder of the dates and location for the OACD Annual Meeting & Conference, November 6-8, at Agate Beach Inn, Best Western in Newport.

## **Guest Reports**

### **Network of Oregon Watershed Councils (Network)**

Ryan Gordon noted that the councils and districts do so much of the same work; he and Jerry can bring greater value by working together to achieve greater efficiencies for both organizations. He reported that from the Networks' perspective, they are trying to get program elements off the ground; there were a series of regional meetings with councils around the state in May and June; he brought Jerry along to those meetings, which provided a great opportunity to begin dialog about what districts and councils do. Ryan reported their Fall Gathering would be at the same facility as OACD on November 3-5; there will be partnership time with joint sessions for councils and districts between the two conferences; discussion will be around what a partnership looks like. Ryan noted the Network will continue to pursue opportunities for joint training between councils and districts in the next year.

### **Oregon Department of Environmental Quality (DEQ)**

Gene Foster, DEQ Watershed Management Unit Manager, reported he is expecting a letter from EPA Region 10 by August 8 regarding the statewide narrative on natural conditions criterion part of the water quality temperature standard; DEQ is expecting EPA to disapprove the natural conditions criterion, but leave the biological and numeric criteria in place; he doesn't know how the Environmental Quality Commission (EQC) might respond. The EQC may want to rescind the entire temperature standard or may take no action; however, there is value in the rest of the temperature standard staying in place. DEQ would continue to work on temperature issues, but through water quality management plans and

potentially developing and issuing Total Maximum Daily Loads (TMDLs) when Natural Thermal Potential is at or below the biological criteria. DEQ will continue to provide input on the Ag Water Quality Area Management Plans and Biennial Reviews with ODA.

Gene talked about the possible litigation on temperature TMDLs that have already been issued by the state and approved by EPA; Northwest Environmental Advocates (NWEA) has requested EPA rescind approval of all temperature TMDLs issued based on the natural conditions criterion; DEQ does not think those TMDLs should be rescinded as they are providing value; discussions are ongoing; there may be new information in September regarding whether or not DEQ will be able to come to an agreement. Gene said in the interim, DEQ is continuing to work on temperature issues, sediment, and bacteria where DEQ has listings in the TMDL program. Gene said it is valuable for DEQ staff to continue collaborating around water quality issues with ODA, watershed councils, and others.

### **Water Quality Program Presentation: Streamside Vegetation Assessment**

John Byers introduced Cheryl Hummon, Riparian Specialist at ODA. Cheryl gave handouts of the presentation, an overview of the ODA assessment tool, and a FAQ (Frequently Asked Questions). ODA received direction from the Board of Agriculture (Board) to develop alternatives to the complaints-based compliance program; the Board wants ODA to use a full suite of tools to pursue water quality goals; districts will implement water quality improvements in Focus Areas and ODA will use strategic implementation in small geographic areas to align partner resources, achieve compliance, and measure results. Cheryl reported 27 SWCDs attended the first ODA-hosted webinar to learn about the Streamside Vegetation Assessment Tool; she said ODA does recognize that not all districts will be using ODA's recommended process; as part of the Scope of Work, each district developed an action plan and the action plan template ODA provided was before the assessment tool had been developed. Cheryl also noted, ODA is developing online-GIS for those interested in using it; any district that wants help just needs to ask; regional Ag WQ staff will be able to assist the SWCDs.

### **Follow-up Assignments**

- ODA will:
  - Finalize the strategic plan and send to SWCC members.
  - Add SWCC members to ODA's Ag Quarterly mailing list.
  - Invite ODF to present during a working lunch.
  - Provide an update of SWCDs that plan to use the Streamside Vegetation Assessment Tool.
- SWCC will:
  - Write SWCC Member profiles – should be in area newsletters before October.

### **Future Meeting Dates and Locations**

- OACD Annual Meeting and Conference, November 6-8, Agate Beach Inn Best Western, Newport. Exact date and time to be announced.

Chair Barbara Boyer adjourned the meeting at 12:10 p.m.