

**Oregon Soil and Water Conservation Commission
Regular Quarterly Meeting
Tuesday, November 13, 2018
Agate Beach Inn
3019 N Coast Hwy, Newport, OR**

Soil and Water Conservation Commission (SWCC) Members Present

Chair, Barbara Boyer, Vice Chair Tim Kerns, Stan Dean, Gary Jensen, Jerry Ward, Ken Bailey, Jim Bob Collins

Oregon Department of Agriculture (ODA) Staff Present

John Byers, SWCC Program Manager; Jim Johnson, Land Use Coordinator; Eric Nusbaum, SWCD Operations Specialist; Sandi Hiatt, SWCD Grant Administrator; Renita McNaughtan, Administrative Specialist

Advisors Present

Pat FitzGerald, OACD President; Ron Alvarado, NRCS State Conservationist; Courtney Shaff, OWEB Capacity Programs Coordinator; John Keith, OACD Executive Director; Anna Freitas, OACD Policy and Program Manager; Clair Klock, Clackamas SWCD Senior Resource Conservationist; Danny Norlander, ODF Forest Health Monitoring Specialist; Jeremy Baker, OCEAN President; Gene Foster, ODEQ Manager Watershed Management

Visitors Present

Holly Crosson, Benton SWCD Executive Director; Terri Preeg Riggsby, West Multnomah SWCD Director

Call to Order

Chair Barbara Boyer called the regular quarterly meeting to order at 11:00 a.m. on Tuesday, November 13, 2018.

SWCC Member Appointment

John Byers presented Jim Bob Collins with a Letter and Certificate of Appointment and swore him in as a member of the Soil and Water Conservation Commission. Jim Bob took a few minutes to share his background.

DAS Tort Insurance Update

Eric Nusbaum reviewed the history of the liability insurance coverage for the districts and why a change was made recently. With new OWEB rules concerning insurance for liability for their projects, DAS tort liability insurance didn't cover everything that was needed by the Districts. It will be terminated at the end of fiscal year. Districts will notice less paperwork and are now all getting the SDAO insurance. The Districts will be receiving an official letter being sent from DAS in the spring regarding the termination. DAS wants to make sure that the Districts are aware of the end of this insurance.

Approve August 7, 2018 Meeting Minutes

The SWCC reviewed the minutes from the August 7, 2018, quarterly meeting held in McMinnville.

Gary Jensen moved and Tim Kerns seconded the motion to approve the minutes from the August 7, 2018 SWCD regular meeting. The motion carried unanimously.

Strategic Plan Review and Update

Barbara Boyer stated that she felt the plan doesn't fit the current goals of the SWCC. She asked how the other members felt about the plan and discussion followed. There was concern that starting from scratch could be more difficult than using the current plan. Barbara said she keeps returning to the three L's. "Legacy," "Leverage," and "Legislature." Discussion followed:

Legacy –

- Legacy of the commission – what it has been known for, ties to the Districts, and what have we done for the Districts as a commission as well as next steps.
- Interface between the Districts and the Department. Advising ODA, the voice of the Districts, and play a stronger role going forward.
- Plan is a living document with flexibility to uphold what we have done correctly and should change as needed.
- Districts deal with more than just ag; forestry, urban, oak savannah restoration, etc.
- Connection to the community and partners is vital. Local leadership is part of the legacy and helped broaden resources.
- What the commission helped ODA do. What their role was in changing with the issues.

Leverage –

- Connection with the partners needs to be cohesive.
- Influence of the commission as it relates to the Districts and whoever the constituents and partners are.
- Can mean alignment – all striving for the same thing – everyone has a piece – divide the workload.
- Looking at how the commission works with OACD and others.
- Selling the point of OACD and Connect meetings. Doing a better job of it.
- Important that everyone is getting the same message. Create a page with bullet points of highlights.
 - Items that will impact a District; changes coming up, etc. Also, be sure to add who was at the meeting.

Legislative -

- Like speed dating – meeting with the legislative members for about 15-20 minutes to discuss issues. Talk to local legislators. Educate new legislators what the SWCDs and SWCCs roles as well as explain the purpose of the SIAs and request additional support.
- Let them know that the SWCC is available to ask questions; tell them what we are doing, etc.
- Would like to see OACD be more involved with the legislators.
- Legislators have chamber of commerce meetings and meet with other groups (rotary, etc.).
- Call the legislators and let them know we are having a meeting in their District and invite them to the meeting. Put them on the agenda.
- Don't forget the federal side – especially with the Farm Bill.

Eric will put together something from this input for everyone to review for future discussion.

