



**LEGISLATIVE COMMISSION ON INDIAN
SERVICES**

900 Court Street NE, Room 167
Salem, Oregon 97301-1347
(503) 986-1067

DRAFT MINUTES

Meeting Date: May 16, 2018

Meeting Location: Oregon Department of Fish & Wildlife Headquarters: 4034 Fairview Industrial Dr. SE, Salem, OR 97302, Commission Room

Members Present:

Cheryle Kennedy, Chair, Confederated Tribes of Grand Ronde (LCIS Chair)
Gary Burke, Chairman, Board of Trustees, Confederated Tribes of the Umatilla Indian Reservation
Charles Calica, Tribal Council Vice-Chair, Confederated Tribes of Warm Springs
Dan Courtney, Tribal Chairman, Tribal Board of Directors, Cow Creek Band of Umpqua Tribe of Indians
Jackie Mercer, CEO, NARA Northwest (non-voting)
Don Ivy, Chief, Tribal Council, Coquille Indian Tribe, attended on behalf of Brenda Meade, Tribal Chairperson, Coquille Indian Tribe
Warren Brainard, Chief, Tribal Council, Confederated Tribes of Coos, Lower Umpqua and Siuslaw, attended on behalf of Mark Ingersoll, Tribal Chairman, Confederated Tribes of Coos, Lower Umpqua and Siuslaw

Members Absent:

Dee Pigsley, Tribal Chairman, Confederated Tribes of Siletz Indians, (Tribal Government Business)
Joe DeLaRosa, Tribal Council, Burns Paiute Tribe (LCIS Vice-Chair) (Tribal Government Business)
Brenda Meade, Tribal Chairperson, Coquille Indian Tribe (Tribal Government Business)
Don Gentry, Tribal Chair, Klamath Tribes (Tribal Government Business)
Mark Ingersoll, Tribal Chairman, Confederated Tribes of Coos, Lower Umpqua and Siuslaw (Tribal Government Business)
Sherrie Sprenger, Representative (Legislative Business)
Caddy McKeown, Representative (Legislative Business)

Arnie Roblan, Senator (Legislative Business)
Bill Hansell, Senator (Legislative Business)

Staff

Karen M. Quigley, Executive Director, Legislative Commission on Indian Services
Adrienne Fischer, Commission Assistant, Legislative Commission on Indian Services

In Attendance:

1. Bill Williams, US Attorney
2. Tim Simmons, Assistant US Attorney
3. Travis Hampton, Superintendent of State Police
4. Dr. Michele Stauffenberg State Medical Examiner
5. Additional Representative from State Police
6. Andrew Phelps, Director of OR Emergency Management
7. Cameron Smith, Director of Consumer and Business Services
8. Pat Allen, Director of Oregon Health Authority
9. Julie Johnson, Tribal Liaison, Oregon Health Authority
10. Fariborz Pakseresht, Director of DHS
11. Debbie Koreski, Budget Policy Advisor, Governor's Office
12. Curt Melcher, Director, Department of Fish and Wildlife
13. Jon Germond, Tribal Liaison, Department of Fish and Wildlife
14. Anna P Stevenson, Tribal Liaison, Department of Fish and Wildlife
15. Daniel Pettit, Cultural Resource Specialist, Department of Fish and Wildlife
16. Colin Fogarty, Executive Director, Confluence Project
17. Delvis Heath, Chief, Warms Springs
18. Brigitte McConville, Warm Springs
19. Representative Tawna Sanchez
20. Debbie Bossley, Coos, Lower Umpqua & Siuslaw Indians
21. Mrs. Brainard, Coos, Lower Umpqua & Siuslaw Indians

Welcome

Chair Kennedy called the meeting to order at 9:05 a.m., and welcomed the members and guests. Chair Kennedy noted that there was no quorum at this point in the meeting and a vote to approve the last meeting's minutes would be done at the next meeting.

Invocation: Chief Warren Brainard gave the invocation.

Staff Report:

Karen: Good morning Madam Chair and Commission Members. Thank you all for being here and our audience. I also want to thank those who spoke at our Spring Discussion Yesterday. You have provided the "why" that many state agencies need to know about cultural resources. Also thank you to the Department of Fish & Wildlife and their Director, Curt Melcher for hosting us here today.

Curt Melcher: Spoke to the Commission and audience members and thanked everyone for being there. It is a goal to use the room every day. Tribal liaison Jon Germond is in the audience today along with Anna Stevenson who will be our new tribal liaison.

