

**MINUTES ARE NOT FINAL UNTIL APPROVED BY THE BOARD
Oregon Watershed Enhancement Board**

**June 1, 2009
OWEB Board Meeting
Eugene, Oregon**

Minutes

OWEB Members Present

Miles Brown
Bobby Brunoe
Dan Carver
Dan Heagerty
John Jackson
Jim Johnson
Jose Linares
Meta Loftsgaarden
Jim Nakano
Dave Powers
Diane Snyder
Helen Westbrook
Ken Williamson

OWEB Staff Present

Bonnie Ashford
Lauri Aunan
Ken Bierly
Tom Byler
Greg Sieglitz
Cindy Silbernagel

Others Present

Don Harker, Strategic Planning
Consultant

Members Not Present

Skip Klarquist
Kim Kratz
Jennifer Phillippi
Patricia Smith

Don Harker, Strategic Planning Consultant, facilitated a discussion among Board members and OWEB's managers toward developing a strategic plan for the agency.

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Oregon Watershed Enhancement Board

June 2, 2009
OWEB Board Meeting
Eugene, Oregon

Minutes

OWEB Members Present

Miles Brown
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Dan Carver
Dan Heagerty
John Jackson
Jim Johnson
Skip Klarquist
Jose Linares
Meta Loftsgaarden
Jim Nakano
Dave Powers
Patricia Smith
Diane Snyder
Helen Westbrook
Ken Williamson

OWEB Staff Present

Bonnie Ashford
Lauri Aunan
Ken Bierly
Tom Byler
Rick Craiger
Sue Greer
Mark Grenbemer
Wendy Hudson
Miriam Hulst
Karen Leiendecker
Tom Shafer
Courtney Shaff
Greg Sieglitz

Others Present

John Moriarty
Leslie Grimes
Cheryl McGinnis
Dan Weitz
Kay Patteson
Bill Taylor
Wayne Hoffman
Mike Mader
Thom Whittier
Judith Callens
Lee Russell
Jared Weybright
Linda Johnston
Lisa Seales
Joe Rohleder
Tom Stahl
Liz Vollmer-Buhl
Tod Heisler

Members Not Present

Kim Kratz
Jennifer Phillippi

During the afternoon break, the following outgoing Board members were honored for their contributions as an OWEB Board member:

- Bobby Brunoe, Tribal Representative from the Confederated Tribes of the Warm Springs Indian Reservation, serving on the Board for two terms (8 years);
- Jim Nakano, serving a full term (4 years) representing the Public at Large from Ontario; and
- Helen Westbrook, serving a full term (4 years) representing the Public at Large from Astoria.

A. Board Member Comments

Representatives on the OWEB Board commented on recent activities and issues facing their respective agencies.

B. Minutes

Minutes of the March 18-19, 2009, Board meeting in Salem were unanimously approved with one correction.

C. Executive Director Update

Executive Director, Tom Byler, reported on the following matters facing the agency:

1. Mitigation Policy Guidance

Following the discussion at the March 2009 Board meeting, staff developed final language for mitigation policy guidance. As requested by the Board, the guidance document did not include the issue of ecosystem service credits, which will be discussed at a later date.

2. April 2009 Grant Cycle Update

On the April 20, 2009, grant deadline, OWEB received 170 applications requesting nearly \$24.4 million making this the largest dollar request submitted to OWEB for an April grant cycle, and the second highest number of applications. A summary of types of applications received and amounts requested was provided. The Board will make funding decisions at its September 2009 meeting.

3. Effectiveness Monitoring Program Report

Board members were updated on two effectiveness monitoring initiatives – Riparian Improvement and Fish Passage Improvement. Two Requests for Proposals were developed to select a contractor to perform the field work and analysis with a final report due to be released in January 2010.

4. Communications Strategy Update

Director Byler and Carolyn Devine, Communications Coordinator, have been working with the Board Subcommittee and Gard Communications on both the Communications Strategy and the Board's Strategic Plan. OWEB has recently contracted with Don Harker to work on strategic planning. Completion of the Communications Strategy has been delayed to coordinate with the strategic planning process.

Staff are working with the Deschutes SIP partners to develop an outreach strategy, and were asked by co-chair Heagerty to directly involve Board member Trish Smith.