Working Lunch – Land Use Presentation

Jim Johnson reported on the status of several land use issues. He first spoke about the solar facilities that are being sited on ag lands that are zoned for exclusive farming use. A rule advisory committee through Land Conservation and Development Commission is currently taking place regarding solar facilities. Marion County has their own process and rule advisory committee and are ready to propose new zoning codes for not siting solar facilities on high value farm land soils. He mentioned that the Board of Ag sent a letter to OWEB about the Oregon Ag Heritage program — the Board is very concerned about the direction the rulemaking was going; OWEB did not have a primary focus on the working land element of ag and forest and there is too much focus on the conservation management. The Board was also

concerned about the lack of role for ODA in determining who gets the money. Hemp has become a driving day to day force in ODA's workings. Five years ago in Deschutes County, they were saying the land wasn't suited for agriculture and now they are growing hemp with local homeowners unhappy with the smell and the lights used at night. He also mentioned the expansion of the Aurora airport; the canola issue in the Willamette Valley and the options ODA is proposing to the Legislature; drought readiness council reported that the snow total for the water year was 85% of normal; land use court cases, etc.

Ag Water Quality Program Update

John Byers reported that the goal is to do 12 SIAs this biennium. ODA will be doing eight SIAs for 2018-19. In the past, we asked for the Districts to request an SIA; we are now letting them know when we will be in their area. ODA will be requesting a policy option package of the Legislature requesting funding to do 24 SIAs per biennium and additional staffing. He also reviewed the issues in the Klamath Falls area – entities who had not been talking are now talking and collaborating. Starting talks about having biennial reviews every 4 years with a meeting every 2 years. Also need to start a conversation about consolidating LACs; this would simplify it for everyone. The elections are over and there were 161 director positions open; 41 positions were open for write in – 17 applied for those positions. The policy analyst position is going to be open soon and will be filled as soon as possible. John also noted that the AgPac meeting will be held on January 10, 2019. ODA consults with DEQ on water quality issues for biennial reviews by producing water quality status and trends reports.

Advisor Reports

OACD - John Keith and Anna Freitas noted that 60 plans have been finalized for the sage grouse project. For Harney and Malheur, monitoring has not been funded; they are looking into how much it would cost with an initial estimate of \$600,000 per year; they are working with fish and wildlife and NRCS. Anna provided an overview of the policy works, Legislative issues, and she noted the many committees she is involved in. Elections issue – directors are encouraged to file by the deadline and recruit and seek associate directors to provide districts with the support they need.

OCEAN – Jeremy Baker is the President of Ocean and works at East Multnomah SWCD – Jeremy reviewed the board members of OCEAN, which is made up of SWCD staff. Connect will be in Sunriver April 9-11, 2019. He has 44 submissions to date for tracts to review for Connect 2019. They have received a regional training grant of \$5,000 for the initial year; hoping to have it ready by January – funding for districts to put on training or train the trainer.

OWEB – Courtney mentioned that Barbara is now the ODA rep on OWEB board. A board subcommittee recommends to full board which projects should be awarded. Received ten apps and are able to fund three to four; the top projects were John Day basin partnership, Baker County sage grouse partnership, Warner basin fish partnership, Rogue basin forest, and the Clackamas partnership, and Siuslaw partnership. Board will award in January with funds provided in July. She also noted that OWEB is celebrating their 20th anniversary beginning in 2019. Oregon Lottery provided funding for posters and five healthy watershed videos of OWEB projects. Projects highlighted are Jack Cavendar wetland by Monument SWCD; Meachum Creek around Pendleton; Siuslaw on the coast; Willamette Valley called Confluence and one in Ashland. Big thank you to Eric for helping navigate challenging circumstances with some of the Districts. In December, releasing new budget category document; adopted a drone policy – what we will pay for relating to drone, and thanks to Tristan at ODA for doing a lot of cleanup work for the insurance language by simplifying it, etc. Since adopting the long-term investment strategy, thru strategic plan and the importance of monitoring all of their investments and tell the story of how funds are being used and the importance of it. Evaluating capacity investments – will be challenging to messaging, but it's about shoring up the funding. New technical assistance and administrative funds to work with NRCS staff to get backlog work done.

NRCS – Ron Alvarado said if they don't pass a new farm bill, the existing bill will be extended. NRCS was able to provide funds to help with the fires on the eastside. At the first sign up, they received 58 applications at \$7.1 million to cover field breaks, fencing, etc. The second sign up with the assumption it will be another \$1 million. Districts were huge in working with NRCS in managing the scale of the

spraying, seeding, etc. by doing multi-contract spraying/seeding versus single ownership. NRCS's national water quality initiative – provides states to seek funding for targeted water quality projects for surface water. This year they added point source water protection for drinking water, which requires NRCS to meet with partners; ODA, DEQ, and OWEB. Five areas were awarded. There were only 15 across the nation and Oregon received five submitted. The five submitted were: Baker City source water area; Eugene McKenzie Upper Willamette; Canby Molalla Pudding; Winston Dillard; Myrtle Point – Coquille; National Water Quality... Partnership for Conservation is a landowner lead organization that focuses on private land conservation and support those grass root efforts. It is moved around the country to showcase the state and in 2020 it will be in Bend. The partnership is hoping to have 2-days of tours with focus around the Deschutes area watersheds and lake Billy Chinook, and possibly Wheeler County to look at how funds have been spent on the ridgetop to ridgetop style that OWEB has been collaborating on with the Juniper removal and watershed protection.