Karen: Karen outlined the time and locations of upcoming cluster group meetings. The public safety cluster group is seeking a new chair. The Department of Corrections and Oregon Youth Authority have each spent a large amount of time in the chair position, so are seeking a new agency to lead. The group will seek participation from the Governor's office for this role.

Legislative days are coming up next week. There will be a special session followed by legislative days.

Good news to share that may not be a direct response to SB 144, but is related, is that there has been a conviction on a looting case in Klamath County. It was a conviction of 5 years and \$12,000 restitution to Klamath Tribes for looting. This is a huge improvement. Senators Roblan and Ferrioli and Representatives McKeown and Sanchez all testified and sponsors of SB 144.

Also in my report to you is an overview of recent contacts. There is a large array of people who contact this office. There are some statutory responsibilities of the office regarding designation of appropriate Tribes for archaeological permits. There are several of these a day. These are a tremendous responsibility for Tribes in allocation of resources. Various State and Federal agencies contact our office because of project permits. Of particular importance is what to do in the case of inadvertent discovery of human remains during these projects. Other contacts include Oregon Geographic Names Board, Oregon Historical Society, Willamette University, Marine Board and the Oregon Consensus Project. The business of the Commission touches on every aspect of the work of the State of Oregon.

Chair Kennedy asked about whether those receiving funds from the State Budget come together to discuss how things are going, if they can be improved and whether the funds are adequate. Karen answered that she encourages those things to happen at the cluster level before policy option packages are created. We've invited the Governor's budget advisor here today to talk a little more about the process.

U.S. Attorney Office: Bill Williams, U.S. Attorney and Tim Simmons, Assistant U.S. Attorney

Mr. Williams thanked the Commission for the opportunity to be here and introduced Tim Simmons as Tribal Liaison.

After becoming the US Attorney some years ago, Mr. Williams joined several subcommittees that advised the Attorney General. He was originally on eleven subcommittees, but is now on five including border and immigration, domestic terrorism, civil rights, marijuana and the Indian civil litigation and policy working group. As part of

the Indian civil litigation group, Mr. Williams and Mr. Simmons received updated on various cases in the courts across the country. Mr. Williams described who was involved in the group and how it operates. Tim Simmons has been nominated to serve on a newly created Tribal Liaison council to advise US Attorneys and he was selected as of this Friday.

They have hired a Victim Witness Assistance Specialist, Johanna Costa. She has a lot of experience and is committed to what we want to accomplish in Indian Country.

We are required to provide the department with an Indian Country operational plan annually. It was submitted last week. It will also be sent to the Chairs of each Tribe.

Tim Simmons: Thank for you the opportunity to be here. I want to open this up to questions so that we make sure we can cover what you want to know about any federal issues.

Don Ivy asked about the Annual Plan and who it gets submitted to. It is submitted to the executive office in DC. It then goes to the department and ultimately the Deputy Attorney General and the Attorney General. It is revised annually and stands until it is revised. We view it as a method of accountability.

Williams: We just had our second Native American Issues Subcommittee and we've identified the following as priorities: violent crime, drug trafficking, law enforcement resources, and white-collar crime. We know that law enforcement resources are critical to all Tribes as there are not enough resources. The subcommittee is focused on finding resources. I will be heading the drug trafficking group. It is a huge national issue. Marijuana is in the news a lot. There is overproduction and it is crossing the border. Warm Springs presented recently and it was very impressive to see what they were doing and their compliance with State law.

Tim Simmons: Though our annual operation plan strives to maintain some consistency among districts, our work with Tribes is based on and guided by our consultations with each Tribe.

Chair Kennedy asked about jurisdictional problems concerning violence against women. Is it something being talked about in these subcommittees and how will it be addressed. Mr. Williams stated that it is something that is talked about and mentioned that Umatilla was a pilot on prosecuting non-tribal people in Tribal court. Mr. Simmons mentioned that protection orders needed to be strengthened. Chair Kennedy also asked about the trust responsibility regarding the problems of overprescribing opioids through tribal health clinics. Mr. Williams stated that the opioid crisis is a priority for the current Attorney General. There are committees dedicated to this issue, and Mr. Williams will look into timelines. Charles Calica noted that Warm Springs has been approached by two law firms about potential lawsuits on opioids and plans to pursue. Karen Quigley asked about cultural resources and looting relating to suction dredge mining and drought conditions. Mr. Williams stated that this was something that Tim Williams has done training on nationally and is available to assist in future trainings. Jackie Mercer asked about the CMS

proposal that would impose a work requirement on Medicaid recipients. Tribes wouldn't be eligible for an exception because they are being considered race group and not having their sovereignty recognized. Mr. Williams stated that they will have a meeting coming up where they will bring it up. Gary Burke asked about funding for law enforcement for drug problems. Mr. Williams noted that this is something that the committee is exploring. Commission Member Burke also described issues of jurisdiction on the reservation.

