



Oregon Soil and Water Conservation Commission

Regular Quarterly Meeting

Tuesday, February 13, 2018

11:30 a.m. – 4:30 p.m.

Willow Lake Pollution Control Facility

5915 Windsor Island Road N Keizer, OR 97303

Soil and Water Conservation Commission (SWCC) Members Present

Chair Barbara Boyer, Vice Chair Tim Kerns, Stan Dean, Mel Omeg, Ted Molinari, Jerry Ward

Absent: Gary Jensen

Oregon Department of Agriculture (ODA) Staff Present

Ray Jaindl, Natural Resources Program Area Director; Stephanie Page, Natural Resources Program Area Director (incoming Director); Manette Simpson, Soil and Water Conservation Districts (SWCDs) Program Lead; Eric Nusbaum, SWCD Operations Specialist; Sandi Hiatt, SWCD Grants Administrator; Sheila Marcoe, Natural Resource Policy Specialist; Cheryl Hummon, Riparian Specialist; Jim Johnson, Land Use Coordinator; Jason Eck, Support Specialist.

Advisors Present

Courtney Shaff, Oregon Watershed Enhancement Board (OWEB) Capacity Programs Coordinator; John Keith, Oregon Association of Conservation Districts (OACD) Executive Director; Whitney Collins, Baker County SWCDs District Manager; Gene Foster, Oregon Department of Environmental Quality (DEQ) Watershed Management Program Manager; Ron Alvarado, Natural Resources Conservation Service State Conservationist; Sam Angima, Oregon State University Extension Service Assistant Dean, Outreach and Engagement; Shawn Morford, Network of Oregon Watershed Councils (NOWC) Executive Director; Jason Faucera, Oregon Conservation Education and Assistance Network (OCEAN) President.

Visitors Present

John McDonald, Tualatin Soil and Water Conservation District Chair; Larry Ojua, Yamhill Soil and Water Conservation District Executive Director; Jane Keppinger, Marion Soil and Water Conservation District Executive Director; Frances Molinari.

Call to Order

Chair Barbara Boyer called the regular quarterly meeting to order at 11:34 a.m. on Tuesday, February 13, 2018.

Approve November 2017 Meeting Minutes

The SWCC reviewed the minutes from the November 14, 2017, quarterly meeting held in Salem.

Ted Molinari moved and Jerry Ward seconded the motion to approve the minutes from the November 14, 2017, SWCD regular quarterly meeting. The motion carried unanimously.

Natural Resources Program Area Updates

Ray Jaindl, who is retiring in March, introduced Stephanie Page, who will succeed him as director of the Natural Resources Program Area at ODA. Ray has been working with Stephanie on the transition since January. Most recently, Stephanie served as director of the Food Safety and Animal Health Program Area. Ray said he is working on introducing Stephanie to partners and familiarizing her with budget, personnel, and legislative issues. Stephanie said she looks forward to working with the

Commission and said it has been great to cross-train with Ray during the past several months. She said she's appreciated his mentoring over the years. Stephanie worked with Yamhill SWCD right out of college, but said she has not worked with districts much over the past five years. She said she plans to get out and meet stakeholders and partners to learn about issues and opportunities. She recently traveled to Central Oregon to see a Strategic Implementation Area and to Southern Oregon for a tour with the Jackson Soil and Water Conservation District and local watershed council.

The 2018 Legislative session is under way. Ray said ODA is pleased with how this short session is going. There is no water quality legislation and one pesticides-related bill dealing with household hazardous waste. Meanwhile, ODA is preparing for the 2019 session, and he is familiarizing Stephanie with issues to keep before the Director's Office, and specifically on how programs are funded. One of ODA'S proposed concepts is a fee increase for the Confined Animal Feeding Operation (CAFO) Program. The current fee is not keeping up with inflation to fund a position. Ray said the industry does not prefer an increase but that ODA has met with the industry to discuss the proposal. Also ODA is exploring housecleaning items within the Pesticides Program but a final decision has yet to be made. Ray said ODA has several program option packages it is looking to fund: one for the Land Use program to help Jim Johnson, and another to fund a position to help with database management for the Pesticide Analytical and Response Center (PARC). The Fertilizer Program has not had a staff increase in five years even though registrations have increased from 6,000 to 12,000 products. ODA is proposing to add one position to be funded by registrations.

Barbara asked if ODA was tracking the impact of cannabis issues. Stephanie said ODA has set up accounting codes across the agency to keep track of time staff are spending on cannabis-related work. The Pesticides Program's workload has increased tremendously because of cannabis.

