



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 an 18-member policy oversight and decision-making board. Board members represent the public at large, federally recognized tribes, five state natural resource agency boards and commissions, Oregon State University Extension Service, and six 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 2018, OWEB completed its process and revised its tribal engagement policy and provided this to the tribes through the Tribal Natural Resources Workgroup. The tribal liaison worked with the director to communicate with OWEB staff the changes in the revised policy and what they should keep in mind to work effectively with tribes.

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 2018 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.

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 2018, representatives of all nine federal recognized tribes in Oregon and the Nez Perce Tribe served on 15 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 2018, five grants totaling more than a million dollars were awarded to tribes: Confederated Tribes of the Umatilla Indian Reservation, two grants totaling \$593,235; The Klamath Tribes, one grant totaling \$217,770; Confederated Tribes of Warm Springs Reservation of Oregon, one grant totaling \$182,089; and the Nez Perce Tribe, one grant totaling \$60,275. 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 \$6,570,000 in grants to tribal governments. OWEB's Regional Program Representatives (RPRs) and 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. All six regional review teams have a tribal natural resource professional participate in the review process. In 2018, six 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, 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 all tribes after an acquisition application is received to solicit input in the decision making process. In addition, OWEB notifies tribes once a recommendation has been made allowing tribes to provide additional input prior to the OWEB board's funding decision.
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. Similarly to the land acquisition grant program, OWEB provides notification to tribes after a water acquisition grant application is received and once a recommendations has been made to allow multiple opportunities to provide input to the decision making process.
7. **Focused Investment Partnership Program.** In 2018, 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 Development 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 in 2015 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 Development 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 Development 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 June 2018, OWEB received 10 applications for new Implementation FIP grants. Five of those 10 applications include tribes as core partners. Those tribes include the Burns Paiute Tribe, the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians, Confederated Tribes of Grand Ronde, Confederated Tribes of Siletz Indians (2 FIP applications), Confederated Tribes of the Umatilla Indian Reservation, and the Confederated Tribes of the Warm Springs Reservation of Oregon (2 FIP applications).

8. **Other Grant Program Involvements.** The Confederated Tribes of the Warm Springs Reservation of Oregon continues to be a key participant in the Upper Middle Fork John Day River Intensively Monitored Watershed and received additional funding this year to continue their important work in this long term restoration monitoring effort.

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 is working with tribes and the Oregon Lottery to highlight their restoration actions in short videos that were distributed widely to promote the beneficiaries of Oregon Lottery. OWEB worked with the Confederated Tribes of the Umatilla Reservation to highlight their restoration efforts in Meacham Creek. OWEB worked with local partners and the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians and Confederated Tribes of the Siletz Indians to promote the restoration efforts in Fivemile-Bell Creek. OWEB worked with local partners and the Confederated Tribes of the Warm Springs Reservation of Oregon to highlight the restoration project at Cavender Wetland.

Please see the films and a short write-up at the following links:

<https://oregonlottery.org/beneficiaries/watershed-enhancement/meacham-creek>

<https://oregonlottery.org/beneficiaries/watershed-enhancement/fivemile-bell-restoration>

<https://oregonlottery.org/beneficiaries/watershed-enhancement/cavender-wetland-enhancement>

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 consists 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. This position is filled by 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. The commission has met numerous times throughout 2018 to develop rules for the program and recommend statutory changes to the program. Throughout the rules, tribes are recognized as an eligible applicant for all programs.

Strategic Implementation Area (SIA) Monitoring

During 2018, OWEB has taken the lead on administering funds in support of Strategic Implementation Areas (SIAs), a program initiated by the Oregon Department of Agriculture to improve water quality on rural lands throughout Oregon. SIAs are the current means of implementing the Coordinated Streamside Management initiative, co-led by ODA and OWEB. Monitoring is an important component of SIA implementation, and OWEB has convened an inter-agency team to provide overall statewide guidance to Local Monitoring Teams for each individual SIA. Each of these Local Monitoring Teams will recruit participation with local representatives from the state agencies involved, and also recruit

participation from local landowners and data providers, including tribes. The team will develop detailed monitoring plans to evaluate water quality outcomes over time. Several SIAs are anticipated to be identified each biennium. In 2018, four SIAs were initiated and the first Local Monitoring Team was convened to support the Umatilla SIA, engaging the Confederated Tribes of the Umatilla Indian Reservation in detailed conversations about existing data and planning future water quality monitoring.

