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**East Multnomah Soil and Water Conservation District
Special Board of Directors *APPROVED* Meeting Minutes**

Friday, February 17, 2023

4:00pm- Call to Order

Zimmer-Stucky, called to order the Work Session Special Board Meeting of the EMSWCD Board of Directors at 4:00pm on Friday, February 17, 2023, at EMSWCD's Office.

4:00pm- Introductions, Review/revise agenda, Review previous action items.

Zimmer-Stucky conducted introductions for the record. The following persons were present:

Board of Directors: Jasmine Zimmer-Stucky (At-Large 2 Director, Chair), Mike Guebert (Zone 3 Director, Vice-Chair), Jim Carlson (At-Large 1 Director, Treasurer), Laura Masterson (Zone 2 Director, Secretary)

Board of Directors Absent: Joe Rossi (Zone 1 Director)

Staff: Dan Mitten (Chief of Finance & Operations), Kathy Shearin (Urban Lands Program Supervisor) (virtual), Julie DiLeone (Rural Lands Program Supervisor), Heather Nelson Kent (Grants Program Manager) (virtual), Asianna Fernandez (Executive Assistant)

Staff Absent: Nancy Hamilton (Executive Director)

Guests: N/A

Changes to the agenda: N/A

4:02pm- Review Bills proposed by OACD.

Zimmer Stucky If we choose to take a stance on any of the bills, we need to do so today.

Guebert introduced the process of backing bills and the OR State Legislative Information website (olis.oregonlegislature.gov). When searching bills on the website, searching by number is easiest. You can get email updates on any bill and upcoming meeting dates if you subscribe to the bill. You can also register to testify from this website and rewatch recordings of meetings for each bill. Testimony is only accepted within 48 hours after the most recent hearing.

House Bill (HB) and Senate Bill (SB).

Guebert introduced and lead discussion for each Bill discussed below:

HB 2998: Oregon Soil Health Initiative program. Funds distributed thru SWCD to producers to help them apply for grants. Looks to accomplish a lot of things important to EMSWCD.

- HAS had a hearing yesterday. Another scheduled next week.
- **Guebert** suggested supporting it with written testimony.
- OACD presented about the bill in person yesterday. Only 1 opposition: Oregonians for Food and Shelter. Didn't feel like it was broad enough. Might lead to some amendments since their organization has some strong standing in the state.

HB 3016: Community Green Infrastructure Grant Program and OR Dept of Forestry to develop an Emerald Ash Borer assistance program.

- Community Green Infrastructure project defined as one that provides social, environmental, or economic benefits to a particular community and develops a collaborative process. Creates a fund separate from the general fund.
- State forestry: Acquire and maintain a tree assessment tool (in response to Emerald Ash Borer epidemic).



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- Provides 50% of \$\$ for planning and developing.
- 25% funds projects in rural/ agricultural communities.
- VERDE is pushing for this bill.
- March 1st hearing.

Board (-Rossi) suggested supporting with a letter of testimony.

Zimmer-Stucky Emerald Ash Borer beetle is devastating, opportunity to address issue is relieving.

Carlson Where's the funding coming from?

Zimmer-Stucky It comes from the general fund/capital and goes into a special fund. Interest from this fund stays in this fund.

Guebert Does it get replenished, or does it just come from interest? Has experience with some bills that go through but don't get funded right away.

Masterson suggested going over different steps for testifying as a Board vs. as an individual.

HB 3021: Establishes that a perfected and developed water right is not subject to forfeiture if the owner has ceased to use all or part of water appropriated for 5 years+. If someone doesn't use their full allocation of their water right because they installed some water-saving measures or because they didn't receive their proper allocation for any reason, they don't lose the rest of the right. There isn't any incentive to not use your full water rights at the moment. This would incentivize conservation while also allow additional water to be allocated back to streams.

- No hearing scheduled yet.
- Brought to house from 2 members in Eastern Oregon.

Guebert potential argument: some rights owners have had it for a long time. New users find it hard/don't have easy access to obtain rights. So, this could be framed as equity issue, but prioritizing conservation is important.

