

LEGISLATIVE COMMISSION ON INDIAN SERVICES

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LEGISLATIVE COMMISSION ON INDIAN SERVICES SUMMARY MINUTES

Meeting Date: Feb. 18, 2015

Meeting Location: State Capitol Bldg., Hearing Room 50
900 Court Street NE, Salem, OR 97301

Called to Order: The meeting came to order at 9:06 a.m.

Adjourned: The meeting concluded at 2:34 p.m.

Members Present:

1. Dan Courtney, Cow Creek Band of Umpqua Tribe of Indians
2. Dee Pigsley, Confederated Tribes of Siletz
3. Bob Garcia, Confederated Tribes of Coos, Lower Umpqua and Siuslaw
4. Aaron Hines, Confederated Tribes of the Umatilla Indian Reservation
5. Don Gentry, Klamath Tribes (arrived late)
6. Brenda Meade, Coquille Indian Tribe
7. Cheryle Kennedy, Confederated Tribes of Grand Ronde
8. Raymond Tsumpti, Confederated Tribes of Warm Springs
9. Charlotte Roderique, Burns Paiute Tribe (arrived late)
10. Jackie Mercer, NARA Northwest
11. Ted Ferrioli, Senate Republican Leader
12. Caddy McKeown, Representative
13. Arnie Roblan, Senator

Members Absent:

1. Greg Smith, Representative

Staff

1. Karen M. Quigley
2. Dianna Brainard-King

In Attendance:

1. Heather Wyland, Oregon Travel Information Council
2. Joe Moses, Burns Paiute Tribe
3. Doris Miller, Burns Paiute Tribe
4. Jarvis Kennedy, Burns Paiute Tribe
5. Lillian Shuz, Oregon Health Authority
6. Priscilla Leivin, Oregon Health Authority
7. Delvis Heath, Confederated Tribes of Warm Springs
8. Meliah Masiba, Representative Caddy McKeown's office
9. Louie Pitt, Confederated Tribes of Warm Springs
10. Leo Stewart, Confederated Tribes of the Umatilla Indian Reservation
11. Rob Saxton, Deputy Superintendent Dept. of Education

12. Sara, Dept. of Education
13. Various legislator's staff

Cheryle Kennedy provided the invocation.

Dan Courtney, Chair welcomed Aaron Hines from the Confederated Tribes of Umatilla, who has replaced Leo Stewart on the Commission. Aaron shared he was looking forward to working with everyone.

Dan noted Don Gentry and Charlotte Roderique were not in attendance (they arrived soon afterwards). Dan acknowledged Rep. McKeown and Sen. Ferrioli, as well as Jackie Mercer at the meeting. Due to the swearing in of Governor Kate Brown, Dan stated LCIS members would be proceeding to the House Chamber around 9:20am. There were a few seats available for additional tribal leaders if they attended.

Karen stated the LCIS meeting schedule had to be rearranged. They had been invited to attend by Kate Brown and House leadership. The Oregon Liquor Control Commission would be presenting at our May meeting.

Dan asked for the minutes to be approved, both the spring meeting and fall meeting of 2014. Cheryle Kennedy moved to approve, seconded by Bob Garcia. Motion carried.

Don Gentry arrived.

Dan announced it was time for annual election of officers. Raymond Tsumpti nominated Dee Pigsley for Chair, and Bob Garcia moved the nominations be closed. Motion was carried. Dee Pigsley opened the nominations for vice chair. Don Gentry nominated Dan Courtney. Bob Garcia moved the nominations be closed and Brenda Meade seconded. Dan Courtney is now the Vice Chair and Dee Pigsley is the Chair.

Senator Ferrioli shared he has been called away at this time. He congratulated Dee and thanked her for her willingness to Chair this committee.

Karen Quigley discussed the annual reports required in statute from state agencies are still arriving in the LCIS office, with about 95% being received. Karen is following up with those agencies who have not submitted their reports. Karen has invited some of the agencies to provide highlights of their reports in PowerPoint format. She wanted to make sure the tribal governments are aware of the work state agencies do with them.

