



West Multnomah Soil & Water Conservation District (WMSWCD) Board Meeting Minutes 01/17/2023

**1. Meeting Location and Time:**

Location: Held via Zoom meeting. The meeting was called to order by Chair Preeg Riggsby at 6:09 PM.

**2. Introductions and Agenda Approval**

Directors Present: Lightcap, Looney, Miller, Preeg Riggsby, Sowder; Directors Absent: Hartline, Peterson; Associate Director(s) Present: Bob Wiley; Staff Present: District Manager (DM) Barlow, Avendano, Spencer, Magyar, Kammy Kern-Korot; Guests: Cassie Cohen, Sterling Stokes, Portland Harbor Community Coalition

The agenda was approved by acclamation.

**3. Swearing in of Elected Directors**

Director Preeg Riggsby administered the Oath of Office to Directors Lightcap, Looney, and herself, all of whom were elected to four-year terms in the November 2022 general election. The newly re-elected Directors signed their oath of office forms.

**4. Minutes:**

Board members reviewed the West Multnomah SWCD Board Meeting minutes from 12/20/2022.<sup>i</sup>

Director Looney made a motion to approve the Board meeting minutes as written, and Director Miller seconded the motion. The motion was approved with a vote of 5-0.

**5. Review of Treasurer's Reports**

- a) WMSWCD-Balance Sheet as of December 31, 2022<sup>ii</sup>
- b) WMSWCD-Budget Performance Report for December 31, 2022<sup>iii</sup>

Director Miller gave an overview of the Treasurer's Reports, reporting that December 31<sup>st</sup> cash balances are healthy. Over \$1 million in property tax revenue came in during December, and the District has received 96% of its budgeted property tax revenues for the year. Year-to-date, conservation programs are underspent by \$41,657, but the District is expected to fully spend the conservation budgets by year-end. Moving forward, DM Barlow is working with Staff Member Levis to set a budget for the next fiscal year.

Director Preeg Riggsby noted that Staff Member Levis will be retiring soon, and the District is in the process of recruiting to fill that position. Staff Member Levis will be involved in budget development as she is onboarding her successor. She will work with DM Barlow and Director Miller as well as her successor on the budget.

**6. Portland Harbor Community Coalition; Willamette Superfund**

Director Preeg Riggsby introduced Cassie Cohen and Sterling Stokes of the Portland Harbor Community Coalition (PHCC), a coalition of organizations working on solutions for the Portland Harbor superfund site.

Cohen is hoping to find strategic ways to partner with the District. As the director of PHCC, she has been working with the coalition for a little over 10 years. She has a social work background and is learning about the Willamette River and the EPA Superfund project that is needed to remediate past contamination alongside the community folks that PHCC is in coalition with.

Stokes is the Campaign Manager for PHCC, and is currently getting her master's degree at PSU/OHSU School of Public Health in environmental health.

Cohen explained some background on the Portland Harbor EPA Superfund site. It is a national priority cleanup site, one of many sites that are more complicated than just a standard brownfield. Based on 150 years of industrial activity on the river (paper, ship building, logging, etc.), and a historical lack of regulation, industrial contaminated discharges directly into the river. The Superfund focuses on contaminants that are separate from the sewage overflow problem of City of Portland, instead focusing on heavy metals, PCBs, PAHs, etc., which are both human and environmental health risks. There are 150 different responsible parties for this contamination, and in 2016 they finally compiled list of different mitigation strategies. In 2012, PHCC had reached out to groups including Willamette Riverkeeper, Audubon, Tribes, communities of color-based groups, and found that many people felt a need for this type of coalition. PHCC led a huge organizing effort to rouse public comments for the initial cleanup plan, collecting over 5,000 public comments that resulted in the EPA committing to a higher-level cleanup plan. Since then, PHCC has been identifying community priorities and concerns, bringing together houseless, Black, Indigenous, immigrant, refugee, conservation, environmental justice, and climate groups, among others, trying to find common ground around healing the river.

Director Lightcap stated that he used to be work for USACE, and is therefore interested in sediment data from EPA. He is curious to know about analysis of sediment layers of a few areas of the river.

