

**Oregon Soil and Water Conservation Commission  
November 2, 2015, Regular Quarterly Meeting  
Valley River Inn  
1000 Valley River Way  
Eugene, Oregon 97401**

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

Chair Barbara Boyer; Vice Chair Tim Kerns; Gary Jensen; Mel Omeg; Jerry Ward

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

Ray Jaendl, Natural Resources Program Area Director; John Byers, Soil and Water Conservation Districts (SWCD) and Ag Water Quality Management (Ag WQ) Programs Manager; Manette Simpson, SWCD Program Lead; Eric Nusbaum, SWCD Operations Specialist; Sandi Hiatt, SWCD Grants Administrative Officer; Ellen Hammond, Water Quality

**Advisors Present**

Courtney Shaff, Oregon Watershed Enhancement Board (OWEB) Grant Program Coordinator; Meta Loftsgaarden, OWEB Executive Director; Jim Cathcart, Oregon Department of Forestry (ODF) Cooperative Forestry Manager; Jerry Nicolescu, Oregon Association of Conservation Districts (OACD) Executive Director; Mark Saelens, OACD President; Ryan Gordon, Network of Watershed Councils (NOWC) Executive Director; Jason Faucera, Oregon Conservation Education and Assistance Network (OCEAN) President; Tom Watson, Natural Resources Conservation Service (NRCS) Assistant State Conservationist; Sara Magenheimer, NRCS Assistant State Conservationist

**Visitors Present**

Dick Springer, West Multnomah SWCD District Manager; Chris Hill, SDAO; Marie Hansen-Wargnier and Rebecca Gray, DAS, Risk Management; Sandi Hershfelt, OACD; Whitney Collins, Baker County SWCD; Barbara Niedermeyer, Jackson SWCD; Chris Moats, Union SWCD; Bruce Williams and Johnny Sundstrom, Siuslaw SWCD; Mark Mellbye, Linn SWCD; Nellie McAdams and Dianna Pope, East Multnomah SWCD; Brian Lightcap, West Multnomah SWCD; Ken Hetsel, Marion SWCD; PK Melethil, Clackamas SWCD; Randy Bergman, Columbia SWCD

**Call to Order**

Chair Barbara Boyer called the regular quarterly meeting to order at 2:01 p.m. on Monday, November 2, 2015 and welcomed everyone to the meeting.

**Approval of Meeting Minutes**

The SWCC reviewed the minutes from the August 4, 2015, regular quarterly meeting held at Miller Woods, McMinnville, Oregon. **Mel Omeg moved and Jerry Ward seconded the motion to approve the minutes from the August 4, SWCC regular quarterly meeting. The motion carried unanimously.**

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

John Byers gave an update on ODA water quality personnel; Ryan Beyer, Water Quality Specialist for the North Coast/North Willamette Region, has accepted the Strategic Implementation Area Compliance position, Sheila Marcoe, Water Quality Monitoring Specialist, has accepted the Strategic Implementation Area Lead position, Ellen Hammond, Water Quality Specialist for Central/Southeastern Region, has accepted the Water Quality Monitoring Specialist position, and Tom Straughan, Water Quality Specialist for Umatilla/Wallowa Region will be retiring in December; John will fill the three Water Quality Specialist positions as soon as possible. He reported attending a symposium on regulating cannabis hosted by Oregon Farm Bureau; over 1,000 people were in attendance; ODA is hiring a policy staff position devoted to cannabis issues. Staff are working on continuity of chapter format in Area Plans and working with Local Advisory Committees to help with consistency. ODA will be responding to a request for more information about the Agricultural Water Quality Program and Coastal Zone Act Reauthorization Amendments (CZARA), from EPA. Regarding the \$1,000,000 for Strategic Implementation Area (SIA) project work, ODA is working with seven SIAs for 2015 and six more will be added in 2016; starting in January 2016, SWCDs will be able to request grant funds for projects “ready to go”; in May of 2016, a second round of proposals will be accepted, then in January of 2017 the process will start over again; funds do not have to go to an SWCD, they can go to a watershed council or other entities that can help with initiatives; the granting process will be very similar to the OWEB small grant process.