Joint meeting of Natural Resource Workgroup and Cultural Resource Cluster meeting was hosted by Grand Ronde. Raymond spoke at the meeting about his thoughts on the importance of everyone coming to the table to discuss matters. Karen praised Senator Ferrioli for his hour-long speech about changing the culture in Oregon regarding collection of articles from burial sites and destruction of archaeological sites.

The Oregon Archeological Society will be presenting today, an agency that Karen shared has had a long term reputation of essentially encouraging looting. New president is here to state they are turning things around and wish to work with tribal governments. Karen is hopeful Pat O'Grady will discuss whether they discuss the laws and whether they get tribal representatives when, for example, they give six sessions at a community college on amateur archaeology, which Karen knows worries many of us on what do those folks think they are able to do after completing six sessions. Pat is aware many former members retained the materials they collected, so Karen wondered what are they doing to return those collections.

Director of State Lands will be here to explain all the work they do with tribal governments, and Karen assumes she will focus on a public lands closure they did in Lake County because of a serious looting situation.

May will be a time of great celebration, with LCIS' 40th Anniversary which will coincide with the 2015 American Indian Week in Oregon. Karen is hopeful soon to be Governor Brown will sign the proclamation on May 14 at the event. The Oregon Historical Society's 60-foot "Oregon is Indian Country" panel will be on display in the Galleria that week. There is another survey in members' packets to consider some ideas they would like to think about for the LCIS celebration.

Karen stated she had been contacted by the legal office at Portland State University (PSU) who was approached by the Cowlitz Tribe who requested being added as an Oregon tribe for Oregon residency. Karen knows the commission has had discussions over the years about the higher education rule (included in their packet). There are a number of tribal leaders who feel the rule should be reexamined regarding the 43 tribes and bands listed in there as having traditional tribal boundaries or ceded lands in Oregon, rather than expand it. Karen is hopeful to receive this Commission's input so she can provide some feedback to PSU.

Dee asked Karen if we should proceed with the Commission member reports or move to the House Chambers. The Chair officially recessed at 9:20am and resumed at 10:15am. Rep. McKeown did not return.

Lillian Shirley, Director of the [Public Health Division for the Oregon Health Authority](#) (OHA), was called up by the Chair. She explained that she is here to establish communication and set an agenda to work more closely with the tribes and learn what needs they have. OHA has worked with the tribes around emergency preparedness, but is seeking additional opportunities; a lot around grant work and technical assistance.

Cheryle stated one thing tribes have been involved with is public health, and specifically designations from the federal government as public health entities; however, tribes have not received that designation. Would like to be in direct line with services and supplies that come with designation of public health department, anything to do with outbreak or epidemic. [The Northwest Portland Area Indian Health Board](#) has been working with tribes about having an accreditation for public health. The integration of services are not readily made available to tribes. Cheryle wondered what changes have they made to ensure tribal health departments are seamlessly factored in.

Dr. Richard Leman, Tribal Epi Liaison for the Public Health Division believes we have made a big step forward nationally because in the [Indian Health Care Improvement Act](#) there is specific language that recognizes tribal epi centers as public health authorities, which opens doors for information sharing including with the Health Board. Begins to establish relationships. Have provided courses on outbreaks within Indian Country, but not a lot of takers from Oregon tribes for the past four or five years. May need to address needs of tribes a little better.

Cheryle knew of certain laws that omitted tribes as being named as public health entities, and would like advice.

Dr. Leman worked with people in Utah who had a big barrier, so it was necessary to change the statute and the language because Dept. of Justice required that, otherwise the state would not share information with the tribes. Oregon is not in that situation and has been able to share information. Would need to see if a change in the wording of the statute should be made.

Dee acknowledged Charlotte Roderique has arrived. Tsunami committee in effect, never received notice. Where she is situated on coast many things have washed up. People have taken in debris.

Does OHA have a relationship with Tsunami group? Due to the types of material found on beaches, radioactivity may be an issue.