D. Legislative and 2009-2011 Budget Update

Tom Byler, Executive Director, provided Board members with an update on the 2009-2011 Budget. The May 15 revenue forecast showed a \$4.2 billion shortfall statewide. Lottery projections are also down. The Legislature is hoping to conclude by June 30, so OWEB should know its 2009-2011 budget by that time.

Director Byler briefed Board members on the potential involvement of OWEB in Senate Bill 513 sponsored by Senator Devlin. The bill would create an ecosystem services work group with the Sustainability Board. OWEB would provide support and coordination for the work group.

E. Public Comment – Pending Watershed Council Support Grant Applications

Lauri Aunan, Grant Program Manager, and Courtney Shaff, Grant Program Coordinator, provided background information on the council support process before public comments were accepted.

The following watershed council representatives commented on supporting funding or additional funding for their respective councils:

- Tom Whittier, Marys River WC, supported 210-028.
- Bill Taylor and Kay Patteson, Molalla River Watch, supported 210-064.
- Jared Weybright, McKenzie WC, 210-038
- Troy Turney, Smith River WC, 210-060
- Dan Weitz, Powder Basin WC, 210-057
- Mike Mader, Tenmile Lakes Basin Partnership, commented on the value and significance of locally based support for watershed restoration.
- Leslie Grimes, Mid Willamette Watershed Alliance, 210-033
- Lee Russell, Elk Creek WC, 210-021
- Wayne Hoffman, MidCoast WC, commented on the council support process and changes he felt would be helpful to the process: 1) re-evaluating the merit-based system and how councils are ranked within the system; 2) re-evaluating how funding is distributed, specifically how much the higher ranked councils receive; and 3) the umbrella bonuses, specifically the level of funding and what incentive it provides to councils to stay together. OWEB should evaluate all aspects of the umbrella award structure and create more of a funding “incentive” for umbrella councils.

F. Board Consideration of Pending Watershed Council Support Grant Applications

Lauri Aunan, Grant Program Manager, provided Board members an overview of the Council Support process. Sixty-three applications were received by the January 30, 2009, deadline requesting \$8,746,029. Two applications were received from watershed councils that had never before applied to OWEB for council support funding; they are Molalla River Watch and Upper South Fork John Day Watershed Council. Three applications were from councils that had previously received funding from OWEB as one umbrella council, but after receiving permission from the Board in September 2008, submitted three separate applications. Those councils are the Upper Nehalem, Lower Nehalem, and Necanicum.

Ms. Aunan thanked those who were involved in the application review process, and their continuing commitment. Courtney Shaff, Grant Program Coordinator, the Council Support Advisory Committee, Greg Sieglitz, OWEB’s Regional Program Representatives, the Board Subcommittee (Helen Westbrook, Jim Nakano, Jim Johnson, and Dave Powers), and Grant Program administrative staff, Teresa Trump and Courtney Gibbs.

Ms. Aunan explained that the 2009-2011 council support process was nearly identical to the 2007-2009 process, with only a few very minor changes. She also explained how the merit categories were derived and that OWEB staff have actively asked for suggestions on how to improve the application and review process. Ms. Aunan reviewed the rules that govern council support grant awards and noted that available non-capital funding was a key factor in how the funds were distributed. She stressed that OWEB staff felt that the council support review process was consistent and equitable, treated applicants consistently within OWEB’s rules and process, and that staff were very comfortable with the merit category placements and believe that they are appropriate.

There was Board discussion related to the two new councils not receiving any funding from OWEB due to the uncertainty of available non-capital funds for 2009-2011.

Board members voted (1 opposed) to adopt the \$5 million funding level for Council Support with the individual award amounts at the \$5 million level. This funding level and the individual award amounts are contingent on OWEB's legislatively adopted budget and are subject to change depending on available funding.

Board members voted (1 opposed) to award umbrella watershed councils an additional amount of 10, five, and 15 percent of the base award for (a), (b), and (a)/(b) type umbrella watershed councils, respectively. These additional umbrella awards are contingent on OWEB's legislatively adopted budget and are subject to change depending on available funding.