### **Natural Resources Program Area Update**

Ray Jandl reported the Pesticide Program will be moving forward in the next four to eight months with rule development to address 2015 legislation related to aerial applications, maximum pesticide civil penalty cap, and other statute changes to improve clarity of authorities; temporary rules will need to be in place by January of 2016, with permanent rules to follow; an advisory committee will assist ODA. He said that the 2015 legislature established cannabis as an agricultural crop; cannabis production and sales will interact with many ODA programs and presents many policy challenges; ODA program areas affected include the Ag Water Quality Program for water quality concerns; the Pesticide Program for allowable pesticides because EPA does not address pesticides when cannabis use is not legal federally; the Food Safety Program regarding cannabis food products including training needs with Oregon Health Authority for labeling and commercial kitchens; the Nursery Program; and Weights and Measures Program; the legislature is expecting ODA to help; coexistence challenges between outdoor grows of hemp, medical, and recreational marijuana have been raised as they are not compatible because of the impacts of pollination. Oregon State University, normally a significant resource to Oregon agriculture, declined to pursue research or extension on cannabis because of the potential negative ramifications related to federal funds they receive.

### **Local SWCD Presentation: West Multnomah SWCD**

John introduced Dick Springer from West Multnomah SWCD; he recognized Dick for his years of service and presented a plaque from the SWCC and ODA; Dick will be retiring on November 30. Dick explained his district covers Multnomah County west of the Willamette River including all of Sauvie Island; they have a staff of 10 and have only one position turn

over in seven years; they are a tax funded entity; they focus on nine target issues which are Diversity and Equity, Education and Outreach, Invasive Weeds, Neighborhood Projects, Soil Health, Special Habitats, Sturgeon Lake, Water Quality, and Woodland Stewardship.

### **DAS and SDIS Insurance Presentation**

Marie Hansen-Wagnier, Risk Consultant with Department of Administrative Services, (DAS) Enterprise Goods and Services, Risk Management, gave a presentation on Oregon DAS insurance coverage for state agencies and SWCDs; they provide General Tort Liability and Automotive Tort Liability for the following: personal injury, bodily injury, death, and property damage; things not covered include: punitive damages, Workers' Compensation of district employees; property damage to property a district owns; or contractual issues and they don't provide coverage outside of Oregon.

Chris Hill, Underwriter with Special Districts Insurance Services, Underwriting Department, provided insurance coverage information that is available to SWCDs; every SWCD belongs to Special Districts Association of Oregon (SDAO); SDAO has over 900 members; as a member driven service, SDIS can provide broad coverage for members; SWCDs still need to work with an insurance agent; those receiving insurance through SDIS are part of a self-insured liability pool.

### **Advisor Reports**

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

Tom Watson reported that now cannabis is legal in Oregon, they have reached out to Colorado and Washington for how their NRCS offices are providing technical service; NRCS national headquarters are challenged with the issue and are working to provide guidance; in general, there is a difference for SWCDs that pay for their own space versus SWCDs that share space with NRCS. He stated that their budget this year is better than expected; the new Farm Bill funds are helping. They are working to have new cooperative agreements in place by July 2016. Tom said they the agency is challenged with hiring people as it is taking four to six months to get positions filled; they currently have 35 vacancies and are trying to fill with acting positions until permanent staff can be hired. 2015 highlighted partnerships; Oregon was third in the nation for Regional Conservation Partnership Program (RCPP) funded applications, behind California and Texas; Oregon had six funded RCPPS; he said it is heartening to know Oregon can compete with states that have 750 plus employees; Two Chiefs, the Chief of NRCS and the Chief of the US Forest Service, is another successful and strong partnership for forest projects. A revised Conservation Stewardship Program (CSP) has come out; each state will have more input into state projects.

