



Oregon

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Oregon Watershed Enhancement Board

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Major Areas of Work

The Oregon Watershed Enhancement Board (OWEB) is a state agency with statutory authority to administer constitutionally dedicated funds for the purpose of protecting and enhancing Oregon's watersheds and native fish and wildlife habitats. The responsibilities of the agency include:

- Managing a grant program for watershed protection and enhancement;
- Assisting in the development and implementation of watershed-scale restoration efforts; and
- Coordinating and supporting local infrastructure throughout the state to achieve voluntary cooperative conservation outcomes.

OWEB works with Oregon's nine federally recognized tribes on a government-to-government basis to address the watershed scale restoration efforts and through a grant program to fund watershed management, protection, and restoration projects.

OWEB is led by a 17-member policy oversight and decision-making board. Board members represent the public at large, federally recognized tribes, state natural resource agency boards and commissions, Oregon State University Extension Service, and five federal land management and natural resource agencies. The agency provides grants and services to citizen groups, organizations, and agencies working to restore healthy watersheds in Oregon. OWEB actions support the Oregon Plan for Salmon and Watersheds, created in 1997. Funding comes from the Oregon Lottery as a result of citizen initiatives in 1998 and 2010, sales of salmon license plates since 1997, federal salmon recovery funds, and other sources.

Department Statement

In 2007, the OWEB Board unanimously adopted a Statement of Policy on State/Tribal Government-to-Government Relations. In 2017, OWEB began a process to revise its policy and worked with LCIS to distribute the draft policy to tribes in Oregon for review and comments. OWEB is currently in final stages to incorporate the comments that were received to complete this revised policy. It is our intent to distribute the policy to tribes in early 2018.

Summary of Programs and Process for Involving Tribes

OWEB involves tribes at all levels of the organization. The following sections describe the agency's involvement during 2017 with Oregon's nine federally recognized tribal governments and the Nez Perce Tribe that shares territory in Idaho and Oregon.

OWEB Board and Management

Board Membership

The Governor appoints a tribal representative as a voting member of the OWEB board. The position currently is occupied by Jason Robison, Natural Resources Director of the Cow Creek Band of Umpqua Tribe of Indians. He began his term in February 2017 when the term of Eric Quaempts, Natural Resources Director of the Confederated Tribes of the Umatilla Indian Reservation, was complete.

The tribal position helps identify opportunities for collaboration and ensures the OWEB board and staff are aware of their responsibilities to involve and consider tribal interests. Robison is fully engaged in this process and actively participates on the board's focused investments and monitoring subcommittees.

Grant Program

1. **Grant Applicants.** OWEB grants are available to a broad range of entities, including tribes [ORS 541.375(1)]. In addition to eligibility on their own, tribes are often members of local watershed councils. Oregon statutes describing watershed councils, ORS 541.388, specifically identifies "federally recognized Indian Tribes" as potential members of local watershed councils.
2. **Small Grant Program.** In OWEB's small grant program (OAR Chapter 695, Division 35) tribes are identified as an eligible member of "Small Grant Teams" in each of the 28 Small Grant areas around the state. In this role, tribes are members of local teams that award grants of up to \$15,000 for watershed restoration purposes. Other members of the teams include watershed councils and soil and water conservation districts. In 2017, nine tribal agency representatives served on 17 of the 28 Small Grants Teams.
3. **Regular Grant Program Tribal Participation.** OWEB solicits grant applications twice a year through the Regular Grant Program. During 2017, four grants were awarded to tribes: Confederated Tribes of the Warm Springs Reservation of Oregon, two grants totaling \$141,090; Confederated Tribes of Siletz Indians, one grant totaling \$572,859; and Confederated Tribes of Umatilla Indian Reservation, one grant totaling \$376,030. Tribal agencies have also submitted four applications in the most

recent grant cycle, for which awards have not yet been made. Since 2006, OWEB has awarded approximately \$5,500,000 in grants to tribal governments. OWEB's Regional Program Representatives (RPRs) have regular contact with tribal staff who administer the grants which OWEB provides to tribes in Oregon. This includes meeting with interested tribes prior to grant application submission and continues all the way through the completion of the grant.

4. **Regular Grant Program – Tribal Participation on Regional Review Teams.** Applications received through OWEB's Regular Grant Program are reviewed by one of six Regional Review Teams, comprised of state, federal, and tribal natural resource professionals. In 2017, seven tribal agency representatives participated on agency Regional Review Teams, including representatives from the Nez Perce Tribe, Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of Siletz Indians, Confederated Tribes of the Warm Springs Reservation of Oregon, The Klamath Tribes, Cow Creek Band of Umpqua Tribe of Indians, and the Confederated Tribes of the Grand Ronde Community of Oregon.
5. **Land Acquisition Grant Program.** OWEB's land acquisition grant program provides funding for projects that acquire an interest in land from a willing seller for the purpose of addressing the conservation needs of priority habitat and species. OWEB notifies tribes after an acquisition application is received. In addition, in 2017 OWEB's executive director, grant program manager and tribal liaison met with the Confederated Tribes of Siletz Indians fisheries program manager to discuss their long term interests and planning efforts related to land acquisition and restoration.
6. **Water Acquisition Grant Program.** OWEB's water acquisition grant program provides funding for programs or projects that acquire an interest or interests in water from a willing seller for the purpose of increasing instream flow. OWEB provides notification to tribes after a water acquisition grant application is received.
7. **Focused Investment Partnership Program.** In 2017, tribes continued to participate in the Focused Investment Partnership (FIP) Program. The OWEB board made the initial awards in the newly created program in 2016. The FIP Program offers Implementation and Capacity-Building funding.