G. Awards to Support Implementation of Memoranda of Understanding

Lauri Aunan, Grant Program Manager, and Courtney Shaff, Grant Program Coordinator, provided background information on the involved councils (Alsea, MidCoast, and Salmon Drift Creek) and the reason for this staff report. At its September 2008 meeting, Board members considered an application from the Alsea WC to split from the MidCoast WC due to philosophical differences. Following OWEB's rules, that request was denied; however Board members dedicated funding for a mediation to improve communications and working relationships between the councils. The mediation resulted in a Memorandum of Understanding between the Alsea and MidCoast councils. The Alsea-MidCoast MOU was based on an existing MOU between the Salmon Drift Creek and the MidCoast councils. OWEB thought that a joint council support application was an option to help to improve working relationships between the Alsea and MidCoast councils, but realized that it did not fit well within the council support rules and that this approach was a mistake.

Because OWEB did not feel that the councils should be penalized because they followed staff directions, staff wanted to follow through on OWEB's commitment to provide resources to carry out the MOUs.

The intent of the MOUs is to support improved communication, coordination, and working relationships in the watershed. This is a unique situation and is OWEB's final commitment to help rebuild trust and coordination in an important watershed. In order for the Alsea and Salmon Drift WCs to implement the MOUs, staff recommended funding for the 2009-2011 biennium. The funding will come from federal recovery planning funds, NOT watershed council support funds.

Because of their complexity, the funding recommendations as shown in the staff report follow:

A. Alsea Award

- Amount of award: \$18,700 for 2009-2011. This amount includes 10 percent for fiscal administration.
- Conditions of award: Funds are to be used to help carry out the intent and activities contemplated in the MOU and help develop the capacity of the Alsea council. Specifically, the grant will provide funding for Alsea council representatives to travel to, attend and support Alsea council meetings, and travel to and attend MidCoast council meetings and MidCoast Tech Team meetings. In year 2, the grant contemplates the Alsea working with the MidCoast to develop a joint action plan for

the Alsea watershed. Funds will also be provided to support the Alsea to develop and submit grant applications and conduct an OWEB self-evaluation to assess organizational needs.

- Funds are to be paid out quarterly based on receipts and a record of the activities over the quarter. Funding is based on activities; if activities for which the grant is provided did not occur, payment can be withheld.

B. Salmon Drift Award

- Amount of award: \$7,700 for 2009-2011. This amount includes 10 percent for fiscal administration. Together with the \$10,000 that will be passed through to the Salmon Drift under the council support award for the MidCoast, as noted in the staff report for agenda item F, the total funding received by Salmon Drift will be \$17,700.
- Conditions of award: Funds are to be used to help carry out the intent and activities contemplated in the MOU. Specifically, the grant will provide funding for a Salmon Drift council representative to meet with the MidCoast at least once a year to discuss projects of mutual interest, provide regular updates to the MidCoast on planned activities within the area of mutual interest, and coordinate on activities of mutual interest.
- Funds are to be paid out quarterly based on receipts and a record of the activities over the quarter. Funding based on activities; if activities for which the grant is provided did not occur, payment can be withheld.

Public Comment:

- Linda Johnston, Volunteer Chair, and Joe Rohleder, Board member of the Alsea WC, provided background information on the Alsea WC and requested more funding than was offered by OWEB.
- Corrina Chase, Coordinator, Salmon Drift Creek WC, commented that she was not included in discussions until the end of May, just before the Board meeting.

Board members unanimously voted to award \$18,700 of recovery planning funds to the Alsea Watershed Council and \$7,700 of recovery planning funds to the Salmon Drift Creek Watershed Council with the conditions described in Sections III.A. and III.B. of the staff report. (noted above)

H. Public Comment – General

Public comments scheduled for this time are shown under the agenda item they referred to.

I. Partnership Investments – Criteria and Standards

Ken Bierly, Deputy Director, updated Board members on the status of the Partnership Investment Subcommittee (Diane Snyder, Dan Heagerty, Ken Williamson, Jennifer Phillippi, Meta Loftsgaarden, and Dave Powers) discussions, described the criteria developed following the March Board meeting, and presented a final set of partnership investments criteria for Board consideration and approval.

