



Grant Soil and Water Conservation District
721 S. Canyon Blvd. - John Day, OR 97845 - Phone (541) 575-0135

MINUTES OF GRANT SOIL AND WATER CONSERVATION DISTRICT'S
April 2nd, 2020 MEETING

Attendance

Directors Attending In Person:

Pat Voigt - Director
Ted Clausen – Associate Director

Directors Attending Via Telephone Conference:

Joanne Keerins - Director
Roger Ediger - Director

Staff Attending In Person:

Kyle Sullivan - District Manager
Matt Wenick – Weed Control Coordinator

Visitors Attending Via Telephone Conference:

Sandi Hiatt – OR Dept. Agriculture
Maria Snodgrass – OR Dept. Agriculture
Aaron Roth – Natural Resources Conservation Service

Phil St. Clair - Director

Rick Henslee - Director

Pat Holliday – Program Assistant

Stephanie Page – OR Dept. Agriculture
Marganne Allen – OR Dept. Agriculture

ADMINISTRATION

1. Call Meeting to Order – Pat Voigt called the meeting to order at 4:00 pm.
2. Approval of Minutes - **Phil moved to approve the February 6th, 2020 meeting minutes. Joanne gave the second with the motion passing unanimously.**
3. Introduction of Visitors – Pat asked all those attending the meeting in person and on the telephone to introduce themselves. Sandi Hiatt explained her position with Soil & Water Districts.
4. Public Input – There was no public input.

REPORTS

5. NRCS – Aaron explained NRCS's guidance regarding the Coronavirus situation. NRCS staff will be in the office, but only two staff members at a time, and will not allow any general public into the office space. Staff will conduct appointments by e-mail and telephone and will continue to do field visits. Staff members not in the office will work at home. NRCS field offices are trying to stay open and service the needs of cooperators. Guidance from the State office on the Coronavirus situation changes daily. At this time there is no indication that any program deadlines will be extended. The deadline for EQIP and RCPP applications is April 17, 2019 and May 29th for the CSP Program.
6. OSU Ext. - A representative was unable to attend.
7. BOR – A representative was unable to attend.
8. John Day Basin Trust - A representative was unable to attend.
9. ODFW Wildlife – A representative was unable to attend.
10. ODFW Fisheries – A representative was unable to attend.
11. ODFW Fish Habitat – A representative was unable to attend.
12. CTWSR of OR – A representative was unable to attend.
13. ODA – Maria stated she is working full-time at home and has been calling to check in with her Districts to ensure they were doing well. She is interested in hearing today's discussion regarding the Strategic Implementation Area presentation.

14. Malheur National Forest – A representative was unable to attend.
15. Freshwater Trust - A representative was unable to attend.
16. USFWS Partners Program – A representative was unable to attend.
17. North Fork John Day Watershed Council – A representative was unable to attend.
18. Upper South Fork Watershed Council – A report was not provided.
19. Monument SWCD – A representative was unable to attend.
20. OWEB – A representative was unable to attend.