Implementation funding provides opportunities for tribes and others to work collaboratively in partnerships on ambitious, long-term, and landscape-scale programmatic restoration initiatives aimed at creating measurable outcomes within priority areas that were identified by the OWEB board. Two of the six Implementation FIPs that were funded by the OWEB board include tribes in their core partnerships, including the Burns Paiute Tribe and the Confederated Tribes of the Umatilla Indian Reservation. In addition, the Grande Ronde and the Deschutes River FIPs have tribal representatives on the technical review team from the Confederated Tribes of the Umatilla Indian Reservation and the Confederated Tribes of the Warm Springs Reservation of Oregon, respectively.

Two-year Capacity-Building FIP funding allows partnerships to produce or enhance a Strategic Action Plan, and in doing so, to cultivate their partnership and develop an approach to programmatic restoration actions in their focused geography. Six of the eight Collaborative-Building FIPs which the board awarded in 2016 include tribes as core partners. Those include the Confederated Tribes of the Warm Springs Reservation of Oregon, Cow Creek Band of Umpqua Tribe of Indians, Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, Nez Perce Tribe, and the Confederated Tribes of Siletz Indians.

In October 2017, the OWEB board awarded new Capacity-Building FIP grants. Three of the four partnerships that received funding include tribes as core partners. Those tribes include the Confederated Tribes of the Warm Springs Reservation of Oregon, who participate in two of the newly funded partnerships. The other partnership includes Lomakatsi Restoration. While not a tribal government agency, this non-profit organization is heavily involved in applying Traditional Ecological Knowledge and providing employment and technical training for tribal members working on watershed restoration projects. In addition, OWEB met with the Confederated Tribes of the Warm Springs Reservation of Oregon to discuss their questions about the FIP program and how they can work with a variety of partnerships that are emerging to meet tribal goals and objectives.

8. **Other Grant Program Involvements.** The Confederated Tribes of the Warm Springs Reservation of Oregon is a key participant in the Upper Middle Fork John Day River Intensively Monitored Watershed and is receiving additional funding for the current federal fiscal year and state biennium for their work.

OWEB staff participates on the Confederated Tribes of the Warm Springs Reservation's John Day restoration review team, which allocates Bonneville Power Administration funding for watershed restoration projects designed to improve salmon habitat.

OWEB staff also participates in the Willamette Wildlife Mitigation Program (WWMP). The WWMP is the result of the State's 2010 agreement with Bonneville Power Administration for mitigation for the loss of fish and wildlife habitat due to the construction of 13 dams and reservoirs on major tributaries to the Willamette River from 1946-1964. Members from Confederated Tribes of the Warm Springs, Confederated Tribes of Grand Ronde Community, and Confederated Tribes of Siletz Indians participate in the WWMP, as they all have historic hunting, fishing, and trading areas in the Basin.

OWEB's Technical Services Program convened a meeting with tribes that receive and co-report on Pacific Coast Salmon Recovery Fund grants. OWEB and tribes both receive these funds from NOAA and are required to report on the outcomes of these grants. To reduce confusion and potential duplicative reporting, OWEB acted proactively to engage the tribes to discuss potential solutions to address this issue.

Oregon Agricultural Heritage Program (OAHP)

OAHP was established by the Oregon legislature in 2017 to provide voluntary incentives to farmers and ranchers to support practices that maintain or enhance agriculture and fish, wildlife, or other natural resources on agricultural lands. The Oregon Agricultural Heritage Commission (commission) oversees the program and makes funding and policy recommendations to the OWEB Board. The commission will consist of 12 members who are appointed by the OWEB Board, including one member selected by the OWEB Board who is a representative of tribal interests. To fill this position OWEB worked with the Federally Recognized Tribes in Oregon to seek qualified applicants. After significant outreach efforts OWEB received several applicants from interested representatives of tribes in Oregon. OWEB plans to select Nathan Jackson, who is a rancher and manages the K Bar Ranches Corporation for the Cow Creek Band of Umpqua Tribe of Indians. Nathan is also an enrolled tribal member of the Cow Creek Band of Umpqua Tribe of Indians and Cattlemen's Association President.