The proposed final criteria to be used as guidance include:

1. A potential partnership should address a specific ecological outcome or issue and have sufficient commitment to make progress on addressing the issue. *This criterion provides explicit goals or outcomes expected from the partnership.*
2. A potential partnership should bring partners to assist in the funding and other support to address the issue of interest. *This criterion requires specific documentation of the financial commitment of partners.*
3. A potential partnership should use strong technical standards or have a review process that evaluates expenditures. *This criterion requires an assurance of quality control.*
4. A potential partnership should be administratively efficient and share administrative responsibilities. *This criterion requires a demonstration of the administrative sharing by the proposed partner and an evaluation of the OWEB workload associated with a partnership.*
5. A potential partnership should be a catalyst for meaningful restoration actions. *This criterion looks at the role of OWEB funding in stimulating additional restoration actions beyond single projects.*

Board members unanimously voted to adopt the final proposed criteria contained in Section III of the staff report (noted above), and directed staff to use them when considering funding recommendations on partnership investment proposals. (as shown above) Staff were also directed to create preface language to the criteria stating how partnership investment projects differ from OWEB's regular grants, (i.e. they are larger in scope and programmatic scale).

J. Deferred Land Acquisitions

Miriam Hulst, Acquisitions Specialist, briefed Board members on three previously deferred land acquisition projects that staff are now recommending for funding:

- A. Evergreen Creek Acquisition (208-114) submitted by Greenbelt Land Trust;
- B. Big Creek Acquisition (209-105) submitted by The Nature Conservancy; and
- C. North Nehalem Bay Wetlands Conservation Project (209-106) submitted by the Lower Nehalem Community Trust.

Board members voted unanimously to award:

- A. *\$305,000 in capital funds for the Evergreen Creek Acquisition (208-114), contingent on resolution of remaining title issues to staff's satisfaction;*
- B. *\$2 million in capital funds for the Big Creek Acquisition (209-105), contingent on TNC's continued involvement of OWEB in the development of the MOU that will guide cooperative management of the property; and*
- C. *\$240,000 in capital funds for the North Nehalem Wetland Conservation Project (209-106).*

J-1. Deferred Water Acquisition (209-4034)

Public Comment:

- Tod Heisler, Deschutes River Conservancy, and Steve Johnson, Central Oregon Irrigation District, supported 209-4034.

Ken Bierly, Deputy Director, briefed Board members on a previously deferred restoration project application that would result in legally protected conserved water submitted by the Deschutes River Conservancy. The original application requested \$3,922,352 for the project. Following the receipt of other funding, the application was modified to request a significantly reduced amount of funds from OWEB. The funding requested was to match federal stimulus funding under the American Recovery and Reinvestment Act. The revised request was for \$1 million this biennium (2007-2009) to finalize their financing package for the project. The \$1 million is a critical commitment to stabilize their funding package. The applicant indicated the possibility of requesting an additional \$1 million from the 2009-2011 biennium budget, but recognizes that funds cannot be committed for future biennia.

Due to a conflict of interest, Board members Dan Heagerty and Bobby Brunoe recused themselves from voting.

Board members voted to award \$1 million in capital funds to grant application 209-4034.

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Minutes

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OWEB Staff Present

Bonnie Ashford
Lauri Aunan
Ken Bierly
Tom Byler
Rick Craiger
Sue Greer
Mark Grenbemer
Karen Leiendecker
Tom Shafer
Courtney Shaff
Greg Sieglitz

Others Present

Paul Reed
Paula Burgess
Gabe Williams
Lisa Seales
Kelley Thomas
Lisa DeBruyckere
Bradley Knotts
Jenn Hoyle
Kendra Smith
Ken Diebel
David Waltz
Wayne Hoffman
Paul Hoobyar
Eric Jones

Members Not Present

Kim Kratz
Jennifer Phillippi

K. Research Program

Greg Sieglitz, Monitoring and Reporting Program Manager, provided updates on research efforts awarded at the March 2009 Board meeting.

Note: Board members voted at the conclusion of presentations on this agenda item, however for clarity, the motions are shown after each section.

III.A. Climate Change: Water Availability

Board Award: \$175,000 in research non-capital funding

Update: OWEB staff have been working with the Oregon Water Resources Department on establishing the roles of OWRD in the water availability study concept with Oregon State University. Meetings were held to establish goals for participation in the design and implementation as well as exploring additional partnership opportunities.