Dr. Leman very involved in issues around radiation exposure and things we could do to monitor that to determine risks. Levels were not that high. Dr. Leman is also the Chief Medical Officer for the Health Security Preparedness and Response Program. He used to be the clinical director at the Siletz Tribal Clinic.

Dee welcomed OHA's involvement in these issues. She read about the recent outbreak of measles in California and feels Oregon is fortunate we have not had that in occur here. She is hopeful we have prepared plans.

Lillian the Immunization Alert System is not connected but wish to make that connection. We wish to bring more of a priority to the work Dr. Leman and herself are doing. More connectivity, one of main decision making criteria is issues around social justice, addressing disparities. The Oregon Health Authority is highly interested in tribal needs from their agency.

Cheryle what are the priorities you are working on?

Lillian working on a state health assessment of local communities. Health improvement plan is goal, not program by program but what are real issues and causes of community ailments and needs.

Cheryle at Health Board in January there was a new study completed on Native Americans, based on trauma and the effect it has with an increase of heart disease, diabetes, etc. She wondered if they were aware of that study.

Dr. Leman has not seen this study but they have tried to address increase in ailments. Collect information about risks through behavioral risk factor surveillance survey. Have worked with NWAHIB (NW Area Indian Health Board) to do a linkage with multiple state bases, cancer registry, death registry, reportable disease registry to determine ethnicity to share information with Board and Tribes.

Dan we have an issue with algae bloom, what is their responsibility to put out warnings about outbreaks?

Dr. Leman does not work on this (others at OHA have that responsibility) but he does work with those who do the monitoring and calls advisors.

Dee welcomed Sen. Roblan at 10:45am.

Dr. Leman presented a PowerPoint on Oregon Crisis Care Guidance. Late in 2009 H1N1 pandemic occurred and in various parts of the state we were close to requiring this guidance. Email crisiscare.comments@state.or.us.

Dr. Leman would be glad to speak to tribes and clinics in the community. Don Gentry requested the PowerPoint be emailed to him. Aaron Hines wondered how often they met with tribal governments or councils. Dr. Leman said not very often, but with health directors quarterly.

Aaron wondered if the scope of his job as the tribal liaison required him to meet with councils. Dr. Leman shared it is not a requirement, but the tribes could guide them in what they want the tribal liaison to do. Recognize need for communication. Aaron thought it would be a good idea to meet with each tribal council because we are all different. Set up some type of policy or plan in the event of an emergency, which falls back on them as the elected tribal government leaders.

Erin Kelley-Siel, Director for the [Dept. of Human Services](#) (DHS), thanked the Commission for having her back, to complete conversation about shared work to make sure tribal communities are healthy, independent and safe. DHS received a request from this Commission to gather information about resources available. DHS is separate from OHA and Erin shared some programs they work with:

- Indian Child Welfare Act (ICWA)
- Programs for family economic stability
- Food Stamps program
- Temporary Assistance for Needy Families (TANF)
- Vocational Rehabilitative Services, dedicated to people with disabilities
- Seniors and People with Disabilities long-term services, not for medical care
- People with intellectual and developmental disabilities

Nadja Jones Tribal Affairs Director, shared DHS' Government-to-Government report has been shortened dramatically. She discussed the handout, "Tribal Services Report".

Erin shared DHS feels they are lacking in services for tribal elders and tribal members with disabilities. DHS met with tribal communities and learned they have room for improvement in the ICWA program. They are now implementing a different way to work with children and families. It will take time to make its way through the entire state of Oregon. They want to make processes simpler for tribes.

Dee discussed the vocational rehab program within Siletz and said 90% of people who file for disability for social security do not fill the medical background forms out correctly.

Erin would be happy to discuss having a point of contact for tribes to assist with forms. Nadja will follow-up on this request.

Cheryle questioned the certification for care givers who are family members.