Superintendent of State Police, Travis Hampton

Travis Hampton: Superintendent Hampton thanked the Commission for this invitation to speak today and introduced Dr. Michele Stauffenberg, the new Medical Examiner. Superintendent Hampton expressed his appreciation of the words spoken by Commission Members and other Tribal leaders yesterday at the Spring Discussion. It inspired him to have a conversation with his family. Due to Tribal leaders sharing their stories, Superintendent Hampton spoke about his experience spending time with members of the Burns Paiute Tribe during the Malheur occupation and the impact that had on his understanding of the people and this land. Oregon State Police is committed to the preservation of entirety of the State's heritage. The department employs six forensic pathologists and a physical anthropologist. The department is not funded to provide these services but they maintain this staff because it is important. Superintendent Hampton opened the talk up to questions.

Chair Kennedy spoke about a training she participated in several years ago about how artifacts were a huge business in the United State and other countries. It was shocking to learn that a large portion of those crimes happen in Oregon and Washington. She asked if there was collaboration with other agencies in terms of training and teaming of resources regarding this problem. Superintendent Hampton responded that there is collaboration between their agency and other agencies such as State Parks and Fish and Wildlife. Commission Member Burke noted that the Umatilla Tribe would like to work with OPS to develop protocols for handling human remains and cultural artifacts. He drew attention to the Washington State Physical Anthropologist and the protocols of that State. Chief Ivy referenced the culture of the agency and asked whether Superintendent Hampton believed that the understanding existed in all levels of the agency. Superintendent Hampton responded that he believes it does, though maybe not to the degree of his own awareness and then provided several examples. Chair Kennedy, referencing Commission Member Burke's comments, asked about how a collaboration with the Tribes and OSP would happen. Superintendent Hampton noted that in the past the department has utilized video trainings and would be interested in updating those materials for an online presentation. Chair Kennedy welcomed Dr. Stauffenberg. Commission Member Burke asked Superintendent Hampton to explain the outcome of the Malheur Occupation. Superintendent Hampton explained that their ultimate goal was to get them to leave while preserving life and the cultural significance of the area. The outcome was in many ways regretful.

Oregon Emergency Management Director, Andrew Phelps

Mr. Phelps introduces himself and thanked the Commission for the opportunity to be there. Their office is the lead coordinating agency for all State agencies during any emergency or disaster response. They support tribal government through direct provisional resources, staffing, technical assistance or being a liaison between Tribes and the Federal government when Federal Assistance is needed. The Office is organized into three sections in addition to the Director's office. There is mitigation and recovery, operations and preparedness, and also managing the State's 911 emergency infrastructure. There are about 45 staff members in the office of Emergency Management. There were two major pieces of legislation in the 2017 Session, one expanded the number of agencies that are part of the emergency system response council. They also supported SB 62 which enhanced the State's interstate mutual aid system. It is important that Tribes are included in this system so Tribes can now opt in to this system. There was tremendous support from Tribes in updating the implementation guide for ORCA (Oregon Resource Coordination Agreement). The ORCA system became official on January 1, 2018. One Tribal government has opted in to this mutual aid system.

Mr. Phelps then spoke about the Great American Eclipse in 2017. This was an opportunity for the agency to engage with all local and state agencies to plan for something that would affect the entire state. This was also the first time that they were able to utilize the National Mutual Aid Agreement or EMAC (Emergency Management Assistance Compact) and it was the first time that agreement had been used to support an eclipse.

The Agency continues to promote their Two Weeks Ready Campaign. Around the country, they tell you to be ready for three days. In Oregon, we say you should be ready for two weeks. We emphasize that preparedness is more than just food and water. It is important to maintain important paperwork and know how to get in touch with family members if separated. Looking ahead, the office is emphasizing the implementation of the recommendations from the Secretary of State's Audit Report. The agency is looking to add additional staff and a dedicated tribal liaison. Erik Rau is the current tribal liaison, but he also fills multiple other rolls within the agency, so they are looking to create a dedicated position. Mr. Phelps has spoken to the new FEMA Administrator about how FEMA can support Oregon. He suggested having dedicated staff to support Oregon and FEMA is now hiring, funding and housing four FEMA staff in Oregon.