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

Courtney Shaff reported that she, Manette Simpson, Jerry Nicolescu, and Ryan Gordon have begun meeting monthly to discuss SWCD and watershed council common issues. Courtney stated that OWEB can only award funds to legal entities; councils can be a legal entity or not, but must be a legal entity if want OWEB funds awarded directly to them; this is an Office of Management and Budget (OMB) "Super Circular" requirement for federal grant funds, including the Pacific Coast Salmon Recovery Fund (PCSRF). She shared that the Focused Investment Partnerships (FIP) deadline is today; the FIP applications will be

reviewed by the end of the year, then recommendations will go to the OWEB Board at the January meeting; Courtney said that a little over \$6 million was awarded at the October OWEB Board meeting for the Open Solicitation Grant Cycle. Meta said for the Legislative Session in February 2016 that OWEB doesn't have a legislative docket, but there will be ongoing projects about working with land easements.

### **Oregon Department of Forestry (ODF)**

Jim Cathcart reported that there have been two or three sightings of Asian Gypsy moth in Portland; the Seattle/Tacoma area has also had sightings of the moth; the female moth can fly so invasion can be more rapid; they are a significant threat to hardwoods; they will need to be hit hard in the spring with an insecticide; the US Dept. of Agriculture has a technical team to make recommendations for control. The wild fires were severe in eastern Oregon and the John Day areas; 40 homes were lost in the Canyon Creek area; the After Fire Toolkit is being used; ODF is evaluating the suitability of reforestation due to soil damage caused by the extreme heat.

### **Oregon Conservation Education and Assistance Network (OCEAN)**

Jason Faucera reported they have already started planning the 2016 CONNECT; it will be April 19-21, 2016 at Salishan; he appreciates that OACD and NOWC are both helping.

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

Ryan Gordon thanked everyone for attending the Conference. He said it has been great to partner with Jason Faucera from OCEAN, including being able to leverage skills and resources. He shared that the Network elected and reaffirmed their current Board membership, and also added Rob Russell from the Tillamook Bay Watershed Council and Jon Souder from OSU Forestry Extension.

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

Mark Saelens reported OACD has been focusing on grant management since August and are working on obtaining more grants; OACD's fiscal reporting systems have been updated to allow for better grant management. He reported the Sage Grouse issue is a big commitment and work item; and the annual conference have been major activities for OACD recently; they have been focused on the deliverables for this year and are feeling positive about working with their partners: OWEB, ODA, NOWC, and NRCS; the Partnership with NOWC is going well and helping both organizations be more efficient; OACD had a bigger legislative presence this past year along with significant involvement with NACD; this involvement helps with knowledge of national issues that affect Oregon. OACD held elections for officers at the annual meeting this morning and the current slate of officers was re-affirmed.

### **SWCC Member Reports**

**Gary Jensen** reported that there are no new changes or regulations to be implemented.

**Jerry Ward** reported that he has been attending annual meetings of the various Districts in his area.

**Tim Kerns** reported there is a proposal for a National Monument to be established in Malheur County; the area would include about 40% of the county; Baker County Districts have partnered with NRCS for fire rehabilitation; there are over 100,000 acres affected by fire; they are not renewing their CREP grant.

**Mel Omeg** reported that the Deschutes Basin is strengthening their partnership between the Watershed Councils and the Soil and Water Conservation District; they are working more with the Land Trust; he encourages other Districts to consider including Watershed Council Board members to be District Associate Directors; they have found their Watershed Coordinating Board to be very beneficial for obtaining and working on grants.

**Barbara Boyer** reported that she will be doing research with districts on their preference for 'emeritus' or 'associate' director and if they have a policy. She said the Commission is encouraging Districts to bring resolutions to next year's Annual Conference and resolutions have to be submitted 90 days prior to the conference.

### **Public Comment**

Mark Saelens shared that the resolution from Yamhill will have a committee from OACD to further explore this issue.

### **Set 2016 Meeting Dates**

February 11 & 12

May 23 & 24

August 15 & 16

November - TBD

### **Wrap Up Assignments**

No assignments.

Chair Boyer adjourned the meeting at 4:19 p.m.