Erin discussed the [Home Care Commission](#), which has a list of providers who can receive payment for providing care. They are discussing providing training for different culture groups that are underserved as providers. The client gets to choose who their provider is when they receive Medicaid. The client employs their provider, but for those who have legal guardians that is who makes the decision.

Cheryle discussed a young adult with a tribal trust fund, but the provider depleted the funds. She wondered about legal services.

Erin shared they do not provide legal services, but through the Home Care Commission you do have the opportunity to ensure caregivers have background checks and basic training. Through the Adult Protective Services Commission they do look into financial abuse. Currently Medicaid Fraud is 1.5% in Oregon, so fortunately not high.

Senator Roblan discussed issues in schools and lack of ability to obtain scholarships as a model that might be useful. The number of scholarships available has climbed steadily. Is it possible to train local folks with enough knowledge to fill out the forms?

Legislators do have a work group standing committee that works with people with disabilities to come up with criteria to define abuse. It is a big issue and Sen. Roblan wants to make sure the tribes are represented on this committee.

Bob thanked DHS for thinking about contracting with tribes. Tribal services do need the services.

Brenda Meade thanked the speakers for putting this together in response to our questions. She wondered what DHS was budgeted for in 2015. Erin said approximately \$4.2 billion, 65 to 70% being

federally funded. Brenda wondered if they received federal funding that is specific to the tribes. Erin reviewed the handout and said there are those funds which are specific to tribes.

Brenda wondered if there were opportunities for funding to tribal members that have not been identified. Erin said if you feel there is something you wish to have further details and conversations please let us know.

Senator Roblan said sometimes you receive funds from federal government, though in schools they allow self-identification. What do they do with self-identifications? Erin shared they do have exceptions within their data, and honor both in different ways. Nadja shared DHS did a hand count for ICWA and out of state tribes, and 2/3 of those youth are from out of state.

Don shared Klamath is successful in their programs but realizes we are not as successful as we could be to tap into available resources. He is interested in finding out how effective they have been. Since restoration they have grown but there is a history in their council that they do not keep up with everything available.

Nadja planned on traveling to the tribes this year as she did last year.

Cheryle discussed vocational rehab and how it would be helpful to identify services and funds available from state agencies. She wondered why funding is not trickling through to the tribes, why there are not announcements that funds are available.

Erin believes there is much more care-out and dedicated funding to health care rather than human services. They are all from the same agency.

Dee believes Karen does a great job of notifying the tribes of available funds.

Senator Roblan discussed the legislative session, highlighting the bill on tribal police and interactions with state police. He wishes to remove the sunset. He is pleased we had the opportunity to interact with the nine tribes to allow them to be who they are. There are nine independent and unique governments, and it takes all of us to point out where things are not going so well to allow for independent natures of governments and state governments reactions. We are willing to introduce bills at any time.

A few years ago there was a bill that was introduced because of tax credits becoming difficult to manage. Every six years every tax break was looked at and would be removed if it was decided it was no longer necessary. Governor Kitzhaber and DAS had a bill introduced that took a similar approach with small boards and commissions. Unfortunately they included LCIS as a commission this legislative session, even though LCIS is not an executive branch but rather a legislative office. Senator Roblan is working on removing LCIS from this bill.

Dee wondered why commissions are reimbursed differently. Senator Roblan explained if a commission is developed without requesting pay, then it does not go to the Ways & Means Committee. Over the years, if they request reimbursement pay it becomes a paid commission.

Karen followed up that the bill which would eliminate LCIS is in a committee that Senator Ferrioli is Vice Chair of, and he has arranged an amendment to remove LCIS from the bill.

Jackie shared in Senator Courtney's budget there is new money for mental health & addiction services and housing, totaling \$93 million, or \$73 million without the dedicated housing part. Are tribes able to access dedicated funds from this budget?

Senator Roblan will attempt to speak to Senator Courtney about setting aside funds for the tribes. Perhaps "Native American" rather than "Tribes" could be designated recipients.