Working Lunch: Tualatin Tax Levy Lessons Learned

John McDonald, chair of the Tualatin Soil and Water Conservation District, offered a presentation on the district's decision to pursue a tax levy, the steps it took to present the proposed tax to voters, and ultimately how the tax base won voters' approval.

Water Quality Management Update

Sheila Marcoe, Natural Resources Policy Analyst, spoke in place of John Byers, Ag Water Quality Program Manager. Sheila offered a presentation on how ODA's Agricultural Water Quality Program coordinates with state and federal natural resource partners to carry out its priorities.

Advisor Reports

Network of Watershed Councils (NOWC)

Shawn Morford said the Oregon Conservation Partnership has formally expanded this year to include the Coalition of Oregon Land Trusts (COLT). COLT joins three other organizations in the partnership: Network of Watershed Councils (NOWC); Oregon Association of Conservation Districts (OACD); and Oregon Conservation Education and Assistance Network (OCEAN). Morford said the partnership is increasing programming in concert with land trusts, including at CONNECT where COLT will offer sessions and staff and boards of land trusts are expected to attend for the first time this year. The partnership will hold its first joint meeting of all four partners at CONNECT. Morford said NOWC's monthly webinars, offered on the third Thursday of each month, continue to be popular. Some focus on training and others are more of a discussion forum. Morford said NOWC continues to spend a lot of time on the organizational development and capacity building arena.

Barbara Boyer noted that COLT is not represented as a Commission advisor and asked the Commission to consider adding the organization.

Oregon Association of Conservation Districts (OACD)

John Keith, OACD's new executive director, introduced himself. John said it has been a whirlwind start learning and meeting people. As part of his introduction to districts, he is going to embark on a basin road trip across the state to meet with districts to learn about their issues and concerns. At the same time, he said OACD will roll out its strategic plan, which has been under development the past year and a half with the goal of finalizing it at CONNECT. At the national level, John said OACD is involved in various policy groups and committees, including the Coastal Resource Policy Group, Tribal Resource Policy Group, and legislative committee. OACD continues to work with NRCS to find ways to work cooperatively in the challenging budget environment. Likewise, he said OACD is looking for the best opportunities as a part of the Oregon Conservation Partnership but said it will be a helpful tool to build capability. The basin trip schedule is as follows: Lower Willamette basin, Feb. 28; Medford basin, March 1-2; Baker City basin, March 21; and Central Oregon basin, mid-March. John said OACD is looking to hold its board meetings across the state.

Oregon Conservation Education and Assistance Network (OCEAN)

Jason Faucera said OCEAN is working hard on planning for CONNECT. Up to 70 sessions are planned. He said the Oregon Conservation Partnership has stepped up this year to help with planning and overall messaging. Also received capacity support from OWEB for a paid planner. In the past it was accomplished with volunteer staff time. In general OCEAN business, Jason said he is stepping down in April as OCEAN president. He said OCEAN is looking for fresh faces and for other districts to step up and help the organization determine its path forward and its role in the partnership.

Oregon Watershed Enhancement Board (OWEB)

Courtney Shaff reported that the OWEB board has concentrated recently on rulemaking. At its recent board meeting, the board adopted Focused Investment Partnership (FIP) rules, which coincided with the announcement of the 2019-2021 awards for implementation Focused Investment Partnership grants. Materials are out there and applications are due at the end in June. The board intends to award two to three additional implementation FIPs at its January 2019 meeting. Courtney said the board has experienced a lot of turnover and has seven new board members; it currently is made up of 18 members. She said the new members are stepping right in and asking great questions. Courtney said the board had a great conversation about OWEB's strategic plan, which the board is set to adopt at its April meeting. OWEB is in the process of writing rules to support its technical assistance grants. OWEB awards a lot of technical assistance grants and have never had rules to support these grants. OWEB plans to adopt these rules by October. The April board meeting will be held in Frenchglen in Harney County. At that meeting, OWEB will accept public comment by phone for the first time and award fall 2017 open solicitation grants and acquisition grants. The board also will hear a presentation on OWEB's partnership learning program. Courtney said there is big turnout this year among OWEB staff who are planning to go to CONNECT.