They are working to expand the text to 911 program. The goal is to have boarder to boarder coverage. It is important to rural areas with poor cell phone coverage, where a text is more reliable than a phone call. It is also useful in situations where a phone call would be dangerous.

A large part of the work of the office is grant management. The 2018 grant application process has been completed for local and Tribal governments for the United States Homeland Security grant program. It provides about three million dollars to the State of Oregon and about 80% of it goes to local and Tribal governments. The State keeps about 20% to administer the program and complete state level projects. Of the three million

dollars the office anticipates, there has been about 12 million dollars in requests. Over the years, the office has been able to award funds to several Tribal jurisdictions that have made requests. It is a peer reviewed program and they are always pleased to have Tribal representation. In 2011 the law was changed to allow Tribes to be eligible for the Emergency Management Performance Grant.

The agency's strategic plan has been revised to include the following top three priorities: supporting communities, fiscal responsibility and staff development.

Commission Member Burke spoke about train derailments and subsequent cleanup efforts. What is being done about this type of situation and is there any training available or ways the Tribe can help. Mr. Phelps responded that there are systems in place for those events. In the Mosier train derailment event, the office worked with the State Fire Marshalls and moved equipment in from Portland. There are several groups working on to address environmental mitigation. Commission Member Burke also asked about any preparations for a nuclear attack. Mr. Phelps responded that the office primarily relied on Federal notifications and guidance regarding nuclear attack, but noted that the Umatilla Tribe may be in closer proximity to nuclear experts because of the Hanford site.

Consumer & Business Services Director, Cameron Smith

Mr. Smith thanked the Commission and spoke about his history as Director of Veterans' Affairs and his transition into leading DCBS. The Agency's mission is to protect and serve Oregon's consumers and workers while supporting a positive business climate. The work of the agency encompasses a wide range subject matters such as workers compensation, financial regulation, insurance, banks, health insurance, and building codes. The agency understands that the Tribes are not simply an interest group or stakeholders, but are sovereign nations.

There is a lot of uncertainty in the individual insurance market at the federal level. One of the key roles at DCBS is the rate setting role for private insurance carriers and carrier have recently submitted their initial rates with the office. Overall, there has been some stability in the small group market. We want Tribal partners to weigh in on the rate setting program.

We are seeing pharmaceutical costs rise and while the agency doesn't have rate setting influence there, the Governor and Legislature are setting up transparency in the system. Whenever there is an increase over 10%, they will draw awareness and discussion to that discussion.

A signature bill from 2017 concerned balanced billing. This addressed a situation in which a patient is treated in-network, but one procedure or provider is out of network resulting in a surprise bill. This will be disallowed beginning March 1st.

In the workers' compensation division, they are in the process of updating IT systems. In the building codes division, they are working on third party delegations. Tiny homes are a big topic for the agency. They are working to bring building codes more current to ensure that they are encouraging them and keeping them safe. Affordable housing is a major issue in both urban and rural areas and tiny homes can be a part of that conversation.

Paid family and medical leave is also a big discussion as of late. This is a priority of the Governor. There have been discussions about how to design this type of worker benefit in the Legislature.

Commission Member Burke asked about the rate setting process for insurance carriers. Mr. Smith explained the timeline and process for this process. It is a conversation that involves more than DCBS, it also includes OHA and other public and private partners. Chair Kennedy spoke about flaws in the insurance system. Access to care for poorer individuals greatly affects health outcomes. It seems that insurance companies make more money from poor people. Mr. Smith noted that those were good points and that the healthcare space was where the Agency could partner best with Tribes to work on improving the system. Chief Ivy spoke about tiny homes and his work in Coos County and asked about the potential timeline on issues surrounding tiny homes. Mr. Smith acknowledged that this is a muddled area because of the types of tiny homes and definitions. There are issues surrounding tiny homes built as recreational vehicles versus those built to the specifications of permanent structures. Commission Member Calica asked about Mr. Smith's interaction with HUD concerning tiny homes. Mr. Smith noted that they may not have necessarily weighed in on the issue. It is an evolving issue for everyone. Commission Member Burke asked about building code stickers on tiny homes. Mr. Smith responded that this was also an evolving issue and involved issues concerning the definitions. It is a confusing space that the Agency is working on.