Next Speaker:

Russell Bither-Terry, Secretary of State's voting representative, wished to give a brief overview of ways they can assist the tribes with county and state elections. This includes voting abroad. He also offered to add drop sites for votes.

Dee shared Siletz just held a tribal election and there were inquiries about tribal members who are incarcerated and not allowed to vote in tribal elections.

Russell had thought of this and will be meeting with the Dept. of Corrections (DOC) on Friday to see how they educate people about their state right to vote. Siletz has been in contact with DOC.

Aaron said the Umatilla Tribe has a good working relationship with Umatilla County and have a drop site outside their reservation. He is curious on safeguards that are in place for downloadable ballots. Russell said signature matching is still taking place and is required for county and state elections.

Break at 12:05. Members received lunch and watched the Dept. of Transportation video, "Building Bridges-Working Together", than shared with producer they had no objections to his distributing this video to a community access network.

Justin Martin, lobbyist for Grand Ronde and a Grand Ronde tribal member spoke about their priorities, including a desire to drive the K-12 budget number, chronic absenteeism (10 pilot projects totaling \$1.5 million), and their desire to hire another full time employee within the area of Indian Education. The Spirit Mountain Community Fund has granted 1/3 to all their categories in education. He knows every tribe here has committed great resources to education. A study conducted by Chalkboard Project identified tribal students across the state. Self-identified were around 67,000 students and tribal enrolled was 3,200. It is important to make that distinction when it comes to funding. Graduation rates are low, math and writing are behind, and chronic absenteeism is a huge problem.

Phil Donovan works with Umatilla here in the State Capitol Building. Phil has attended the last four Education Cluster meetings. SB 412 created the peace officer status equal to police officer and was a product of the Public Safety Cluster, and would not have happened if it did not come from that cluster.

Phil discussed a report from ECONorthwest and chronic absenteeism of Native American youth. For non-Native youth it was 18%, for tribal enrolled youth 34%. The Education Cluster saw the need to prioritize chronic absenteeism.

There are three factors that lead to chronic absenteeism:

1. Health issues
2. Transportation issues (rural areas)
3. Historic aversion

There are five identified strategies that build positive attendance:

1. Recognize good and improved attendance
2. Engage students and parents
3. Monitor attendance data and practices
4. Provide personalized early interventions and outreach
5. Develop programmatic response to barriers (as needed)

Phil requested support from the Commission for nine schools with high tribal member populations be eligible for a \$150,000 grant, which would leave an additional \$150,000 for a broad base messaging campaign to highlight the importance of attendance. Oregon Education Investment Board has two top priorities, attendance and 3rd grade reading, and absenteeism has been proposed within the Governor's Budget. The Chalkboard has promised funding to monitor these grants, and Spirit Mountain Community Foundation would continue to make additional funds available to tribes, as they did last year.

Cheryle asked about the range of attendance. Phil said chronic absenteeism is missing more than 10% of the school year.

Dee said when something happens to a family the entire family is involved and youth do miss a lot of school because of this. She wondered if we should pass a resolution to support this effort.

Cheryle felt a motion should be made, a motion to support this effort. The motion was seconded by Aaron. The motion passed.

April Campbell, Indian Education Specialist, discussed the Indian Ed. Specialist position and acknowledged Rob and Sara for being champions for this position.

SB 1509 Native Mascots, please read the materials because you may be in a position where a district approaches you for your support. Please provide comments if you have any to share.

LCIS Member Reports

Klamath Tribes

Don Gentry, Tribal Chairman, shared the Klamath Tribe is making significant progress with the Klamath Water Settlement Agreements, which include the Indian Water Rights Settlement and components: [Klamath Hydroelectric Settlement Agreement](#) (signed 2010), [Klamath Basin Restoration Agreement](#) (signed 2010), and the [Upper Klamath Basin Comprehensive Agreement](#). Klamath Tribes have a desire to restore salmon and steelhead populations. Congressman Walden, of their district, has come on board to support these agreements. Congressman Walden is looking for local support from the Cattlemen's Association and the Farm Bureau. There was previous local opposition to these agreements. Support from our members is growing as they become educated about what the agreements are. Dam removal is still up for a vote.