III.B. Climate Change: Sea-level Rise

Board Award: \$100,000 in research non-capital funding

Update: OWEB staff participated in several conference calls with representatives of Washington and California, and the Governor's Natural Resources Office, to discuss the draft proposal to the National Academy of Sciences on a sea-level rise study for the entire west

coast. Through these coordination efforts, additional resources were secured from the State of Washington. While the case-study components of the study have been removed, staff still continue the contracting process with the State of California but the agreements will be reduced to \$50,000.

IV. Climate Change at the Local Level

Funding Request: \$171,128 in research non-capital funding

Background: At the March 2009 Board meeting, staff presented work conducted in the Rogue and upper Willamette basins by the Climate Leadership Initiative (CLI) at the University of Oregon's Institute for Sustainable Environment, and proposed participating in similar work in the Umatilla, Klamath, and lower Willamette basins over the coming year. Concerns were raised by Board members in March regarding local participation and the inclusion of locally derived data that required additional staff background work before the Board wished to enter into an agreement.

Since that meeting, OWEB staff met with the CLI to address Board member concerns. The staff at CLI assured OWEB that local participation and information would be a central focus for the work in the geographic focus areas if funded.

Greg Sieglitz was joined by Bob Doppelt, Director, from the Institute for Sustainable Environments, who briefed Board members on the climate leadership initiative proposal focusing on the social science side of climate change.

Board members unanimously voted to award up to \$171,128 in Research non-capital funds to support the local planning for climate change in the Umatilla, Klamath, and Lower Willamette basins through an Interagency Agreement with the Climate Leadership Initiative at the University of Oregon.

V. Ecosystem Services Proposal

March Board Award: \$165,000 in Research non-capital funding

Update: Staff issued an RFP to solicit contractors to assist OWEB in negotiating the marketplace of ecosystem services that may have a connection to WOEB grantees and actions.

VI. Future Research Requests

Staff provided a recap of the current research priorities and effectiveness monitoring needs and an update on the remaining biennium research budget. Staff requested that the funding distribution be delegated to the Director to enter into agreements to continue the Research Program.

Board members unanimously voted to award \$253,136 of Research capital funds and \$58,320 in Research non capital funds to continue the implementation of the Research Program consistent with Sections III, IV, and V of the staff report and the revised Research Program areas adopted by the Board in March of 2009; delegate distribution authority to the Executive Director; and authorize the Executive Director to enter into appropriate grant agreements, interagency agreements, and contracts.

Greg Sieglitz also briefed Board members on new Research funding requests.

VI.B. Fish and Water Quality Monitoring

Board Reserve: \$225,000 in September 2008

Current Request: Award the \$225,000 reserve to continue the implementation of the fish and water quality monitoring projects enabling the expansion of the Grande Ronde and South Coast work to a statewide scope.

Board members unanimously voted to award \$125,000 of Research capital funds and \$100,000 in non-capital funds to implement fish and water quality effectiveness monitoring projects consistent with section VI.B. of this report, and delegate distribution authority to the Executive Director with the Board's authorization to enter into appropriate Grant Agreements, Interagency Agreements, and contracts.

VII. Effectiveness Monitoring

Board Reserve: \$375,000 in September 2008

Current Request: Award the \$375,000 reserve to continue existing and initiate new effectiveness monitoring projects.

Board members unanimously voted to award \$225,000 of Research capital funds and \$125,000 in non-capital funds to continue the implementation of the Effectiveness Monitoring Program consistent with section VII of this report; delegate distribution authority for the funds to the Executive Director; and authorize the Executive Director to enter into appropriate Grant Agreements, Interagency Agreements, and contracts.

VIII. Other. Senate Bill 513

SB 513 establishes policy regarding ecosystem services. Director Byler reported on legislative discussions regarding OWEB's involvement in SB 513. He is seeking Board authorization to award \$290,000 in 2007-2009 Research non-capital funds to cover costs associated with a position with OWEB having position authority, working group expenses, contracted services, and meeting costs.

Board members unanimously voted to award \$290,000 in Research non-capital funds for staffing and contracted services to support the ecosystem services markets working group, and for staff support for partnership programs, particularly in the Willamette Basin. This item is contingent upon final passage of Senate Bill 513 by the legislature.