Natural Resources Conservation Service (NRCS)

Ron Alvarado said he attended the National Association of Conservation Districts (NACD) annual conference in Nashville. He said he is proud of Oregon's representation among the 1,100 in attendance. Ron encouraged everyone to continue supporting NACD and Oregon Association of Conservation Districts because the message they provide to individuals and groups outside our conservation family is important. Ron said the ongoing hiring freeze is a big challenge for NRCS

locally and nationally. In Oregon, NRCS is down 30 FTEs, which he described as substantial. Some districts have vacant district conservationist (DC) positions. Ron said national leadership is working diligently to determine if a few hires can occur and asked him to provide his top three priorities. Ron explained that having a district conservationist is a priority. Ron said since customer service is a priority, he named Hillsboro, Roseburg, and Eugene as the top three districts needing a DC. He said it would be huge for NRCS if those could get filled, noting that the other districts are no less important. Last year, NRCS' acting Chief, Leonard Jordan, set aside money for districts to help with technical assistance needs; three districts received funding. Ron said he plans on using Oregon funding to get resources to the field office level and fill the technical assistance gap that exists. During the NACD conference, the NRCS White House liaison Dr. Sam Clovis spoke about the vision and expectations of the administration. Ron said he was encouraged that Oregon is doing many of the things he spoke about, including using big science, big data, collaboration, public-private leverage, and focus on outcomes. He has invited Clovis to visit Oregon for a tour and may call upon district representatives to help with that effort when the time comes. Ted Molinari asked Ron about the status of NRCS' Regional Conservation Partnership Program (RCPP). Ron said the president's budget does not include the program, however he believes the House and Senate budget priorities include funding RCPP. Oregon has 22 funded RCPP proposals, the highest in the country, and they are a good tool in the toolbox to bring in additional resources. Ron said he is trying to inform districts as best he can about impending government shutdowns given the information he receives. Manette noted that NRCS, OACD, OCEAN, and ODA are working together to ensure districts quickly receive office closure messages.

Oregon State University (OSU) Extension

Sam Angima reported that OSU Extension is dealing with a \$1.3 million budget cut and the challenges that presents. He said this has resulted in reorganizing on the administrative side; OSU Extension is cutting back to six administrative regions from 10. OSU Extension relies 100 percent on state funding for state positions, so it is difficult to maintain programs and faculty when funding is not consistent. He said he hopes by cutting down on the administrative side, that it will result in minimal program cuts. Sam handed out a list of positions in each county representing both county based faculty and experiment stations based faculty. With the new region boundaries, he said some faculty are now being asked to work in multiple counties. He encouraged people to reach out and meet staff they don't know in their counties or regions.

Land Use Update

Jim Johnson spoke about several bills that he is watching in the 2018 Legislature:

Senate Bill 1502: Bill proposed making land east of the Cascades containing class 6-8 agriculture capability soils nonresource lands and thus available for commercial and industrial development with no review process. This bill did not make it out of committee and is dead, but shows up every session. Jim said what caught his attention is that eight to 10 of the county Farm Bureau presidents on the east side opposed the bill. Jim said the bill is being brought forward by development interests.

House Bill 4075: The City of Hillsboro proposed adding 1,700 acres to the Metro urban growth boundary without going through the planning process. Jim said the hearing room was packed and estimated that two-thirds of the testimony was in opposition. He said most indicators show there is no need and the bill did die.

House Bill 4029: Bill prohibits constructing a bridge on the Deschutes River within certain segments of the Deschutes Scenic Waterway. Jim said this bill could have impacts on the workload of the Oregon Department of Agriculture and other natural resource agencies because there is a provision in

the bill requiring the State Parks and Recreation Department to evaluate segments of rivers for scenic designation on a biennial basis. Current status requires periodic review. Bill is still alive.

House Bill 4031: Bill permits and regulates establishment of guest ranches on Eastern Oregon exclusive farm use lands. Jim said he is concerned about the relating clause included in the bill relating to the use of land. A relating clause directs where the bill can and can't go. Jim said this relating clause is broad and has his attention as anything could be added to the bill at the last minute. Bill is still alive.

House Bill 4092: Bill proposes to expand the Aurora State Airport runway and associated development. Proposed expansion would come in an area with heavy farm use. Bill would allow this expansion with no review of the impact on agricultural land and would not require permits.

House Bill 4100: Bill would allow nonclinical therapy operations (related to equines, but not just equines) on farm land as a conditional use permit. Comes from an overinterpretation by Deschutes County about a facility that use horses to treat people. County said it is now allowed outright. The Bill makes it clear that if you go through a conditional use process you can site on farmland. Jim believes it is an appropriate use similar to that for stables. He said this is an example of an issue that comes before the Legislature when local government interprets the statewide planning program and tries to be more restrictive.