An Executive Director has been hired for their Economic Development Component. The Tribe has not really moved very much, yet the casino operations are improving (new general manager). Don is thankful for all the growth he's seen since the 1986 Restoration, including a lot of developing programs to move forward. Once the settlement agreements advance the Tribe is considering economic development opportunities. Currently own the mill within the forest, developing relationship with forest service, MOU's with Forest Service, mostly positive news.

Warm Springs

Raymond Tsumpti, Tribal Council, discussed Cooper River and the relationship with Prineville and the irrigators of Crook County, where everyone gets a piece of the water. Warm Springs is looking to restore fish in the Metolius, Deschutes, and Cooper Rivers, to set aside and understand that fishing is part of agreement. Raymond thanked Senator Merkley for his support.

Cow Creek

Dan Courtney, Tribal Chair, shared in southwest Oregon the economy is not as good as it could be. The casino is somewhat flat. The Tribe made a difficult decision to lay off positions. The media was not positive, stating 94 positions were lost but it was actually 33 jobs that were eliminated. Currently restructuring casino services to help economic outlook for the tribe. Not something they wanted to do

but something they felt was necessary. Good success with all other businesses. Umpqua Indian Foods was closed down last year but hopefully in future will be able to open back up.

Tribal agriculture is doing really well, good diversification for us, working on trust and investment properties, leased properties. Lobby efforts continue, lands bill to restore 17,000 reservation acres, on-going, working with Senator Wyden and Congressman DeFazio on this.

Coquille

Brenda Meade, Tribal Chair, shared she would not be able to attend tomorrow's Tribal Governments Legislative Day in the State Capitol.

Chief Ken Tanner, Tribal Chief for 22 years, passed away last year. The tribe elected Chief Don Ivy to fill that position. New Council Tribal Representative, Linda Meachum, has joined the council.

Brenda attended *Gathering of Oregon's First Nations* in January and wanted to thank all the tribes that were there. She believes all nine tribes were represented.

The Tribe is having a grand opening for their Culture Education Library Service Building in March. Opened up their wharf property for import and export opportunities. This property is going back to its original uses when Weyerhaeuser owned the property. Brenda is happy we are speaking about archaeological site destruction and lack of protection and the ability to protect due to rural area.

Confederated Tribes of Grand Ronde

Cheryle Kennedy appreciated being invited to see the swearing in of the new governor. Health Services restructured and designated a Health Authority, and commission members will have direct oversight over all health services. The third week of April Grand Ronde is hosting the Northwest Portland Area Indian Health Board meeting.

Tribal council approved a new tribal police building. Under administrative services Human Resources tribal organization is merged with the casino. Building a new building, both departments working diligently to provide services to groups they will serve.

Began constructing a TERO office (Tribal Employment Rights Ordinance) around 9 months ago, which will report to a commission. Helping human resource departments to make sure all principals of TERO are in place, so tribal preference is enforced. Good training program for tribal members, as well as a mentorship program.

The Tribe decided to bring Housing Authority under the Tribe and did away with the Authority and the Commission that oversaw it.

Had a fire in tribal housing units two weeks ago that displaced two families.

Museum is moving forward in fund raising, raised about ¼ of a million dollars, require another million dollars. A component of it is open now, and the Tribe is repatriating artifacts. She believes in October the Tribe will hold a gala event and fundraiser.

The Tribe passed a resolution for Cheryle to continue representing Grand Ronde on this Commission for another two years.

Charlotte Roderique, Tribal Chair of the Burns Paiute Tribe announced this would be her last meeting. She brought Jarvis Kennedy today, who was appointed to LCIS in December. It will be an opportunity for another generation to learn the process. Charlotte gave the official letter to Karen at this time.

Break

Pat O'Grady, President of [Oregon Archaeological Society](#) (OAS), and a staff archaeologist with the [University of Oregon Museum of Natural & Cultural History](#). He began hosting OAS volunteers on archaeological expeditions in 2007. These volunteers have contributed 1,000's of hours over the past eight years.

