

Oregon Watershed Enhancement Board

July 20, 2006

Special Board Meeting

State Lands Building

Salem, Oregon

Minutes

OWEB Members Present:

Daniel Heagerty
Skip Klarquist
Jim Nakano
Scott Reed
Patricia Smith
Diane Snyder
Mary Lou Soscia
Helen Westbrook

OWEB Staff Present:

Bonnie Ashford
Ken Bierly
Tom Byler
Melissa Leoni
Tom Shafer
Greg Sieglitz

Others Present:

Members Not Present:

Gary Briggs
Miles Brown
Bobby Brunoe
Dan Carver
Alan Christensen
Jane O'Keeffe
Michael Tehan
Dan Thorndike
Ken Williamson

A special meeting via telephone conference call was held on Thursday, July 20, 2006, at 1:00 p.m. The meeting was held to adopt temporary (emergency) administrative rules related to OWEB's effort to create work opportunities for displaced fishers.

In advance of the meeting, Director Tom Byler provided the following summary to Board members regarding the proposed rules.

Introduction

Temporary (emergency) administrative rules related to OWEB's effort to create work opportunities for displaced fishers are needed in order to provide a legal basis for exercising a preference for OWEB grants that hire displaced fishers to perform restoration and other related work. This effort is in response to the Governor's Executive Order No. 06-06 declaring a salmon season state of emergency. The emergency was declared in response to the serious economic and social impacts facing coastal communities due to significant commercial restrictions imposed on the commercial fishery this year.

The Need for Rules

In response to the emergency, OWEB approved a special expedited grant process to create work opportunities for displaced fishers while at the same time advancing and accelerating habitat restoration and recovery efforts. The emergency rules provide a legal basis for exercising a preference for OWEB grants that hire displaced fishers to perform restoration and other related work.

Background

In May 2006, Board members unanimously approved a delegation of authority to the Executive Director to enter into appropriate grant and interagency agreements to distribute funds for the purpose of funding work opportunities for displaced fishers to assist in at sea research, for project development, inventory and assessment activities, and restoration projects (contingent upon and consistent with expenditure limitation approval from the Emergency Board). The Legislative Emergency Board allocated \$2.2 million in Measure 66 Lottery Funds to allow OWEB to carry out this effort. We announced the new grant offering earlier this month and have already received applications for over \$400,000 that would potentially employ up to 19 fishers.

What the Rules Do

The proposed rules are designed to give OWEB the ability to apply specific award preferences related to the employment of displaced fishers, providing fish habitat benefits, and addressing identified watershed needs. Staff will not take formal action on the pending applications before the temporary rules are adopted. Temporary rules expire 180 days after filing. To continue to apply these award preferences, OWEB would need to adopt permanent rules in early 2007. Additional discussion about the need for additional rulemaking will begin at the September 2006 Board meeting.

Director Tom Byler and Board Co-Chair Dan Heagerty presided over the meeting.

After a brief summary of the rules, Director Byler ensured the Board that staff would check in on a regular basis on program implementation. There are funding limits for each type of grant, and no more grants will be accepted when that limit has been reached. Board members expressed concern on the eligibility requirements not being addressed in the proposed rules. Tom Shafer who has been assigned to work with the Governor's office on this emergency, stated that although the eligibility requirements are not addressed in the rules, they are stated in the grant application. The Oregon Salmon Commission is responsible for accepting and screening application forms which are open to vessel owners, operators, and crewmen, and their nuclear family members (spouse, son or daughter). This issue may be addressed if there is a need to adopt permanent administrative rules at a later date.

Board members unanimously voted to adopt the temporary rules at 695-005-0100 relating to the salmon season state of emergency.

Board Co-Chair Dan Heagerty, on behalf of Board members, appreciates the response by local watershed councils and districts, and thanked OWEB staff with a special thanks to Tom Shafer for their work.

The meeting was adjourned.