DISTRICT BUSINESS

21. SIA Annual Meeting Presentation Discussion – Pat stated he would like to hear the Directors thoughts on the Strategic Implementation Area presentation given at the District’s Annual meeting. Pat said he is appreciative of the ODA staff who attended and made the presentation. The meeting had a good turnout of interested citizens but felt that most attendees did not feel their questions were answered and left with concerns that ODA had the ability to obtain a warrant to enter private property. Phil stated he had a telephone conversation with Stephanie to relay his thoughts about the meeting. He has a fair understanding of how Focus Areas are assessed by bare, grass, shrub and tree ground but has no clear picture of how SIAs will be assessed. He would appreciate clear direction and visual examples, such as photos, of SIAs standards. Joanne stated she felt good questions were asked at the meeting but felt that most were not answered. If answers were provided, they often included situations common in western Oregon, such as manure piles. Rick stated he felt overall the presentation was disappointing, with questions politely being given answers the presenters felt the attendees wanted to hear. He was disappointed that often the answers provided did not match the written information provided by ODA on SIAs and is much more concerned with the written information. Rick stated SIAs have been implemented for several years in Oregon and there is no excuse for ODA to not have protocols and criteria in place. Roger said he has put significant thought and more time and effort than he has to spare in the SIA process in Grant County. He has talked to twelve people who attended the March 5th meeting and would like to share their comments. Those comments include; ODA intends to wear us down, we are busy making a living and don’t have time to fight; the ODA presenters skirted around the issues with vague guidelines; concerned that ODA is implementing procedures due to pressure from outside interests at the cost of taxpayers; presentation did not provide any answers, the compliance bar will never be met for landowners, no matter what they do, this is an infringement on private property rights; presenters never answered one question, meeting a waste of time, Grant SWCD did a good job of organizing the meeting, landowners are being treated as guilty until proven innocent, why is it that the landowner must protect the State’s water from our way of life but the landowner cannot protect their property from a flood from the State’s water; presenters attempted to pull wool over attendees eyes; total waste of taxpayers money, ODA will do what they want and don’t care about anything but their salaries and job justification, the west side of State controls the state and the east side has no say; should I believe what was written by ODA or what was said, at the meeting, they won as the attendees did not press the issue, gathered state agencies to be involved to go after 1% of lands when 99% are in compliance, see this as a ploy to put citizens under government’s thumb, salmon is the fourth political party in Oregon with more influence than those who raise food, ODA developed a solution and now needs to find a problem; slick group of women, but not all on the up and up, working to protect their jobs, if 99% are in compliance what are they looking for, became harder to believe the presenters, not a good representation of what ODA should stand for; answers to questions skirted around issues with no straight answers and gave west side problems and solutions; the proper way to make change is to find the problem and work with those on a local level to address it, when less than 1% is in non-compliance ODA needs to make it a problem to keep their jobs, no ownership on the local level, felt appeased and degraded. Roger stated his conclusion is that ODA is trained in strategies to communicate that they hear landowners and are on their side while finding problems that require their assistance. The meeting continued the erosion and lack of faith producers feel about ODA, state agencies and “other interested parties”. Landowners are at a choke point of regulation without any data to support it. He has no doubt the presenters heard what was said, but did not listen and questions were asked but no answers were given.

Pat asked the ODA representatives if they had any comments. Stephanie said she appreciated Phil’s call and realizes ODA needs to provide visual examples of water quality concerns. She feels ODA needs to spend more time in Grant County looking at streamsidess and explaining water quality concerns. The coronavirus impacts may make it difficult to come to Grant County in 2020. It may be necessary to change the SIA implementation schedule if ODA cannot spend an adequate amount of time in the area. Marganne stated she felt ODA does need to define the protocols used in SIAs. Maria said that perhaps presentations to smaller groups with photos would allow for more dialogue. Pat V. stated he believes landowners

do not want to be pushed around but want to be treated with respect. He agrees with Roger's conclusions and feels it is an issue the District needs to keep in its forefront. Joanne asked how many SIA's have been implemented on the east side of the state? Maria replied a SIA is just beginning in the Lakeview area and there has been one in the Lower John Day Basin and one in the Malheur River area including Drewsey and Juntura. Joanne would like to see photos of the water quality issues in those SIA areas. Stephanie said she would find photos of compliance issues in those areas. Joanne expressed concern that if ODA cannot present what the problem is then what are they looking for? Phil asked Kyle if a landowner came into the District office and asked if they had a water quality problem on their property could he give them a correct answer using the information currently provided by ODA. Kyle replied that he would not be able to give the landowner an answer. Roger stated he does not want the District compromised by not having the information needed on SIA compliance issues. Maria stated in Grant County the main focus is primarily streamside vegetation that changes from one fence line to another. As well as streamside areas that have a lot of bare ground with very little vegetation or vegetation grazed at one to two inches. Kyle asked how ODA defines "lot" or "little". Stephanie stated ODA needs to find photo examples and send to the District. At this time ODA has made the decision to not have streamside buffers and are vague in the streamside vegetation requirements. This allows landowners to adjust their individual circumstances but it is difficult to draw a firm line between what is in compliance and what is not. Stephanie said ODA needs to provide more photos and look at streamside areas with the District. Rick stated a one-time photo of a streamside will not give a clear picture of the conditions at the site. A photo taken at a winter feeding area may show a large area of bare ground but that same site in September may have grass chest high. A picture has the potential to only show what you want it to. Maria stated on a site visit for compliance issues an affected landowner explained issues that were out of his control at the site and it was determined agriculture was not at fault for the water quality compliance issues. Phil asked Stephanie if SIA rules have no buffers where do the SIA rules come from? Is there a difference in how Focus Areas, which assess streamside buffers, and streamside areas are evaluated in a SIA?