Jim said Oregon is facing drought conditions. He said the most recent drought monitor shows a big percentage of Eastern Oregon has moved to abnormally dry. One county, Klamath, already is seeking a drought declaration. The Klamath Basin is 39 percent of normal snowpack/water equivalency; last year the figure was 122 percent of normal. Oregon is looking to have a real rough summer unless things change in the next two months. The drought council meets in mid-February and Jim is on the council. He encouraged anyone with concerns to let him know.

In regard to solar facility siting on farmland, Marion and Yamhill counties are concerned enough about cumulative impacts that they are seeking to institute regulations stricter than state law. Jim said he brought this up because the SWCC sent a letter to the Oregon State Board of Agriculture with concerns about the issue. Jim said Oregon Department of Land Conservation and Development is going to address the issue but not until spring. He said Marion and Yamhill counties did not want to wait that long and are taking action. The Board of Agriculture's Land Use Committee was set to discuss the issue at its meeting in mid-February.

Jim noted a presentation that will be made at the Board of Agriculture meeting about a Portland State University study on the mapping of nonfarmland development within exclusive farm use zones in the north Willamette Valley. He said it gets to the issue of cumulative impacts on nonfarmland development on lands zoned for exclusive farm use. He said the mapping is quite stark and alarming. Cumulative impacts is an issue that state agricultural community in land use have talked about for years. He hopes this presentation gets the discussion going again.

SWCC Member Reports

Barbara acknowledged this as Mel Omeg's last meeting with the SWCC. She honored him with a Distinguished Service Award plaque for his service on the SWCC from 2007-2018. Mel said he's never seen a time where there was more cooperation than there is now. He said SWCDs, Watershed Councils and land trusts are working together toward good conservation practices. Jerry thanked Mel for his service and for being a mentor to him. Barbara reminded the Commission that Mel also served on the OACD Board. Mel said serving on boards and commissions is one of the most important

things in his life. Barbara said she appreciated Mel's balanced approach; bringing a light hand or heavy-hand perspective when needed.

Prior to Commissioner reports, Jason Faucera announced that a free day-long riparian training focused on practitioners will be held on Monday, the day before CONNECT begins.

Mel Omeg: Mel said his time has been spent on physical therapy in recovering from surgeries. He said he is concerned about the Lincoln SWCD and the loss of its manager. Eric Nusbaum updated the Commission that he attended the Lincoln meeting and plans on meeting with staff to reassign duties and with the board to see what kind of organization it wants.

Ted Molinari: Ted brought up three water resource issues that he has been thinking about and that he has spoken to his district staff about. He hopes that by raising these issues it might help the water resource issue and add some luster to what agriculturists and those that practice husbandry do to protect soil and water and exercise good stewardship. First is a report related to how sage brush rangeland maintain water availability. He said this is a big problem for Eastern Oregon farmers and ranchers. The second is an article titled "Teaching livestock to eat weeds" in the Western Ag Reporter. He said Eastern Oregon ranchers know how much weeds intrude on good grasses and plants, which holds the water in the soil. Then you get weeds. It was an interesting article and something SWCDs should be thinking about. Thirdly, on a recent trip from Condon to Wasco, he saw a grain field that was dark brown and learned biochar from juniper was used on the field. The wood goes through a heating process and then the charcoal, rich in nutrients, is spread on crops. Ted encouraged such projects that focus on good stewardship and the environment.

Jerry Ward: Jerry reported that Columbia SWCD was featured in an NRCS publication for its work with the City of Scappoose, including on stream bank, exposed sewer, and drainage issues. He said this shows how the district is involved in both rural and urban projects.

Stan Dean: Stan said he plans on following up about the Strategic Implementation Area in Curry County and the drought situation in Klamath County.

Tim Kern: Tim said he, Whitney Collins, Baker County SWCDs District Manager, and others in sage grouse counties attended a meeting in Bend in January with NRCS and U.S. Fish and Wildlife about sage grouse issues. He said there is quite a lot going on worth paying attention. He said it has been a frighteningly easy winter and he fears Eastern Oregon could be in serious trouble. He said they had a good fall with good rains. At least one operation in the Baker Valley conducted slash burning, but it dried out and there was a runaway fire. He said that put a stop to forest clean-up activity. He said spring isn't looking any better for slash burning given the conditions this winter. Tim said he attended Baker County SWCD's annual meeting which was attended by Pat FitzGerald, president of the Oregon Association of Conservation Districts.