Update on Tribal Health Directors and Oregon Health Authority, Pat Allen, Director, Jackie Mercer, Executive Director NARA, Julie Johnson, OHA Tribal Liaison

Jackie Mercer began by saying how honored she was to serve on the Commission and how much she learns at each meeting. She noted that the Tribes have wonderful health directors and that they all meet monthly and quarterly. Two things originally brought them all together. One was the work around a care coordination project. An RFP went out for care coordination on fee for service and about 19,000 of those would be native people. A number of people advocated and were able to get that separated from the main contract. Care Oregon is providing this service and is doing a great job. They have served 500 in eight months and has been an extremely successful project. The second thing that happened is that a letter came out allowing the State of Oregon to bill the Federal Government 100% for referrals out of Tribal Health Clinics. This constitutes huge savings for the State. What really set it apart is that Governor Brown agreed to reinvest those savings back into Tribal health. This is all a great example to what can happen when everyone works together.

OHA has done some great work recently. Their Director, Pat Allen and Tribal Liaison, Julie Johnson have worked extremely hard. There was a meeting recently concerning substance abuse waivers, medication assisted therapy and pain management issues and an employee working at OHA on these issues said some concerning things. The comments went from disrespect to attacks on sovereignty. When someone doesn't understand sovereignty, and has reached high levels within an organization with the ability to affect rules and policymaking, it can cause problems. If the group hadn't discovered this and the OHA hadn't responded, the Agency and Tribes could be in a bad place today. After that meeting, the Tribal Health group canceled their next meeting and instead met with Director Allen. There were seven Tribes represented at that meeting and Director Allen was able to listen and apologize. Members of the workgroup have asked to not work with that employee again. Commission Member Mercer noted that the Tribes can be really proud of their people and their ability to recognize where changes can be made and ask for those changes in a good way. They have also recognized that there are a lot of good, effective people working for OHA who are willing to make things right.

Director Allen spoke to the Commission apologized for what happened at that meeting and for the history of the Agency's difficult relationship with Oregon Tribes. He reiterated that the Agency would put the Tribal Health Group's requests into action. Director Allen also noted that while the Agency did understand sovereignty, he can't always guarantee that every employee will behave with that understanding, but the Agency will take action when that lack of knowledge or respect is shown.

Julie Johnson echoed the Director's words that the Agency understands sovereignty and is committed to working with Tribes. They will continue to strive to work positively with Tribes. A lot of progress has been made and they want to continue to do that work.

Commission Member Mercer spoke about how difficult it can be to institutionalize any meaningful consultation. This is something that we can think about. What changes can be made to ensure that every employee at all levels of the organization understands this issue.

Chair Kennedy noted that there must be something in the culture that has been there for a long time that would contribute to the behavior of one employee. There needs to be diligence to correct this issue. Education and oversight is crucial. Positive action is appreciated. She asked for Director Allen's assessment of where the Agency is and how much longer he thinks it will take to get all aspects of the services going for the Tribes. Mr. Allen noted that the Agency has adopted a new consultation policy in March. Significant process has been made in terms of consultation with Tribes on high visibility, big issues. Where the Agency is still lacking is at the individual level, where they don't realize that there may be a Tribal impact with what they are doing. Julie Johnson spoke about training for OHA employees including what they currently do and ways to improve and add to the trainings. Director Allen noted that it was important that all new employees were receiving this training but that the Agency needs to implement it into more consistent yearly training. Commission Member Calica spoke about how he heard about what happened at the meeting and how it reminded him of problems Warm Springs has had with the Indian

Health Service. He is hopeful that these issues can be addressed. Director Allen emphasized that the comments made by the employee are not consistent with the policy of OHA and they want to work to work to improve their relationship with the Tribes. Commission Member Courtney spoke about attending the meeting with Director Allen as a representative of Cow Creek. He appreciated that Director Allen was at this meeting, listened and was prepared to act. Commission Member Burke invited OHA to visit the grand opening of the Yellowhawk Clinic. Chief Ivy noted that these issues have been worked on for two years, but it is still happening, so it must be symptomatic. It is hard to see that the comments of one individual are just the individual. It is representative of an attitude or culture that is institutionalized. In this case fixing one person, won't fix the problem. It might be helpful if part of the conversation wasn't about consultation and policy, but if context was given for some of these situations. It might be easier to understand what is happening and why. Director Allen spoke about the structure if the Agency and where the greater numbers of the 4,200 employees of OHA work. Tribal input regarding the Agency's reorganization will be important. There have been problems with the organization of the Behavioral Health Division and the Oregon Health Plan and they hope that restructuring will help address some of the problems. Ultimately, Director Allen believes that the Agency has been heading in a good direction, they're just not there yet. Commission Member Mercer noted that a large part of the problem in the situation with the OHA employee is not just what was said, but how the mindset has affected that employees work on Tribal issues. She proposed that OHA have a dedicated manager with authority to address Tribal issues with employees.