Rick stated he felt the SIA scheduled for the North and Middle Fork John Day River in 2021 should be delayed until ODA has specific protocols for SIAs in place. The Directors all agreed and asked the ODA representatives if they could provide assurance that the process would be delayed. Stephanie replied that if ODA representatives could not meet in Eastern Oregon in 2020 that postponement of the SIAs may be necessary. Rick stated the District needs information on how the remote evaluations are conducted. Stephanie replied that ODA has clear evaluation protocols but those two staff members are not on this telephone call. Kyle stated the District would like more detail on the protocols used for the remote evaluation process and is concerned if the staff conducting the evaluations have any experience with Eastern Oregon vegetation. Stephanie replied they consult with local staff regarding vegetation. Pat V. said it has become clear that there is much work to be done in the partnership between the District and ODA. He thanked all those attending.

22. Coronavirus – Kyle explained how NRCS, CTWSR, and other agencies were handling staffing with the Coronavirus situation. Since Governor Brown issued Executive Order 20-12 requiring citizens to stay at home except for essential needs there has been no clear direction for Districts. The OR Health Authority provided guidance for employers and information for employees. The District has been practicing safe distancing of employees. Kyle stated he believes the District provides an essential service to landowners, especially with respect to the sale of herbicides. The District does not have the ability for its employees to work from home. He wants to protect staff while continuing to provide services. Kyle stated he would like to propose a modified work schedule with only two staff members being in the office at a time. Staff would work two contiguous days and be off the remaining three. Weed staff will earn bonus compensation for working full time as compared to staff members working two days. The plan is to have Kyle and Tyler work Monday, Tyler and Cole work Tuesday, Cole and Jason work Wednesday with Pat and Kyle working on Thursday and Friday. Pat V. stated he felt it was a good plan and would entertain a motion. **Phil moved to approve the modified temporary work schedule due to the Coronavirus for Grant SWCD staff. Joanne gave the second with the motion passing unanimously.** Kyle handed out an Oregon map showing the number of confirmed Coronavirus cases by County. He recommends the District start the modified schedule Monday April 6th for two weeks. Rick stated he understands and appreciates Kyle's concerns. Pat asked the Directors if they agreed to beginning the modified schedule next week and if necessary close the office. The Directors all agreed by consensus. Kyle said he would review the modified work schedule at the end of the two-week period.

23. District Project Issues – Kyle reported the Administrative Hearing regarding Gordon Larson's water rights determined there was not enough evidence to warrant cancellation of the water rights. Kyle expects Water Resources will release the final water right transfer order soon.

