



Soil and Water Conservation Commission Minutes

DATE	LOCATION	START TIME	END TIME
February 28, 2024	Tualatin Soil and Water Conservation District (SWCD) 7175 NE Evergreen Pkwy, Unit 400, Hillsboro OR 97124	8:30 AM	12:41 PM

CHAIR	COMMISSION MEMBERS PRESENT	ABSENT
Barbara Boyer	Jerry Ward, Stan Dean, Tim Kerns, Al Hrynyshyn, via Teams: Robin Vora	Jim Bob Collins

OREGON DEPARTMENT OF AGRICULTURE (ODA) STAFF PRESENT:

Kevin Fenn, Agricultural Water Quality Program Manager; Sandi Hiatt, SWCD Grants Administrator; Eric Nusbaum, SWCD Operations Specialist; Karin Stutzman, SWCD Program Lead, and (via Teams) Rob Hibbs, Monitoring Specialist; Renita McNaughtan, Administrative Specialist

ADVISORS:

Andrea Kreiner, Oregon Association of Conservation Districts (OACD); David Rose, Natural Resources Conservation Service (NRCS); Courtney Shaff, Oregon Watershed Enhancement Board (OWEB); Steve Mrazik, Department of Environmental Quality (DEQ); Nathan Agalzoff, Oregon Department of Forestry (ODF); Carolyn Sufit, Oregon Water Resources Department (OWRD)

VISITORS:

Aaron Shaw, Tualatin SWCD; Lacey Townsend, Tualatin SWCD; Cassi Newton, Wheeler SWCD; Jan Lee; Brian Wolcott OWEB; Brenda Sanchez, Marion SWCD

WELCOME AND INTRODUCTIONS

The regular quarterly meeting was called to order at 8:30 AM by Chair Barbara Boyer on February 28, 2024.

INTRODUCING KEVIN FENN

Karin Stutzman introduced Kevin Fenn the new Ag Water Quality Program Manager at the Department of Agriculture. He oversees the Ag Water Quality and SWCD programs and has held several jobs within the Agency prior to his current position. **Kevin Fenn** reviewed his education and background and mentioned how much Tualatin has grown since they started. He noted that he also oversees two other programs the GIS program and the Ag Drainage Channel Maintenance program. He is looking forward to continuing working with the program.

APPROVAL OF MINUTES

Draft minutes of the October 2023, regular quarterly meeting was presented for approval. **A motion was made by Al Hrynyshyn to approve the minutes. The motion was seconded by Tim Kerns. Motion passed unanimously.**

AG WATER QUALITY PROGRAM, LEGISLATIVE, AGENCY (NATIVE. PLANT PROGRAM) UPDATES

Kevin Fenn noted that there are 19 staff in the Ag Water Quality Program, however, one is leaving to work for OWEB. Interviews for the replacement for the north regional water quality specialist position are on Friday. Interviews for the Compliance Lead will be in early April. For the regional water quality specialist position on the eastside, and we will be reviewing the geography and where they are currently located. A new position we need to recruit for and is related to the integrated water resources strategy and place-based planning position that Margaret Matter held. There will also be an Ag Water Quality Program Advisory Committee meeting as soon as it fits into the schedule.

Danielle Marshall, conservation biologist – she felt this was a good opportunity to share what her Native Plant Conservation program does at ODA. The Oregon Endangered Species Act was established in 1987. Based in Corvallis at OSU; they are a regulatory and research program, spending a lot of time doing conservation planning and on the ground conservation work and research; work mostly with rare and endangered species plants. Oregon Native Seed Collective was created due to wildfires, habitat modification, etc.; building a Native Seed Strategy for Oregon which is a guidance document that supports ecological restoration and conservation through the procurement, preservation, and production of native seed in Oregon.

ADVISOR REPORTS

OACD - Andrea Kreiner – took over the lead on the Oregon Conservation Partnership biannual grant program. A grant hub to bring together the various funding sources; funded for a year; released a contractual job description for a contractor that closes in mid-

March. The Natural Climate Resource Guide – workgroup started meeting to be completed by a contractor or natural working lands workgroup to oversee the process. The purpose is to be a resource for a conservation district or watershed council working with a landowner. RFP for a media consultant to include webinar trainings on how to do media for districts who don't have a media consultant. Will be serving on the DLCD solar siting eastern Oregon RAC. Called chairs of districts and learned a lot about the districts and Oregonians. Legislature – four bills keeping eyes on SB 1537 – Governor's Housing Bill. Living with beavers grant program bill. HB 4060 Oregon Ag Heritage funding; Invasive Species funding for the Invasive Species Council is moving forward. Our main focus is the implementation of the working lands.