L. Public Comment

- Mike McArthur, Gabe Williams, and Aaron Killgore representing the Lower John Day Working Group briefed Board members on work in their basin and the purpose of the conservation work group. Many partners are involved, but Board members encouraged them to leverage more funding before they apply to OWEB as part of the SIP.
- Paul Reed, Upper Willamette SWCD, provided Board members with the administrative process used to process a small grant, and encouraged the Board to continue funding for the program in 2009-2011 and discuss opportunities to provide additional funding to cover administrative costs.

M. Oregon Invasive Species Council Presentation

Lisa DeBruyckere, Oregon Invasive Species Council, Brad Knotts, Oregon Department of Forestry, and David Waltz, Department of Environmental Quality, gave a presentation on Oregon invasive species, and described the priorities for addressing invasive species in Oregon. They distributed the Feral Swine Action Plan for Oregon which was prepared for the Oregon Invasive Special Council by Portland State University, Center for Lakes and Reservoirs.

N. Conservation Reserve Enhancement Program (CREP)

1. CREP Effectiveness Monitoring Presentation

Ken Diebel, Oregon Department of Agriculture, presented the results of the Oregon CREP Effectiveness Evaluation study that was funded by OWEB and undertaken in 2008-2009.

2. CREP Technical Assistance Funding Request

Ken Bierly, Deputy Director, presented a funding request for CREP Technical Assistance. Due to the uncertainty of non-capital funds for 2009-2011, in order to continue CREP technical assistance in the near term, staff proposed to use \$500,000 in unexpended capital funds allocated to CREP until the OWEB budget is adopted by the Legislature. Without this funding, CREP technical assistance staff will not have a source of funding until and unless OWEB has non-capital funds and allocates funds in September.

Also due to the uncertainty of non-capital funds, OWEB staff proposed to extend the agreement with ODA to carry forward the unexpended non-capital funds for SWCD assistance to be used for CREP support during the 2009-2011 biennium.

Board members unanimously voted to award up to \$500,000 of capital funds previously allocated for CREP payments to be used to continue CREP technical assistance during the 2009-2011 biennium.

Board members also unanimously voted to authorize the amendment of the interagency agreement with Oregon Department of Agriculture to carry forward the unexpended non-capital funds for SWCD assistance to be used for CREP support during the 2009-2011 biennium.

O. Small Grant Program Report

Lauri Aunan, Grant Program Manager, and Bev Goodreau, Grant Program Specialist, updated Board members on Small Grant Program funding for the current biennium.

Staff provided background information on the Small Grant Program funding in previous biennia, the current unspent funds from 2007-2009, and in response to public comment, how administrative costs are handled. Board members discussed if unspent funds should be allocated before September, but decided to hold off based on the fact that teams have until June 30 to complete their grant funding and the limited amount of funding remaining.

They also briefed Board members on staff's recommendation to defer a total funding allocation for the Small Grant Program until the September Board meeting. The delay will allow time for the Board to complete their strategic planning effort. In addition, the legislature will have

approved OWEB's 2009-2011 budget and staff will have an overall spending plan prepared for discussion at that meeting.

This was an informational item and no Board action was required.

P. 2009-2011 Grant Cycles and Board Meeting Schedule

Lauri Aunan, Grant Program Manager, presented this item to the Board. Attached to the staff report were a proposed grant cycle schedule for Restoration/Acquisition grants and a proposed Board meeting schedule. Due to the uncertainty of funding for the 2009-2011 biennium, staff will postpone recommendations for additional grant offerings until the September board meeting.

Board members unanimously approved the grant application deadlines proposed in Attachment A of the staff report and directed staff to follow up with Board members to confirm final meeting dates.

Q. Other Business

There was none.

R. Willamette Special Investment Partnership Presentation

The following Willamette SIP partners briefed Board members on the status, approach, and challenges involved in the Willamette SIP.

- Paula Burgess, OWEB SIP Contractor
- Jim Morgan, Oregon Parks and Recreation Department
- Eric Jones, Meyer Memorial Trust
- Kendra Smith, Bonneville Environmental Foundation

At the conclusion of their presentation, the meeting was adjourned, and Board member and staff were invited to attend a tour of a local SIP restoration project site at the Buford Park.