Carlson Makes sense. One question, if someone doesn't use their right for conservation for a number of years, is there monitoring of the ground water level during that time? There isn't any current funding for collecting reports of usage or static water level.

Guebert The bill doesn't address that. This seems like a bigger issue for the Irrigation District.

Masterson has water rights for all of her farming locations. Supports this bill.

Board (-Rossi) suggested supporting with a letter of testimony.

SB 530: Main climate bill that talks about sequestration, methods for storing Carbon in soil, and improves soil fertility and water retention. Promotes urban tree canopy expansion, protection of drinking water watersheds, riparian restoration, cover crop planting, rotational grazing, no till farming, coastal protections for sea level rise and storm surge, logging rotation, reforestation, and forest/wetlands protection. Provides grant funding.

- Sponsors are bipartisan. The way it's written should generate bipartisan support.
- Had a hearing 2 days ago, so it's too late to submit testimony. There were over 50 people who testified already. OACD testified in support.
- There will be amendments to this bill. There will be more hearings in March.
- Leveraging federal funding to accomplish goals.

Guebert This bill is in line with our strategic plan and mission. A lot of interested parties with differing opinions. Suggested the Board strongly supporting.



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Zimmer-Stucky There isn't a lot of opposition, but there is general understanding that the bill is a work in progress, and parties want to get to a place of supporting it. Heartened to see testimony of support from other SWCDs.

Board (-Rossi) suggested supporting with a letter of testimony.

SB 775: SWCD zone directors on board in counties with pops of (undecided number) or more need only to reside in district and registered voter.

- No hearings yet, no indication if it will get one.
- There are some compromises to figuring out how to introduce it. Still some blanks in the working and some things to figure out.
- Initial talk was that counties of 100,000+ would be doing away with the 10-acre requirement for SWCD Board of Directors.
- Assumed that the Bill wouldn't go through if it mentioned removing zones for Board requirements. The Zones will most likely stay.
- 106,000 oppose the bill. Smaller districts not in favor, larger districts are more in favor.
- OACD has taken a neutral stance.

Guebert A lot of opposition that didn't have much standing. This bill is a decent start. Bills that don't get a hearing could come up in the short session in the following year: 30 days long, not many new bills get introduced. Sometimes it takes a few sessions for a bill to get some standing. The current legislation is limiting for the District in terms of number of people who can apply to be Board Members, as well as the equity implications that come with it.

Zimmer-Stucky Supports the trajectory of this bill: a lot of SWCD in more urban areas are finding it harder to fill Board positions due to the acreage requirement. More people running for office and participating in democracy is good for our society, especially in places where there's a large population of people and a smaller land mass. Senator Fredrick is receiving a lot of feedback on what the right size for the population requirements would be.

Masterson Happy to support this bill. Doesn't fully support removing the zones requirement.

Board (-Rossi) suggested supporting with a letter of testimony.

Carlson How many counties would this impact?

DiLeone If it goes to population of 200,000, 6 counties are affected. If it stays at population of 150,000, 7 counties are affected.

Carlson Has qualms with getting rid of the acreage requirement entirely, as people with land ownership bring a sort of expertise to the Board. Could see if there was a different makeup of the Board, that the consideration of priorities between agriculture and urban would be different. Would still like to see a little bit of manager/owner representation, from different owners (nursery vs ag vs urban, etc.).

Guebert There was an idea of swapping Zone and At-Large positions. Therefore 3 At-Large and 2 Zone seats. Does the management/ownership of a small acreage mean less qualification? The hope is that those who do already qualify or are close to qualification make a good enough case.

Zimmer-Stucky Hears that concern, but we do have a state mandate to do the work of conservation of soil and water. We have to stay within statute, therefore minimal changes that can be made. Given where we sit as a Board geographically, it makes a case that someone in the urban area doesn't feel represented. Thinks voters will always view farmers as good stewards of the land.

SB 751: Creation of credits for salmon habitats through the Department of State Lands.

- **Hamilton** suggested tracking for StreamCare incentives.
- Introduced by Senator David Brock Smith, Republican, in District 1, Port Orford. No co-sponsors.