Cohen affirmed the need for technical folks like that to be asking questions about the details. The Portland Harbor cleanup is now in the remedial designs phase. There are around 16 distinct design areas along the 10-mile stretch of the superfund site. For example, Swan Island folks are grouped together to come up with cleanup design that they will share with EPA. By 2025, EPA hopes to sign agreements with parties to do the cleanup. Cleanup expected to last 13 years, and is expected to cost over 3 billion dollars. Because of migratory fish cycles, there won't be year-round cleanup activities. Because of PHCC and other advocates, EPA made the commitment to share designs at the 30% plan completion mark, so that communities have opportunities to influence design before it gets to full completion.

Director Miller asked Cohen to elaborate on the following statement from the website (paraphrased): "a cleaned-up river won't necessarily benefit all".

Cohen explained that community benefits agreement can be a solution to unequal benefits from site cleanups. Most cleanup efforts are done by general contractors that aren't necessarily specific to communities. There is no focus on career pathways, no sustained place for local people to be part of maintaining the site after the initial cleanup. Economic development can also be stunted/delayed by the existence of a Superfund site. Want to propose, especially to public agencies, that they should commit to an agreement with communities, and set standards to ensure that cleanup is done equitably, provides good wages, career pathways, health and environmental standards, community monitoring and oversight opportunities, and all of those pieces that don't usually come on voluntary basis. This is a way to elevate the expectations, and although it hasn't really been done with the Portland Harbor Superfund site, it is being used in other projects such as with the Columbia Wastewater treatment plant

that is being updated for the city, which has a really effective community benefits committee. Cohen said that PHCC is going to send out survey, asking all PHCC parties about their practices and how interested they are in exploring community agreements, as well as what are they willing to commit to. She suggested that she could share a draft of the survey with Board to see if they want to endorse it.

Director Lightcap expressed interest in knowing about meetings and potentially attending, particularly those pertinent to sediment removal and permit applications.

Stokes discussed some other projects that PHCC is part of. For example, they are working with the Department of Environmental Quality, trying to help facilities prepare for how the Cascadia Subduction Zone earthquake would affect Portland's critical energy area. PHCC is also concerned over environmental justice concerns that would result from the spill that would occur in the event of large earthquake. They want legislation to protect communities and foster overall emergency and disaster preparedness. Another project they participate in is Rumble on the River, a monthly community forum that has different speakers and tries to mobilize people on the transition to green energy, away from Zenith. These events have live streams and recordings.

Director Looney stated that she has been attending these events when they don't coincide with the monthly WMSWCD board meeting.

Cohen shared that they hope to find resources to launch a community climate resilience plan in coalition with the Yakima Nation and possibly other tribes. PHCC wants to support the Tribe's concerns that there is a lack of planning for robust habitat restoration on the shores of the Willamette as part of the cleanup of the Superfund site. Superfund is not designed to address habitat concerns, and instead is mostly focused on contaminants. PHCC looks to Conservation Districts to potentially help with this effort because are experts in that field.

Director Preeg Riggsby asked if the North Reach Plan was sufficient, and if so, if there was interest in returning to that plan. Cohen said that Bob Salinger is the best person to talk to about this. The biggest issue was that there was no effort to facilitate dialogue between opposing parties (environment, labor, industry) so even though the plan had a lot of good ideas, there was last minute opposition. PHCC now works closely with a few labor groups (Operators, Construction Union).

Cohen stated that PHCC wants to focus more on sediments and to understand methods that they use in the cleanup so that they are long lasting, withstand flooding, urban heat effects, etc. PHCC also does a lot of cultural heritage work, integrating cultural lenses based on the communities that they work with. One example is working with folks from Portland's Black community, especially elders. One project that these elders are passionate about is wanting to honor York of the Lewis and Clark expedition, one of first African Americans to set foot in the PNW. There is a York street, but he has never been honored in a way that seems adequate. PHCC is working with the community to go to the city and bring about their vision to honor him. Some of that vision includes community ownership of space.

Director Looney shared that Linnton submitted around 1000 comments for the Portland Harbor Superfund project. She said that no one seemed to know more details about exactly how the EPA was going to make their initial plan better. Her impression is that the EPA wants to use techniques they are familiar with even if they aren't the best techniques.

Director Preeg Riggsby asked if there was something PHCC would specifically like from WMSWCD as an organization, and what it looks like to become a supportive member of PHCC.