NRCS – David Rose – have been the acting state conservation since beginning of the year. Up to 167 permanent full-time staff across the state with 97 positions still to fill. The permanent state conservation position closed two weeks ago. Likely interviews and the permanent state conservationist will be announced. The continuing resolution ends on Friday. However, no one appears to be worried in DC from what he can see. Because of IRA and Farm Bill funding, it is possible that NRCS will still be operating regardless. Having to shut down would put contracts behind. New agreements are being held up because of the continuing resolution.

OWEB – Courtney Shaff – have a lot of grant cycles open right now - encourage districts to check website. Partnership technical assistance grants; coastal wetland restoration grants; just launched the NRCS TA grants; spring 2024 open solicitation grants, which are using our new streamlined application. Hosting training in February/March on new streamlined application. All application deadlines are posted on website. All go out through GovDelivery announcements. In January, we received a pilot SIA restoration grant; got in seven applications for a total of \$100,000. DEQ, ODA, OWEB, and ODFW staff reviewed the apps, and we will be moving forward with all the applications, working with ODA staff on next steps. Had \$250,000 for each cycle and were well below that this first cycle. We are going to run another cycle with apps due in fall. Lots of rules advisory committees, board committees meeting. Small grant advisory committee wrapping up. Goal is to have the board adopt rules at July board meeting. OWEB Drinking Water RAC is ongoing. OWEB DEI Environmental Justice committee meeting in March; talking about the OWEB equity statement. OWEB board grants committee interviewing the possible fifth grant cycle grantees at an all-day meeting in March. Continuing to work on rolling out the National Historic Preservation Act programmatic agreement with NOAA; still in consultation. Will impact all NOAA funded Pacific Coastal Salmon Recovery grants and all Lottery funded grants used to meet 33% match requirement. Hired a Cultural Resources Specialist. Water and Climate Coordinator has left, doing an internal recruitment since it is a limited duration through the end of biennium. OWEB staff presenting at Connect about process, what to expect, how we work with grantees, what they need to know, etc. More information to come. OWEB down a fiscal person and will be recruiting soon. OWEB April Board Mtg agenda is full; will be in Baker. Waiting to get feedback from governor's office on 2025-27 POP's. Courtney working with governor's office for director recruitment. Stephanie is acting director. OWEB staff met with governor's office to gather list of attributes they want in an OWEB director. This is the first time they are recruiting instead of a direct appointment.

NOWC – they don't want to hire someone unless they have the funding. The board has been running the organization and learning a lot.

OSU – continuing to hire new extension agents for Columbia, Jackson/Josephine, Lake, Gilliam, Umatilla counties; two field crops positions for Willamette Valley based in Marion and Polk counties; small farms agent covering Douglas county, also covers com'l wine grapes; extension agent for livestock forages for Willamette Valley; four new organic specialists in sustainable soils, tree fruits and nuts, grains and pulses, foundational seeds, and planting materials; statewide weed scientists for field crops and weed scientists for horticultural crops; statewide dairy specialist and statewide small farms specialist. HB 2010 funding for one statewide specialist in hydrology based in Corvallis, one specialist in hydrology based in Madras/central Oregon. Beef quality assurance program – more than eight extension agents trained to train ranchers in Oregon. College of Ag Sciences experiment station will be hiring a researcher to focus on vole research and social science to liaise with the industry on current wolves research (are not extension positions).

OCEAN – the tracks have been built for Connect, there will be two guest speakers, and have 312 registered so far. It will be held at Sunriver in April. Working with NRCS to hire contractor to get information about NRCS programs out on social media to get more participation ?? (Couldn't understand what you had said.)

WRD – Carolyn Sufit – is new and has not been informed as to what she should be reporting. Her position is field services but will work with those she needs to. Stan suggested information that she could share in the future.

ODF – Marc DesJardin - last couple of months state forester, Mukumoto, has been sharing updates on implementation of his organizational structural vision to move the dept to a three-deputy model. First two have been appointed - Mike Shaw, deputy state forester and Wendy Heckman, deputy of administration. The fire program will go out for recruitment. Knowing there were several rule changes on the horizon, effective as of January, there was a tremendous push for staff to have a consistent base-level knowledge. Once confidence was gained there, the team would move to a train the trainer approach. First was to build up staff and work with partners and now there is a greater emphasis on working with partner organizations. From across programs standpoint, there is an interest in creating accomplishment tracking.