Working Lunch & Commission Member Reports:

Dan Courtney, Cow Creek: The Tribe has been working on the self-governance compact for several years now and it was signed in April. They are starting work on Tribal Activities Center. It will help expand the Education Department for youth programs. The Tribes FEMA Hazard Mitigation plan has been recently approved. They continue to build HUD housing. The Tribe is looking at a Wetland Mitigation Bank development through the State. The Tribe's utility has a second electric point of delivery in Roseburg, that makes a fourth point of delivery.

Charles Calica, Warm Springs: The most significant thing right now for the Tribe is joining with the Confederated Tribes of Umatilla in the multi-district litigation process against the manufacturers of opioids. Their attorney had sought to reach out to the Executive Director of the Commission to see if other Tribes may be interested in joining.

Chair Kennedy noted that Grand Ronde did have an attorney that they are working with and that she understood that there were a number of Tribes in Washington that have banded together. Karen Quigley noted that no one has been in touch with the Commission, but would suggest that he reach out to each of the Tribes individually as that would be a decision of each Tribal government.

Gary Burke, Umatilla: The Tribe has recently held the soft-opening of the Yellowhawk Clinic. They are finalizing the expansion of the Wildhorse resort and considering building a tower for parking. There will be a bowling alley, new cinemas and an expansion of the gaming floor. The Tribe is finishing up work on a new education facility. Commission Member Burke noted that the Tribe is working with the same counsel as Warm Springs on the opioid lawsuit. He also described various meetings about Cascade Locks and what was happening in terms of development and input from Tribes.

Department of Human Services Director, Fariborz Pakseresht

Director Pakseresht thanked the Commission for the opportunity to be at the meeting. He began by speaking about the Agency's Department of Aging and People with Disabilities Program (APD). They are currently pursuing an option for Oregon Indian Tribes, Tribal Organizations and Urban Indian Organization to serve as Medicaid long-term care services and support navigators. In coordination with the Tribes, they will create a position description for the navigator and work to put the program in place. There will also be a program for Tribal case managers for elders. Director Pakseresht then outlined some work that has been completed to date with Tribes and APD as well as various upcoming projects and events.

Director Pakseresht then spoke about the Child Welfare Department and various projects and events they were working on with the Tribes. In particular, they are looking into why there is a disproportionate number of Native American children in the foster care system. They are working closely with the Klamath Tribes and sharing data to try to understand why this is happening. They understand that it is a priority for the Tribes to keep their children with the Tribes.

In the Self Sufficiency Department, they are handling a change in TANF services regarding the Tolowa Dee-Ni' Nation. The Agency is committed to sharing the letter they will have with that Tribe outlining their services. They do not have that letter at this time. So far, no TANF cases have been transferred to that Tribe. Regarding the SNAP program, there is a high rate of food insecurity in college students, so they are expanding the program to include college students. They are also following a program that makes services available to those transitioning from juvenile or adult facilities. Access to social services and food assistance is essential to a healthy transition to the larger community. He then spoke about the two-generation program which emphasizes that it is almost impossible to serve families without serving children and vice versa. The Agency has been working on this with Tribes and the schools.

There are rumors that there may be substantial reductions in vocational rehabilitation programs at the federal level. The Agency is waiting to get confirmation so they know where they stand.

Commission Member Mercer began by acknowledging an employee at DHS, Jen Allen, who has done a great job and is part of the reason the Navigator Program is happening. She

then noted that there was a matter that may not have risen to the Director's level that is of concern to Tribes. There used to be team that took on some Oregon Health Plan functions during a time when OHA was struggling. A team was assigned to essentially help Tribes get eligibility. There has been talk that the team is now essentially saying that they only take on problems and not there to be dedicated help to Tribes. Director Pakseresht confirmed that he had heard of this problem and apologized on behalf of the Agency. He understands that they are working to start rebuilding that structure and acknowledged that education is needed. LCIS Director Karen Quigley asked Director Pakseresht to talk about the Agency's new Tribal Liaison, John Spence. He noted that Dr. Spence has stepped in as the interim Tribal Liaison and has been asked to do a comprehensive review of the Agency's Tribal Program. He will also help recruit the next Tribal Director along with the Tribes. The Agency consists of 8,400 people and they work with all Tribes. Chair Kennedy thanked the Director for speaking today and invited him to visit with Grand Ronde's Tribal Council.