ODF – Danny Norlander reported the state forester did a little reorganization of the agency by going from one deputy state forester to two; an administrative forester will be in charge of administrative tasks, payroll, human resources and budget, and an operations forester who will be in charge of the state and private forests and fire protection division. ODF has a \$27 million ask that would provide 55 FTE and additional items. There is currently a seedling drought mostly due to the fires. The agency is updating the forest action plan that focuses on entire state and is GIS intensive. There were approximately 900,000 acres involved in the 2018 summer wildfires. Typical net costs for the state are \$34 million but was over \$100 million this year with FEMA picking up some of the costs.

DEQ Presentation

Gene Foster shared an update on nonpoint source and TMDLs and noted that they continue to collaborate with ODA on water quality and area plans. During ODA's biennial review process, DEQ has been providing status and trends reports; focus is on stream water quality and they may be able to provide riparian shade from remote sensing. DEQ will adapt to ODAs approach to the Birev process. Continuing to work on the Willamette mercury TMDL and Klamath temperature TMDL. Currently putting together documentation requesting an extension from the courts on the Klamath. Klamath River and Lost River nutrient TMDL was out for public comment but was closed due to petitions by some of the water management districts as being identified as having TMDL responsibilities. Coquille TMDL for DO and bacteria and potentially temperature will be coming out for comment early next year; the upper Yaquina for DO and bacteria; and the Yachats for temperature. EQC is meeting this week with a scheduled two-hour informational item for discussion on mercury.

OACD Leadership Updates

Pat FitzGerald reported that the next few days will provide OACD with some direction to move forward. OACD is celebrating its 70th anniversary. In June, the fall strategy planning committee comprised of elected directors as well as staff of districts; intent is to make it a ground up driven process for a comprehensive look into ourselves. Will form an implementation committee(s) that will tear apart the various parts that make OACD, i.e. communications, dues structure, creating a development committee; looking at executive board decision-making model and whether it is still relevant or not; OACD service to districts; partner relationships, and our basin structure. Goal of implementation will be to meet bylaws deadlines, propose resolutions, and change the bylaws if necessary. Should be ready by April 2019 in Sunriver for consideration and a vote into action. They hope to have a business model that is sustainable and preserve its relevance for the future.

SWCC Member Reports

- Tim Kerns reported that Baker County is excited about having an SIA for their area.
- Jerry Ward attended the Tillamook annual meeting dinner which is the oldest SWCD in the state of Oregon and are very active. They have a tax base and support of the community.

- Ken Bailey reported that one should be careful about celebrating successes – he was determined to move soil erosion down on priority list and in September he suggested moving it back up due to wind erosion on the fields after the fires.
- Stan Dean reported they had a quasi-basin meeting in May and Illinois Valley and Curry SWCDs attended. Fort Rock Silverlake board meeting in May. October attended Klamath’s meeting. He recently got a call from one of the districts in his area and apparently there are turf battles between watersheds and districts.
- Gary Jensen – reported having a good season.
- Barbara Boyer reported that Eric has been doing a lot of work with three districts in her area. Yamhill district has been in quiet conversations with The Nature Conservancy. They are divesting of some property and chose to give their district two pieces of property – one is 319 acres and the other is 320 acres. It will put their portfolio at close to 3,000 acres of owning or managing. It comes with a \$1 million endowment.
- Jim Bob – reported that their district manager is retiring and will need to replace her.

Public Comments

Terri Preeg Riggsby is a director with the West Multnomah SWCD asked to discuss eligibility for directors. This issue has gotten a lot of press and ODA has gotten unfair criticism regarding eligibility requirements. She suggests that the commission consider that the current eligibility requirements are not representative of all areas of the state, especially urban areas. Very few landowners that own 10 acres or more in an urban environment. The requirement currently is to be eligible one must own or manage 10 or more acres in their zone. Convene a small workgroup to reconsider the eligibility requirement.

Ken Bailey feels we should look into this issue and consider changes. It was also noted that the requirement is in statute.

Homework

Eric will put together a list for the commissions to review and compare to the existing strategic plan and come up with ideas for discussion.

Meeting Wrap Up

There was discussion as to where and when the January 29, 2019 quarterly SWCC meeting will take place. April 8 and 9 in Sunriver; July 23 full day in Keizer; November is open in conjunction with OACD.

Meeting adjourned at 4:00 p.m.