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- Not much text on it yet. If a Bill is just a study, it can become a candidate for “gut and stuff,” which means it can be erased of all text and changed to something entirely different.

Guebert wouldn't suggest supporting this one yet but keep it in the Board's minds for review later.

4:53pm- Discuss Possible priorities for EMSWCD to support or oppose.

Guebert proposed authorizing support for HB 2998 and 3016 asap since the window to submit testimony is still open. Would like to pre-authorize support for HB 3021, SB 530, and SB 775 since the meetings and window for testimony can come up at any time. The Board can support legislation and policies, but staff cannot. Our support would be a letter from the Board, signed by Zimmer-Stucky, and submitted, or authorizing one member of our Board to speak on behalf of the full board. Would like to authorize Guebert and Hamilton to craft the testimony since they're both on the Advocacy Committee.

MOTION: Guebert moved to authorize letters of support for testimony for HB 2998, 3016, 3021, and SB 530 and 775. Carlson 2nd. Motion passed unanimously (4-0, Rossi absent).

Guebert We haven't been involved a lot in the past but thinks it's great to continue to do. These bills have direct impact on what the District does.

Masterson It doesn't have a bill yet but suggests keeping an eye out of Oregon Agricultural Heritage Program funding on easement funding for everyone statewide, which we could also be accessible through matching funds. Would be aligned with our Land Legacy Program goals. The bill hasn't dropped yet but it seems likely that it will.

Guebert It's too late to introduce new bills but will keep an eye out for it. Can ask the Advocacy Committee about it.

MOTION: Guebert moved to authorize Guebert and Hamilton to draft the letters of support, then turning to Zimmer-Stucky to sign and submit them. Carlson 2nd. Motion passed unanimously (4-0, Rossi absent).

5:04pm- Plan Next Work Session

Guebert would like to continue to discuss these bills at Board Meetings.

Action Item: Asianna to add 15-20 minutes to upcoming Board Meetings to discuss Legislative Bills.

Guebert Suggested Board Work Session topic: conceptionally talking about the Board's feelings around climate mitigation objectives in the District's Strategic Plan.

Zimmer-Stucky Suggested Board Work Session topic: Urban water/soil quality issues. Become more aware of those topics to see how the District's programs intersect.

Carlson Suggested session topic: Next steps for Gordon Creek property.

Guebert This can be chatted about at the next LLC meeting.

Next Work Session: June 26, 6pm-8pm.

Action Item: Asianna to send out an invitation for the June 26, 6-8pm Work Session: Climate Mitigation Objectives.

5:13pm- Announcements, Action Items, and Adjournment

Guebert Update on the meeting with Blumenauer: 15 people attended. Most were representing local non-profits, most which we've worked with in the past. Almost everyone was representing food security/food access. Mudbone and Guebert might have been the only farmers there. Each rep only had 5



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minutes to share their ideas. Blumenauer seems to be interested in food security and the farm bill. The more we can share the farm bill with federal reps, the better. A lot of great ideas were shared. Talked about some of the work the District does with farmland and BIPOC farmers, but so did a lot of other people. He seems very receptive, and the meeting felt pretty encouraging.

Guebert was selected to go to Washington DC on March 6-8 for a Farmer Rally at the capital. Reminiscent of the one in the 70's at Capital Mall. Farm Aid is funding it, National Sustainable Agriculture Coalition is doing most of the organizing. Food Animal Concerns Trust selected up to 10 people to fund to attend, including Guebert. **Guebert** will miss first Budget meeting to attend.

Guebert to be out of town for the next 10 days, not to respond.

Zimmer-Stucky Reminder that the Next Board Meeting is also right after the first Budget Meeting for FY23-24. Asked staff for a more written presentation instead of verbal. Asks Board to review the next packet beforehand to prepare.

Action Items:

Action Item: Asianna to add 15-20 mins to upcoming Board Meetings to discuss Legislative Bills.

Action Item: Asianna to send out an invite for the June 26, 6-8pm Work Session: Climate Mitigation Objectives.

Zimmer-Stucky adjourned the meeting at 5:19pm