Governor's Office Budget Advisor, Debbie Koreski:

Ms. Koreski began by introducing herself and noted that her main focus was to help put together the Governor's recommended budget, which will be published on November 30th of this year. This budget will be used as a starting point for work and discussion with the Legislature. The office works with revenue forecasts from the State Economist, with the May forecast being the most useful and accurate. Oregon is on a two-year budget process and is also very dependent on Federal funds. Ms. Koreski noted that the State was doing much better than they thought in 2016. The forecasted budget gap has become smaller. She then outlined several measures taken that contributed to closing the gap which included essentially flat funding OHA. Health and Human Services is growing the budget. She described various State programs that have grown and ones such as early childhood that the Governor's office would like to expand.

Looking toward the next budget, Agencies will submit their budgets to the Governor's Office for consideration on August 1st and September 1st. For Tribes interested in many aspects of what happens with State Agencies, this would be a good place to start. For increases in funding or gaps in services, the Governor's office is very happy to have those conversations. They will start making those decisions in October.

The Governor is focused on expanding funding early childhood. Mental health and drug addiction services are also a focus, including how that affects the whole family. There is a push to ensure that children have a good start in life. The Office is also looking at increased funding for K-12 targeting class sizes. She talked about what funding means in choices for schools in smaller districts and the larger districts. In natural resources they are focused on water and fire issues. In Economic development, the Governor is focusing on rural issues, primarily those related to housing. The Office is also working on public safety issues, namely prison populations and funding of state troopers. As prison populations have grown, they have made cuts to funding for troopers.

Chair Kennedy thanked Ms. Koreski for coming today and asked about revenue streams. She responded that revenue has always been a tough issue and that there is a push to tie tax increases to those things that they pay for. Chair Kennedy asked about consultation with Tribes and invited Ms. Koreski and the Governor's Office to visit Grand Ronde. Commission Member Burke also issued an invitation to Umatilla.

Department of Fish & Wildlife Director, Curt Melcher:

Director Melcher noted that it was a pleasure to be here and introduced himself and his history with the Agency. He stated that the public trust resources that the Agency manages are possibly some of the most important to the Tribes. Director Melcher noted that they have now hired an Archaeologist, Danny Pettit. He emphasized that they took the work very seriously because they know that these important wildlife habitats have also been important throughout time for those Tribes living in those areas. They did not fund the position from the State's general fund. It is funded through the Agency itself, mainly through hunting and angling revenue. He noted that it isn't just the Tribal Liaison or executive staff of ODF&W that interact with Tribes, but all levels. It is the expectation of the Agency that all staff are engaged with the Tribes.

They have been working with the Warm Springs Tribe to get a long-term hunting agreement in place on ceded lands. It will be approved by the commission in June. They have reached an agreement recently with the Coquille Tribe regarding shellfish harvesting in Coos County. They have also been working with the Burns Paiute Tribe on additional hunting areas.

Karen Quigley thanked Director Melcher for the use of his Agency's Commission room and noted that this was the first time LCIS had met at a State Agency location. She asked if he could share a little about their budget or policy option packages. Director Melcher noted that Oregon Statute requires that the ODF&W Commission approve the Agency's budget. They are currently seeking to maintain current funding and current programs. They also have several policy option packages. Most are general fund requests, though there is a lot asked of the general fund so it is unlikely many of those requests would be funded. The Agency does make sure to ask if there is a need even if it is unlikely to be funded. Some of those packages relate to wolf population management, integrated water resources strategy, Klamath dams, Pacific Connector Gas Pipeline Project, and fisheries. Commission Member Calica spoke about Columbia River fish management, in particular the mouth of the Deschutes and problems associated with it. The Tribe is concerned about fish coming up the Deschutes to the Tribe's fish hatchery and general issues stemming from a multidisciplinary approach to management. Director Melcher spoke about the background and noted that in Oregon Statute, the Oregon Fish and Wildlife Commission has the rulemaking authority, while the Director maintains authority to do emergency rulemaking. This is an issue that the Commission is also interested in. They have directed the Agency to look into climate change and drought impacts, not only as it relates to the mouth of the Deschutes. They hope to engage in permanent rule making 2019, and support emergency rule making in the meantime. Commission Member Burke asked about sea lions in the

Columbia river and the problems they have caused for fisherman. Director Melcher responded that they have been a problem not only in the Columbia, but also in the Willamette and some coastal areas. He explained a little of the history of California and Steller Sea Lions including population and that they were at one time a protected species. They have recovered and are now having impacts endangered species listed salmonids. The Agency does manage the population and Director Melcher described the process by which that happens. He also discussed toxicity issues regarding sea lions and the condor program. Regarding the condor program, director Melcher also discussed lead ammunition and what other states and his agency were doing to combat the problem.