Promotion of Communication between OWEB and Tribes

1. **Tribal Liaison.** In conformance with OWEB's tribal policy, OWEB designates a staff person to operate as a tribal liaison for the agency. The tribal liaison is responsible for ensuring that OWEB's programs and policy development adheres to our tribal policy. This includes coordinating program and policy notices to tribal natural resource key contacts and providing training to staff as appropriate. OWEB discussed the tribal policy with all staff to highlight its importance and discuss ways to implement the identified measures.
2. **Training and Technical Support for Grantees.** In 2015, OWEB initiated a tribal outreach plan aimed at increasing the involvement of tribes in our grant programs and in our agency's policy development.
 - i. As a result of that work, one important topic OWEB staff and management worked on in 2017 was increasing restoration grantee awareness of federal, tribal and state Cultural Resources Protection regulations. OWEB worked with representatives from the State Historic Preservation Office, Confederated Tribes of the Umatilla Indian Reservation, Coquille Indian Tribe, and the Confederated Tribes of the Warm Springs Reservation of Oregon to hold a session at a conference for restoration practitioners, and through a webinar to describe the regulatory process and provide resources to help grantees successfully comply with these important laws.
 - ii. In addition, OWEB provided funding to Conservation Reserve Enhancement Program (CREP) technicians to attend the State Parks Archeology training in April 2017 to learn more about this regulatory process, and to identify and protect cultural resources before implementing contracts.
 - iii. Finally, OWEB has provided additional funding to the Farm Services Agency and CREP technicians to help them hire licensed archeologists to perform cultural resources

surveys during the planning process and monitoring when implementing CREP contracts on private property, if required.

3. **Cultural Resources Protection Permits.** OWEB's grant agreement contains language that require the grantee submit to the board's Project Manager copies of all required permits or licenses, or submit written evidence that permits and licenses are not required, before the release of board funds. In addition, OWEB added language to its grant agreement that specifically identifies State, Federal, and Tribal Cultural Resources Protection permits may be required prior to implementing their restoration project. OWEB will continue to emphasize to our grantees and grant project managers the importance of complying with regulations to protect cultural resources.
4. **Annual Tribal Summit and Tribal Work Groups.** OWEB's executive director and tribal liaison attended the Annual Tribal Summit and training in Lincoln City to engage and listen to tribal representatives to better understand the issues that are important to them. The tribal liaison also attended Tribal Natural Resources Workgroup meetings in 2017 to share information and to better understand key initiatives tribes and state natural resource agencies are working on that may be relevant to each other. In addition, the tribal liaison participated in a meeting of state natural resources agencies organized by ODF and the governor's office to discuss the status of each agency's tribal policy and share lessons learned while working with tribes in Oregon.
5. **Administrative Rules.** In 2017, OWEB provided information to Tribes to request comments on three different administrative rule changes and development. A representative of the Confederated Tribes of the Warm Springs Reservation of Oregon sat on the Rule Advisory Committee (RAC) for the stakeholder engagement grant offering rule changes.
6. **Informal Meetings with Tribes.** OWEB staff met in person with two tribes at their local offices in 2017 to improve relations and better understand their short- and long-term goals and objectives related to watershed monitoring and restoration. On June 20th, the Region 4 program representative and tribal liaison met with The Klamath Tribes natural resources staff and received a tour of their water quality laboratory and fish culture facilities in Chiloquin. In addition, staff toured the Tribes' Sprague River monitoring and future restoration sites to discuss ongoing scientific studies and outreach efforts within their tribal community. On June 26th, the Region 2 program representative and tribal liaison met with the Confederated Tribes of Siletz Indians to hear about the Tribe's plans to meet their river restoration goals and objectives to improve fish habitat and improve access for tribal members to hunt, fish, and gather culturally significant materials.
7. **Partner Communications.** OWEB is also partnering with the Network of Oregon Watershed Councils to expand communications with tribes. In 2017, the Network hosted an all-day meeting with the Confederated Tribes of Grand Ronde Community

to discuss areas of mutual interest related to watershed restoration projects with Willamette Valley watershed councils. This meeting was opened by a tribal council member and attended by tribal natural resources and cultural resources staff. OWEB staff attended as well.

OWEB is working with several state natural resources agencies to plan a 2018 mid- and north-coast water monitoring summit. As part of the planning process, OWEB's tribal liaison reached out to tribes who have interest in coastal issues to invite them to attend the summit and provide input in the development of the meeting's agenda and list of presenters. The Confederated Tribes of Siletz Indians will present their monitoring efforts related to water quality impacts to shellfish on the coast.

OWEB's tribal liaison is participating in Portland State University's Professional Certificate in Tribal Relations. This year-long course includes a tour of reservations in Oregon and Washington in 2018, a trip to attend NCAI's annual meeting in Washington DC, and a tour to meet with state legislators in Washington and Oregon.

9. **Strategic Plan.** In January 2017, OWEB initiated a process to develop a 5-10 year Strategic Plan, seeking extensive public and tribal input. Tribal member Eric Quaempts sits on the board's external advisory group to provide the board insights and perspectives on strategic plan development. In addition, OWEB has interviewed tribal representatives about their experiences and work with OWEB, as well as the impact OWEB has had on tribes, communities, and watersheds over the last 20 years. Finally, OWEB hosted two tribal focus group conference calls to discuss ideas on how to implement the 8 strategic priority actions the OWEB board developed.

It is through these interactions that relations are developed and trust is built. OWEB looks forward to building off of these blossoming relationships in 2018 and in the years to come.