DEQ - Steve Mzarik – in the Yaquina watershed, worked on a TMDL and plan, approved by EQC and PA last fall; focused on bacteria and DO. Currently working in the Powder Basin on bacteria TMDL, several RAC meetings, currently have a second public notice open for public comment. Had a couple of gatherings in Baker City and an Open House with several partners attending, NRCS, WRD, etc. That public notice is open until March 8th. Then going to EQC in May. Currently working on temperature TMDLs in the Upper Willamette and Sandy Basin. The rule advisory committee meetings have taken place, and

the public comment period, which just closed for the Sandy Basin and has been extended to March 15 for the Willamette Basin. Anticipating going to the EQC in July. Working on the Coquille Subbasin and have some RAC members identified and connecting with them. We have plans to work on bacteria, DO, pH, temperature, TMDLs in that watershed. Anticipate starting the RACs in early summer. Also about to embark on the Willamette mainstem we have RACs that are scheduled for March 14th and May 1st. The public comment period anticipated at end of July to September. Anticipate going to EQC January 2024. Will be working on Umpqua next and is on the same time frame as the Willamette mainstem. All this information is on our website as well. End of March, our 319 Grant coordinator is retiring, and we will be recruiting for that position, and the Water Quality Policy Analyst person will be retiring as well. We are in the process of preparing to recruit for that position.

OWEB CAPACITY GRANT RETROSPECTIVE STUDY REVIEW

Dr. Emily Jane Davis presented on capacity grants focusing on how grants leverage partnerships, what builds or reduces organizational capacity, and what best practices increase capacity and overcome challenges. Key aspects of capacity – role of lead staff; board leadership; strategic plans and implementation; partnerships. The executive summary and report “*Capacity Matters A 20-year Review of the Oregon Watershed Enhancement Board’s Operating Capacity Investments*” can be found on OWEB’s website at <https://www.oregon.gov/oweb/Documents/2023-Jul-ItemN2-Capacity-Matters-20-Year-Report-2023.pdf>. Chair Boyer noted appreciation of the mention in the report of Marganne Allen.

REVIEW ORS 568 POTENTIAL STATUTE IMPROVEMENT

Stan Dean – we developed the Parking Lot from the review of the 568 statutes and they are not the type of things that would be run through ODA as a Legislative Concept. **Barbara Boyer** said when meeting with ODA staff, the response was there is not the capacity at ODA at this time. So, she decided it should go to the OACD board to see what they think. **Andrea Kreiner** said that it would be fair to bring it in when they are looking at their Strategic Planning process; where does this rise in the hierarchy? Weighing it with what are the risks of opening the statutes in the legislative process. Although it’s not going to happen immediately. **Jerry Ward** struggles with who’s mission is this. He also feels that OACD should pick up if they choose to. They have experience on their board to handle it. **Al Hrynshyn** said that they are an advisory committee, and it makes sense to turn it over to another set of eyes. **Tim Kerns** said that with the OACD leadership and the board, he has a great deal of confidence that they are well positioned to handle it. **Stan Dean moves that the list of statute potential improvements is forwarded to OACD for further consideration. Al Hrynshyn seconded. Discussion: Andrea asked that it be amended to say, “at their discretion.” Jerry Ward, in his inexperience of the legislative process, we need someone that can control the narrative and the makeup of the board can do that. Motion passed unanimously.**