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. This position assisted in the revision of OWEB's tribal policy and highlighted its importance to staff and discussed ways to implement the identified measures.

In addition, the tribal liaison completed the 11-month Professional Certificate in Tribal Relations at Portland State University's Institute for Tribal Government in 2018. This course provided information to better understand the intricacies of effective communication and relation building with tribes. The course material, invited tribal speakers and field trips provided ample opportunity to learn and meet tribal representatives. Finally, this course has formed a community of practitioners within and across past class participants to provide future resources to work effectively with tribes in Oregon.

OWEB has been assisting the Governor's Natural Resources Office (GNRO) in communicating with tribes related to the Governor's 100-year Water Vision. The tribal liaison assisted in drafting a letter that the GNRO sent to each tribe's chairperson and natural resource director providing background information and requesting a point of contact to communicate with on this important initiative.

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. In April and October 2018, OWEB's fiscal staff provided training to assist tribes in administering OWEB grants.
 - ii. OWEB continues to provide 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.
 - iii. Finally, OWEB is providing funding to send 10 Conservation Reserve Enhancement Program (CREP) technicians to attend the State Parks Archeology training in April 2019 to learn more about this regulatory process, and to identify and protect cultural resources before implementing contracts.

3. **Cultural Resources Protection Permits.** OWEB continues 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 deputy director and tribal liaison attended the Annual Tribal Summit and training hosted by the Confederated Tribes of Grand Ronde on November 27th 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 2018 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. OWEB presented two important topics throughout the year on tide gate restoration and on OWEB's Strategic Plan that was approved on June 2018.
5. **Administrative Rules.** In 2018, OWEB provided information to tribes to request comments on three occasions for administrative rulemaking. In particular, OWEB staff worked with the Nez Perce Tribe to ensure the tribe's eligibility in Small Grant Program administrative rules. In addition, a representative of the Confederated Tribes of the Warm Springs Reservation of Oregon sat on the Rule Advisory Committee to assist in developing administrative rules for the Focused Investment Partnership program.
6. **Meetings with Tribes.** OWEB staff met in person with two tribes at their local offices in 2018 to improve relations and better understand their short- and long-term goals and objectives related to watershed monitoring and restoration. In August, the Grants Payment Coordinator and Region 6 program representative met with the fiscal staff of the Confederated Tribes of Warm Springs Reservation of Oregon to meet their new accountant and answer any questions she had about OWEB's billing procedures.

On May 4, the tribal liaison hosted a phone call with the Coquille Indian Tribe's Natural Resources Director, to provide more information on OWEB's land and water acquisition grant opportunities. This productive conversation was a great opportunity for the new manager to learn how these grants can help the Tribe meet their goals and objectives to obtain and restore lands within their ancestral territory. This was also a great opportunity for these two to reconnect as they studied forestry and graduated together at Humboldt State University.

On November 8, the tribal liaison attended the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians Tribal Summit in Coos Bay. This all-day event had multiple speakers and events to share their history and heritage to improve relations with their tribe and state agencies.

7. **Partner Communications.** OWEB is also communicating with soil and water conservation districts (SWCDs), watershed councils, non-profits and land trusts to encourage our grantees to partner with tribes to meet mutual goals and objectives related to watershed enhancement. In April 2018, OWEB hosted a session at the

CONNECT Conference to discuss how our grantees can effectively work to build and foster long-term relationships with tribes. Jason Robison, Tribal Representative on the OWEB Board and Natural Resource Director of the Cow Creek Band of Umpqua Tribe of Indians, provided an overview of his role on the board and how he works with federally recognized tribes in Oregon. Additional tribal speakers described the value working with tribes and local conservation organizations and highlighted their specific relationships to accomplish shared goals and objectives. This session was well attended and sparked great conversation that spilled over to lunch that followed.

9. **Strategic Plan.** In June 2018, OWEB approved a new 10-year Strategic Plan, with extensive public and tribal input. Tribal member Eric Quaempts sat on the board's external advisory group to provide the board insights and perspectives on strategic plan development. This strategic plan has several priorities that will involve tribal participation and has mutual value across jurisdictions.

It is through these interactions that relations are developed and trust is built. OWEB looks forward to building off of these blossoming relationships in 2019 and in the years to come.