Confluence Project, Colin Fogarty, Executive Director:

Executive Director Colin Fogarty introduced himself and briefly described the Confluence Project. Director Fogarty then introduced Shyla Spicer who is the project manager for the project. Ms. Spicer is an enrolled member of the Yakima Nation and will be working on the Celilo Park project as well as maintenance of the other completed projects. Director Fogarty thanked Commission Members Calica and Burke for their support of the project. He noted that they were here today to describe the project, gain guidance from the Commission and request a letter of support for a Federal grant related to the project. He began by noting that the project began in the lead up to the Lewis and Clark Bicentennial and the leaders such as Antone Minthorn and Ron Suppah felt strongly that the it needed to be a story about the people that Lewis and Clark met and that the descendants of those people were still here. It eventually became six projects along the Columbia River System beginning with Cape Disappointment at the mouth of the Columbia and ends in Chief Timothy Park along the Snake River. Director Fogarty described each of the six projects.

Along the way the Project has developed a serious of education initiatives with Tribal partners. The Confluence in the Classroom program aims to bring Native artists and educators into schools to do meaningful projects about the Columbia River System. Another initiative is called Confluence the Community which does meaningful events surrounding the sights. They aim to connect people to place through art.

Director Fogarty then spoke about the Celilo Falls Project designed by Maya Lin. There are three basic features to the Project. The first is an interpretive pavilion where people can learn about Celilo Falls. The second is a 70-foot sculpture of the Columbia River made of basalt. The third feature is a walkway inspired by indigenous fishing platforms. There are three purposes to the project, to educate people, honor the indigenous people of the Columbia River, and to strengthen the Tribal presence in the public spaces along the river.

In 2011 LCIS gave a letter of support to the project. In 2015 the Yakima Nation Tribal Council sent a letter stating that they no longer supported the project. Since then the Confluence Project has been trying to engage in a respectful dialogue with the Tribe. In December they met with the Tribal Council and many of the members stood in favor of the project including the Tribal Council Chairman.

Director Fogarty explained that he was here today to ask for a letter of support for the Celilo project similar to one sent in 2011.

The Commission discussed that there was no quorum at this meeting. LCIS Director Karen Quigley noted that it would be possible to draft a letter explaining that there was a presentation at this meeting and those members present were in support of a letter being sent, though it was not possible to have an official vote. Chair Kennedy asked if there was any objection to moving forward with such a letter and there was no objection.

Continued... Commission Member Reports and Discussion:

Chief Don Ivy: Chief Ivy stated that the only thing Chairwoman Meade asked him to convey was to personally offer invitation to the Tribe's 29th Restoration Celebration.

Chief Warren Brainard: Chief Brainard spoke of a federal bill, S1285, that has recently passed. It is the Oregon Tribal Economic Development Act which essentially allows Tribes to buy and sell land without needing congressional approval. They recently had a Tribal election and have three new Tribal Council Members, including Debbie Bossley who was here today. They are working on their land transfer.

Jackie Mercer: Commission Member Mercer shared about NARA's new treatment center and that they have had four graduates so far. The class painted a tree on the wall and each student who graduates puts their handprint on the tree as a new leaf. She noted that they are learning a lot and are constantly reexamining the program to best serve the kids. There is an online classroom set up so that they can take classes. Saturday is Children's Mental Health Day and they are hosting it at the site. There is a new project for women and they were able to offer a health day where women could come for services. They are hoping to put together an elders program.

Chairwoman Kennedy: Chair Kennedy spoke about participating in the Chemawa discussion which demonstrated how important the school was. Two Senators and two Congressmen were there. Commission Member Dee Pigsley and Chair Kennedy were asked by Senator Wyden to Co-chair a group to respond with five solutions to make the school better. There will be a meeting held at ATNI to discuss five recommendations to deliver to the Congressional Group. Chair Kennedy noted that the Tribe was expanding their educational facility. They are beginning a two-year-old Head Start program. Their Museum, Chachalu, will be opening on June 1st. Tribal Council has started their budgeting process a little early this year in order to make sure that priorities are front and center. They are also doing some restructuring.

Chair Kennedy adjourned the meeting at 3:20 p.m.