Kyle stated the District implemented the Ballance and Lick Creek Riparian Enhancement Project, OWEB Grant #216-6058. The project constructed two winter stockwater systems, noxious weed control and riparian exclusion fencing along Ballance and Lick Creek. After the stockwater system was installed at the Ballance Creek location it was discovered the existing well at the site did not have the capacity to supply the system. The District submitted a FIP application to install a

pipeline to the tanks to address the insufficient water issue. However, the application was viewed as an upland project and was not funded. This spring Cole and Tyler visited the site and conducted a survey to assist in applying for an OWEB Small Grant to offset the expense of installing the pipeline. However, the District discovered an OWEB Small Grant cannot be used in conjunction with an established OWEB Grant. Kyle stated the engineer's estimate to install a pipeline from an existing spring to the Ballance Creek stockwater system is \$28,000. Kyle stated it appears the only solution to fund the pipeline is from the District's funds. He wanted to bring this solution to the Directors for their input. Pat V. stated he felt it was important for the District to complete the project. Joanne agreed with Pat, stating she did not want to use District funds, but saw no other option. The Middle Fork area receives a lot of attention. Phil also agreed to finish the project stating the landowner involved has completed his in-kind portion. Rick stated he has a conflict of interest in this issue as the landowner involved is his brother-in-law and will abstain from the discussion. **Joanne moved to complete the Ballance and Lick Creek Riparian Enhancement Project at District expense. Phil gave the second. Rick abstained due to a conflict of interest. The motion passed with Phil, Pat, Joanne, and Roger voting in favor and Rick abstaining.**

Kyle stated the District has been implementing the Twelvemile Creek and Middle Fork John Day River Enhancements, OWEB Grant #217-6025. The Grant is fairly complicated and includes fencing, stockwater, noxious weed control and juniper treatment involving three landowners. The District received news in January that one of the landowners had died, leaving several of the Grant items uncompleted on his property. The Cooperative Agreement with the landowner expired December 31, 2019. Kyle stated he has discussed the issue with OWEB and feels the District needs to close out the project. He will complete the items that have been completed to arrive at a project amount to base the OWEB required 25% cost-share.

24. District Office Break-In – Kyle reported on March 5th, the night of the District's Annual meeting, the Service Center was burglarized. Entry was from a window broke with a shovel in the conference room. The items stolen include a flat screen tv, several laptops, and miscellaneous items. As a result of a number of burglaries in the area the police were able to identify a person of interest. A warrant for the suspect's apartment was issued by mid-afternoon on Friday the 6th and office staff were able to make positive identification of the items stolen from the Service Center. All items have now been returned with the exception of a personal cell phone charger. The District Attorney is prosecuting on 9 of 16 charges. Kyle believes there will most likely be discussions with NRCS regarding additional building security to be implemented.
25. Other -

DISTRICT PROGRAMS

26. Weed Control – Matt reported he and Pat have been working with the Malheur Forest on two new agreements to accomplish noxious weed control on the Forest, one for \$33,000 and the second for \$100,000. The paperwork has been submitted and are waiting for final signatures. He has been working with BLM on moving from a yearly contract to a five-year agreement. If the agreement is delayed Grant Weed will go back to a one-year contract for 2020. BLM will provide special funding for treatment of Leafy Spurge along the John Day River. Treatment is 70% complete on Grant County roads and 80% on County rock pits. There is approximately two days of roadside residual work remaining in Wheeler County. Notice of the 2020 Title II Grazing Lands 25% Cost-Share Program are being advertised in the Blue Mt. Eagle. Applications will be taken until April 10th. Plans are to advertise the 50% Cost-Share Program beginning the end of April. Matt reported Grant Weed Control sold a used ATV to the Grant County Maintenance Department and sold the teal Ford to Harney SWCD. The department will have another used ATV to sell and will keep one for a spare. A new ATV was purchased recently with the low bidder being John Day Polaris.
27. District Programs – Kyle reviewed the written report with the Directors.

FINANCIAL BUSINESS

28. Financial Report/Financial Summary – Financial reports for the month of February and March through the 26th, 2020 were reviewed.
29. Approve Bills– **Phil moved to approve the bills and financial reports for the months of February and March through the 26th, 2020. Joanne gave the second with the motion passing unanimously.**

The meeting was adjourned at 6:00pm.

Satish Voigt

Board Chair

5-7-20

Date

Kyle S.

District Manager

5-7-2020

Date