OREGON WORKING LANDS UPDATE

Jim Johnson Dept of Ag is involved in three RACs with LCDC. LCDC Fire Forest Conservation process. A lot happening with exclusive farm use case law. The LCDC Commission has not updated their rules and has asked staff to look at them. Staff created a technical work group of ranches, farmers, county planners, himself, Barbara Boyer, and led by Hilary at LCDC. The group came up with 75 issues that need to be addressed. Key issue - lack of consideration of working lands. Second thing was case law. Case law needs to be codified into LCDC statute and rule. Transportation facility rules, what are the applicable criteria for that? Needs to be clarified. Multipath permitting - going venue shopping, which leads to definitions. Use of soil surveys and use of experts. Replacement dwellings that started as single-wide mobile home and end up being a 10,000 sq ft house. Commission had a meeting and decided to do rulemaking to focus on case law first. Two other RACs - one is solar with first mtg in Christmas Valley. HB3409 – eastern Oregon solar facility siting. Second is HB2001 LCDC housing workgroup – provisions dealing with urban growth boundary. How to improve housing productivity by changing rules; affordability of housing, site plan reviews; too many requirements. Jim noted that the workgroup hasn’t been officially appointed. Census of Ag is a survey based only on individuals responding. Census doesn’t look at farmland on the basis of zoning. Their definition of a farm is anything that generates a \$1,000. It goes as far back as the civil war. Oregon Dept of Forestry creates a report called *Farms, Forests, and People* every five years using aerial photography. It’s a good report in what’s going on in terms of land use. Film out called the *Oregon Story Saving our Beaches, Farmland, and More*. Excellent film if you want to know the history about why we are where we are. Board of Ag started looking at resolutions for next steps for the coming year. Two of the resolutions will be land use 314 and 315; one is the permitted uses on lands of EFU. The other is about working land conservation easements. Legislature - he is following SB 1530 the funding for housing programs. Funding programs for productivity, but one aspect that is concerning in farmland protection circles. It would allow expansion of urban growth boundaries without going through the urban growth boundary process if you are a city up to 150 acres, or a small city, up to 50 acres. SB1537 also housing. HB4060 is funding for Oregon Heritage program.

PUBLIC COMMENT

No Public Comment

SWCC MEMBER REPORTS

Stan Dean – on the groundwork post fire recovery 2020 fires – expanding the area and number of homeowners working with. A DEI training and hired a consultant that will do a series of workshops on DEI; inviting partners to join. Wanting to dabble in metrics – to do better job of measuring what we are doing. Developing a board orientation protocol when bringing new board members on.

Robin Vora –Sage grouse habitat improvement, all recommended some level of streamlining for them. All said what does the SWCC do and why does it exist? They also don't know what the SWCC can do for them. Has concerns about director eligibility in some counties. Met with state economist and he noted that one to two percent of the state population owns 10 acres or more.

Jerry Ward – Washington County on the urban growth boundary expansion and exemption of following all rules for urban growth boundary. District has been approached on taking a position on ????. Their Board has stepped away from being advocates and has agreed that they needed training. OACD has had training and has a policy that was written by Jan and Stan, and they would be more than willing to help develop a policy.

Tim Kerns - noted the Powder River TMDL has been quite a project. The locals have acted surprised even though the districts had been letting them know this was coming. DEQ has handled the situation quite well despite some of the heated discussions. Started to have a promising snowpack and then it warmed up, thawed out, and spring seems to be coming early.

Al Hrynshyn – East Multnomah has a new executive director, Kelly Beaver. Clackamas got an award from SDAO - outstanding district of the year. Underwent a pay equity review; hired *HR Answers*. Attended a Linn SWCD Board meeting; dedicated board, likes their enthusiasm, hard working without a lot of resources. They are concerned about the working lands and how the monies were distributed, and the Muddy Creek solar farm going in by I-5 near Brownsville. Upper Willamette is waiting for the associate director to join them. Just closed the application for the working land specialist. Annual meeting and had about 40 people. Starting budgeting process, DEI review, and Strategic Plan update. Still very involved in the Holiday fire recovery with a lot of work yet to do.

Barbara Boyer – following legislation; recreational unity. New director at ODA has finally been confirmed! Lisa has been approved and confirmed. Most of the districts are focusing on budgets with some districts focusing on educational outreach. Polk were awarded a 2024 NACD grant. Yamhill are rewriting policies. No longer giving bonuses but are now offering life insurance; long-term.

Do we as a commission want to write a comment to the Board of Ag? Other organizations are using the resolutions to bring forth change to the legislators like POPs. **It was agreed to have the ODA resolutions in our folders for the next meeting for discussion.**

Chair Boyer also noted that when we were talking about the report, "*Capacity Matters A 20-year Review of the Oregon Watershed Enhancement Board's Operating Capacity Investments*," we talked about a Courtney, Karen, and maybe Ken meeting. I think Andrea should also be involved.

CALL FOR UPCOMING MEETING AGENDA ITEMS/NEWSLETTER CONTENT

Upcoming Meeting Agenda -

April 18 - meeting – 8:30 – 12:30 (during Connect)
Agenda in April – Legislative Update
ODA Resolutions

Newsletter –

Seed Collective information
SWCD properties considered public lands?
Jim Johnson's Report

ADJOURNMENT: Meeting adjourned at 12:41 PM.