Pat shared the history of OAS since the 1950's. Members excavated artifacts which were tagged, labeled and sketched. Excavators were allowed to take artifacts home. This act of collecting artifacts for personal gain has given OAS a reputation that has been difficult to alter.

In the 1970's a Code of Ethics was created which stated if any member of OAS was collecting artifacts for personal gain, they would be expelled. An election in 1974 altered the policies with OAS forever, as candidates who were interested in science rather than personal gain were victorious. Membership of OAS reduced from nearly 700 to less than 300.

In 1977 two bills were introduced by OAS members to protect Indian Graves and Protected Objects and the Archaeological Objects and Sites. These bills resulted in ORS 97.740-97.760 and ORS 358.905-358.955. A third bill focused on site preservation and was incorporated into other legislation. The State Historic Preservation was established in 1977, though not by the doings of OAS. Pat felt the 1970's were a time when OAS left past practices behind and entered a new realm of public service.

OAS is available to assist with volunteer crew members and advisors, and are active in a variety of projects. For example, The Rock Art Group is well known for their work across Oregon.

Funding is available for volunteers to travel across Oregon to assist in projects.

Dan asked when volunteers are out do they work with a professional archaeologist? Pat said they generally do.

Bob asked if OAS could send out a message to the general public about the need to protect the privacy of sites. An educated group of archaeologist is great but what happens when someone sees something and doesn't know what to do.

Pat is involved in public education as are all the archaeologists. He was confused about the concerns.

Bob explained if someone stumbles across something on public land they don't know the law or who to contact, so they pick up the article and then maybe learn what they did was wrong, so now they decide to get rid of it rather than follow-up. How can we educate the general public about what the law is, what they should and should not do? Recently an artifact was close to the beach in Coos County and someone picked it up and took it away, even though they should have known better. The general public doesn't know. Bob was requesting education in terms of advocacy and information that's not just for your volunteers. Within LCIS there is education for peace officers. We work with legislators, officials in various capacities, but that is a small segment of the public, and certainly a small portion that enjoys the lands of Oregon. There is a real informational issue regarding what should someone do if they find something. Bob acknowledged the work LCIS does to assist the public, but a lot of people don't contact LCIS when they find something.

Pat shared public outreach is a constant battle. We work at that steadily. OAS has put together a very nice program where we created a fund for teachers to apply for funding for field trips. OAS thinks it is very important to approach children who will make more conscious decisions about their behavior. Welcomes suggestions from all of you. Primarily involved in these types of things.

Brenda wondered if it would make a difference if someone came across something that was behind a white picket fence and removed. Appreciates his sharing the history, very interesting how it evolved

and appreciates the work around protection. She wished to hear more about the efforts by OAS to retrieve collections.

Pat said OAS is actively working on retrieving collections. Charter members and early members of OAS are passing away and collections are being left to family members. May end up on E-bay (tribes chimed in they do end up there). Building a program to retrieve those collections into the hands of University of Oregon for next appropriate step. State Historic Preservation Office, a lot of people are concerned about this. Would love to report back later when more flushed out.

Don was concerned that due to items being collected for some time, funerary items and remains may have been removed. If so has this organization gone through a process to contact individuals to repatriate?

Pat shared they are working on that actively. He has no doubt there are funerary items in those collections. Working towards reclaiming those.

Don felt there would be records with drawings and notes of what was collected. These records should be processed to review and repatriate.

Pat said three years ago students began scanning and digitizing those records, which were irregular and incomplete. There were some sketches of artifacts, and he hasn't personally seen anything he would consider funerary.

Don would like to see OAS coordinate a program that makes direct contact with tribal specialists to discuss opportunities of working together. Each tribe might handle things differently. There is a concern that if we bring areas to the public's attention it actually tells them where they can travel for additional looting and vandalism. Would like to suggest contacting each tribe and have something more methodical in place to address funerary items.