Barbara Boyer: Barbara said she attended the Polk SWCD annual meeting in Dallas and said it was fun to see its accomplishments. She said the district had an acquisition this year, which she said is exciting. Yamhill is preparing for its annual plant sale. Larry Ojua, Yamhill SWCD Executive Director, said there is quite a bit of interest in its lands program. He said they have an RCPP program that is going well and are introducing a straw mulching program to help with erosion issues with all of the hazelnut trees being planted without cover crops. He said the district is reaching out and have completed about 12 demonstration projects. Barbara wanted to make districts aware of funding

options: Oregon Community Foundation; Meyer Memorial Trust, which has a Willamette initiative; and Oregon State University Extension Service, which is administering grants for a new outdoor school program.

SWCD Advocacy Policy Discussion

Stan Dean offered a presentation on the Jackson Soil and Water Conservation District Advocacy Policy, adopted by the Jackson SWCD in December 2017. Stan said he found he wasn't hearing of consistency or clarity on what he was hearing about advocacy from a number of sources. So, he decided to dig into the statutes and guidance documents and ultimately decided to prepare a policy document his SWCD could adopt. He said the district manager provided input and district counsel reviewed the document line by line before approval. The policy contains four chunks of information: Policies, "we shalt do this," even if it is more stringent than what we have to do; good practices, goals of how we want to operate; relative parts of statutes that could be referenced to review exact language when needed; and relative parts of various guidance documents. He said it was important to define advocacy. He ended up dividing the policy into three categories: political campaigning, lobbying, and other advocacy.

SWCC Work Group Discussion

Manette opened a discussion continuing from the November Commission meeting about forming work groups to tackle topics of interest. Manette said the idea for work groups is to choose topics that Commissioners can look at more fully and she does not envision Commissioners having to do a lot of work, but to have input on important topics for districts. She said she would like to see the work groups partner with OACD or other organizations on key challenges that are common to districts. Manette said the need for stable, long-term funding is a big issue. Another topic is succession planning for districts who are losing directors and staff to retirement is key. The Commission identified the following as possible workgroups: financial; organizational; and leadership. Eric Nusbaum said he has a lot of ideas on these topics and would love for the Commission to help him flesh them out and get its backing. He said he offers training that districts are not pursuing. Barbara said she would contact fellow Commissioners before the next SWCC meeting to help identify work group priorities and report back at the April meeting.

TMDL Technology Update

Gene Foster, Oregon Department of Environmental Quality Watershed Management Manager, provided a presentation titled "TMDL Technology Update." He reviewed some of the technologies DEQ is using for the TMDL in the nonpoint source program primarily oriented around remote sensing, aerial photography, satellite data, and Light Detection and Ranging (LIDAR).

Public Comment

Larry Ojua, Yamhill Soil and Water Conservation District Executive Director, encouraged the Commission to take the approach of working as partners with districts. He suggested the Commission come up with concepts and look to other partners, such as Oregon Department of Agriculture or Oregon Association of Conservation Districts, to institute concepts. Ojua also spoke about a grant the Yamhill SWCD received to institute an enhanced Conservation Reserve Enhancement Program (CREP). He said the district learned from producers that the barrier to riparian plantings was the low rates. The district had conversations with producers who told the district that if there was a better incentive program they would be more inclined to plant riparian areas. He said that worked really well and the district has planted three and a half miles of riparian area on the Yamhill River. Ojua said during this process, Farm Services Agency had a concern about its program showing the match

in a landowner contribution if the district was going to provide that. He said he has heard this concern from other places and thinks it might be a topic for the Commission to determine if it really is a concern. He said he brought this up because CREP is too important to run into a roadblock that nobody saw coming. Larry offered congratulations to Mel Omeg, Ray Jaindl, and Stephanie Page.

Eric Nusbaum, ODA SWCD Program Operations Specialist, said he gets frustrated over the idea of a lack of long-term funding for SWCDs. In reality, he said during the past 19 years there has been stable funding and, in fact, he said funding has increased. He said districts now receive \$70,000 per year as a base, which he said is great, stable funding. He wants districts to be proud and bold. He said every district has a level playing field. He said successful districts leverage their funds well and have good leadership. Districts that he sees struggle don't leverage their funds well and have poor leadership at the board and staff level, often because they don't have the right skill sets. Taking off his ODA hat, Eric said he would love for the Commission and ODA to look at how they can help districts leverage their funds and become better leaders. The Commission discussed funding strategies and Barbara identified three L's: leadership, leverage, and legacy as three areas on which the Commission can focus.

Upcoming Meetings

April 16, Seaside, Seaside Convention Center

July 24, Boardman, Port of Morrow

September, tri-state meeting hosted by Oregon SWCC, TBA

Meeting was adjourned at 4:34 p.m.