



Oregon

Tina Kotek, Governor

Department of State Lands

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State Land Board

Tina Kotek

Governor

LaVonne Griffin-Valade

Secretary of State

Tobias Read

State Treasurer

The State Land Board (Land Board or Board) met in regular session on October 10, 2023, in the Land Board Room at the Department of State Lands (DSL), 775 Summer Street NE, Salem, Oregon. The meeting audio and video was livestreamed on the DSL YouTube channel.

Present were:

Tina Kotek

Governor

Tobias Read

State Treasurer

LaVonne Griffin-Valade

Secretary of State – via Zoom

Land Board Assistants

Geoff Huntington

Governor's Office

Jessica Ventura

Secretary of State's Office

Jessica Howell

State Treasurer's Office

Department Staff

Vicki Walker

Bill Ryan

Katrina Scotto di Carlo

Ted Bright

Arin Smith

Jean Straight

Ali Ryan Hansen

Linda Safina-Massey

Department of Justice

Matt DeVore

Prior to the start of the regular meeting, the Board presented its annual awards. Governor Kotek gave a brief history of the awards before they were presented.

- **Wetland Award:** Palensky-McCarthy Creek Restoration Project
- **Stream Award:** Wade Creek Restoration
- **Stream Award:** Wilson Haun Wallowa River Project: Restoring Natural Processes for Salmon and Steelhead
- **Partnership Award:** Trailkeepers of Oregon
- **Catalyst Award:** Peggy Lynch, League of Women Voters of Oregon

Governor Kotek called the meeting to order at 10:03 a.m. The topics discussed and the results of those discussions are listed below. To view the Land Board (Board) meeting in its entirety, please visit our YouTube page: [October 10, 2023 Land Board Meeting](#)

Consent Items

1. Minutes

Treasurer Read made a motion to approve the minutes for the August 8, 2023, Land Board meeting.

Secretary Griffin-Valade seconded the motion.

The item was approved at 10:04 a.m. without objection.

2. The Department of State Lands requests approval to permanently adopt and enact specific rules of the Attorney General's Model Rules of Procedures under the Administrative Procedures Act:

- **OAR 141-001-0005, Model Rules for Rulemaking,**
- **OAR 141-001-0007, Model Rules of Procedures for Contested Case Hearings, and**
- **OAR 141-001-0020, Model Rule for Mediation Confidentiality.**

Director Walker provided background information and explained the Department recommendation that the Land Board adopt the proposed rule language for permanent adoption of OAR 141-001-0005, Model Rules for Rulemaking, 141-001-0007, Model Rules of Procedures for Contested Case Hearings, and 141-001-0020, Model Rule for Mediation Confidentiality.

Treasurer Read made a motion to approve the consent item.

Secretary Griffin-Valade seconded the motion.

The item was approved at 10:07 a.m. without objection.

Action Items

3. The Department of State Lands requests approval to permanently adopt OAR 141-088-0250, Periodic Closure for State-Owned Property on Crump Lake in Lake County. This rule would periodically restrict public access to Crump Lake in Lake County.

Director Walker provided background information and explained the Department recommendation that the Land Board adopt OAR 141-088-0250, to establish the periodic closure for State-Owned Property located within and around Crump Lake. If adopted, the proposed rule will go into effect on November 1, 2023.

The Board thanked the Department and the Rulemaking Advisory Committee (RAC) for their work on this item.

Treasurer Read made a motion to approve the action item.

Secretary Griffin-Valade seconded the motion.

The item was approved at 10:15 a.m. without objection.

4. Request for approval to enter into a settlement agreement to exchange quitclaim deeds and perpetual access easements between the Department of State Lands and the Port of Portland at West Hayden Island in Multnomah County (DSL file 55904-LE). The land is classified as historic fill.

Director Walker provided background information and a summary of the current status of discussions with the Port of Portland. Director Walker explained the Department recommendation that the State Land Board authorize the Department entering into a settlement agreement to exchange quitclaim deeds and permanent access easements with the Port of Portland to clear title of portions of West Hayden Island and establish the state ownership boundaries.

10:23 a.m.

Governor Kotek and Treasurer Read asked Director Walker questions about the future plans for the area and requested that more information be given on that at a later meeting.

10:27

Public comment was taken.

10:42 a.m.

Governor Kotek asked about ownership of adjacent lands and how the settlement agreement may impact those lands. Assistant Attorney General Matt Devore, and Department staff joined the conversation to answer questions from Governor Kotek regarding ownership. David Ashton, council for the Port of Portland answered the Governor's questions regarding floodway maps.

Treasurer Read made a motion to approve the action item.

Secretary Griffin-Valade seconded the motion.

The item was approved at 10:53 a.m. without objection.

Informational Item

5. Common School Fund Annual Report

Director Walker invited Mike Langdon, Wil Hiles and Louise Howard with Oregon State Treasury to the table to present the Common School Fund annual report.

Treasury staff presented the annual report and provided the Board with a year-end summary for Fiscal Year 2023.

Treasurer Read and Secretary Griffin-Valade expressed appreciation for the diligence of the Treasury team.

6. Department of State Lands 2022-2027 Strategic Plan Update

11:06 a.m.

Director Walker introduced Ali Ryan-Hansen, DSL's Communications Director, who presented information on the progress towards meeting the Strategic Plan goals.

Governor Kotek asked that the Department keep the Board up to date on the asset management plan process.

7. Elliott State Forest transition process: Updates on Advancing the Elliott State Research Forest

11:20 a.m.

Director Walker provided a summary of the background, and an update on the status of the Elliott State Research Forest, including:

- **The forest's financial obligations to the Common School Fund have been satisfied.** A down payment of \$100 million was made to the Common School Fund in 2019, through the sale of legislatively approved bonds. In 2022, the Legislature provided the remaining \$121 million in general funding to satisfy the Common School Fund obligation.
- **The Land Board voted to decouple the forest from the Common School Fund.** In December 2022 the Land Board voted to decouple the Elliott from the Common School Fund, thereby freeing the forest of its obligation to generate revenue for K-12 public schools. In December 2022 the Land Board also authorized further actions necessary to transfer the forest to its new research forest path, such as defining which lands were included in the transfer.

11:31 a.m.

Director Walker introduced Tommie Elder with Anew to give a Forest Carbon presentation. Tom Tuchmann with US Forest Capital was also invited to the table to assist in answering questions.

11:56 a.m.

The Board members engaged with Director Walker in discussing details of the work left to be completed on this project.

Director Walker reported that DSL, OSU, the Authority's prospective board, and stakeholders are working collaboratively toward completion of the four remaining actions. DSL looks forward to providing another update during the December Land Board meeting and presenting the FMP for Land Board consideration as an action item.

8. Other

12:02 p.m.

- Director Walker provided an update on the Department's work related to Abandoned and derelict vessels. Governor Kotek and Treasurer Read discussed options for future legislative concepts that could assist.

The meeting was adjourned at 12:07 p.m.

Tina Kotek, Governor

Vicki L. Walker, Director