Pat shared that due to the fact he works for the university it goes without saying the tribes would be contacted by himself, as part of the inherent process.

Dee thanked him for his presentation.

Karen asked Pat to get some documentation to Commission members, around ethics and vetting. What kind of things give him confidence that amateur archaeologist are abiding by the law and understand the importance of tribal perspective? It is one thing to invite tribal members to speak or become members but another to show tribes are woven within the fabric of OAS.

Next Speaker:

Mary Abrams, Director for the [Dept. of State Lands](#) (DSL), appreciated this opportunity to speak to the Commission. DSL is the administrative arm of the land board, given responsibility back in 1859 in the Constitution.

- ✓ Assigned to manage lands designated to fund schools, the [Common School Fund](#) Lands.
- ✓ Assigned the task of administering estates for people without wills or heirs.
- ✓ Equal Footing Doctrine, 13 original states, navigable and tidily influenced water ways designated for public use, recreation and fisheries.
- ✓ Authority to assure public trust rights were allowed. Revenues from the work we do from leases or extractions go into the Common School Fund which in turn goes into an endowment for public schools of Oregon. Twice a year DSL releases funds to be used by public schools, around \$50 million a year.

Legislature has assigned a number of responsibilities, including the 1957 [Unclaimed Property Act](#) which states if someone leaves their property, the State attempts to locate the rightful owners.

1967 assigned role to implement the [Removal Fill Law](#), which is the state equivalent of the federal Clean Water Act.

1987 federal government added wetlands to list of waterways.

1974 federal government developed a program for research and education around estuaries, the [National Estuarine Research Reserve](#), where Oregon was the first state in the Union to become a partner. This became the [South Slough National Estuarine Research Reserve](#) in Coos County.

There are a number of areas where DSL intersects with Tribes. They have closed lands, for example in Lake County where illegal artifact poaching and burial site disturbances were occurring. DSL closed the area in November 2014, but lifted the closure when the rains returned. Mary admits DSL was slow to respond, and in the end used a blunt instrument by completely closing the lands. Mary will be traveling there next week to connect with people.

DSL is considering closing three areas around the Bend, Prineville area where homeless people camp out, start unattended fires, have aggressive non-contained dogs, and litter within caves and across the land.

DSL has been working on Section 404 of the Federal Clean Water Act, Removal Fill activities, which has two programs that are slightly different but quite similar. Consultation between tribal groups and federal governments.

Columbia River, Morrow County, Coyote Island Terminal, system for implementing Removal Fill is laid out is statute what they have to consider. Information from the tribes on the fishery there, have been joined by several of the tribes to contest this case.

Interaction with section dredge mining and plaster mining which is being discussed this legislative session.

DSL has reached out to a number of tribes regarding the unclaimed property program, taking advantage of community events to make contact with tribes. If you would like us to attend your community events please contact our office.

Held 40th Anniversary of the South Slough in Coos County, celebrating all aspects of the estuary, which was a really nice combination of work with the state and tribes.

Legislative proposals. Allows utility easements without compensation, and DSL is attempting to get administrative fees paid for. Leasing on waterways, provide cheaper alternative, non-commercial uses which were accidentally removed years back and DSL is attempting to bring this option back.

DSL is chartered with keeping all originals of any state property transactions. They are attempting to get that changed to electronic copies.

HB2463, would create a Submerged Land Enhancement Account. Take funds from money already collected on waterways. Derelict structures and pilings under water need to be removed.

Bill to reclaim funds DSL invests in the Wetland Mitigation Banks.

Dee appreciated the information provided.

Announcements:

SB 343 at 8:00am public hearing: Senator Ferrioli and Rep McKeown testifying in person, Senator Roblan submitting a written testimony.

Dee gave a quick overview of the Tribal Governments Legislative Day event tomorrow. Commission members who were not given time to submit their reports may do so at the next meeting (or email to LCIS office). Public testimony may be submitted in writing.

The meeting was adjourned at 2:34pm.