Cohen said that she would share the membership form. It is pretty flexible. Members can be more or less active depending on time and space. PHCC would love to explore WMSWCD becoming a supportive organization.

Director Preeg Riggsby said that the District would need to discuss this as a board, but she thinks that this could be an appropriate thing to consider. However, as they are a special district and so are a type of government, and she doesn't see any similar organizations on the supportive organization list, possibly the District would not be a good fit.

Cohen said that PHCC may need to clarify what types of partnerships they have with different organizations and articulate the options better for how to work with other groups.

Director Miller agreed with this and also said that having a track specific to government agencies would be helpful. These partners could keep more in the scientific, consultive realm, separate from more political supporters.

Staff Member Magyar asked if PHCC had also reached out to EMSWCD.

Cohen said that they have, and actually have a pending grant with them and have worked with them in the past. Jim Robison worked with PHCC in the past and was also part of EMSWCD.

Director Preeg Riggsby noted that EMSWCD has higher tax rate and larger budget, so they have more grant funds available than WMSWCD. This is a good spark to begin the conversation and may be a good reason to work with EMSWCD.

Cohen said that the timing to partner with PHCC is perfect, because there's been fatigue and hesitance over how political and long the Portland Harbor superfund issue has been, but the critical moment is approaching and so it could be a great time to be involved and make a difference.

Director Preeg Riggsby said that a timeline would be really helpful, including, for example, when the time for public comment is. She thanked Cohen and Stokes for coming to speak to the District and they left the meeting.

#### **7. Public comment period**

No public comment.

#### **8. U.S. Department of Agriculture, Natural Resources Conservation Service Update**

NRCS Staff Galland—not in attendance

#### **9. Staff Presentation – Sturgeon Lake Restoration Project**

Staff member Gall—Staff Member Gall out sick, presentation postponed.

#### **10. Personnel Committee Report**

DM Barlow reported that the District is in the recruitment process to replace Staff Member Levis, and that the position has been renamed and altered slightly to "Budget and Fiscal Manager." Staff Member Levis and Director Miller have been helping with recruitment. Staff Member Levis will help with

onboarding. Applications have been scored and first round interviews should be completed next week. Recruitment did not have to be extended because there were 26 applicants. Seven candidates were selected through scoring process to interview next week. DM Barlow expects there will be a second round of interviews, which may happen prior to or during Staff Member Levis' month-long vacation, but will continue even if Staff Member Levis isn't here because of the desire to hire new staff member as soon as possible.

Director Preeg Riggsby offered that other board members could help with hiring process if the second round of interviews happens when Staff Member Levis is not here. DM Barlow said that they do want three people on the panel and so she will be in touch if they need an additional person.

DM Barlow and Director Preeg Riggsby both agreed that using Cascade Employers Association has been extremely helpful for both the DM and Budget and Fiscal Manager positions, and that the district should consider continuing to use them or another HR firm for future hiring.

### **11. Responding to Legislative Issues**

Director Preeg Riggsby announced that the Oregon State Legislative Session is starting. The board often does engage in some way, writing letters of support or dissent for bills. Sometimes board or staff members provide testimony during hearings. She wanted to discuss how they will continue to do this moving forward, and what DM Barlow's role should be in this participation.

Director Miller said he was surprised several times that things were written before the board had an opportunity to have input. He says he cannot think of times he objected but thinks any formal letter should go through the board. Something like, "if you have input, provide by this date", and then the board member writing the letter can go ahead even if no one comments; therefore, the process wouldn't be slowed down by the board.

Director Preeg Riggsby said that sometimes they had missed a few weigh-in opportunities because they had to wait a month for board meetings. One solution would be to send things out to the board, but not for "approval", because that breaks public meeting rule. Instead, like Director Miller suggested, they would be sent out with a note asking for "comments by x date". Hearings are sometimes set with 48 hours' notice, so in cases like this there is very little time to get signatures, comments, etc. The board will need to be careful that they only provide comments, and also to never reply-all. Staff can help with this by blind copying board members, so they don't accidentally break public meeting law. Things move more slowly at the city and county level, so in these cases discussions could wait until board meetings.

Director Preeg Riggsby asked if she could reserve time during each meeting during the legislative session and bring relevant issues to the table. This would be a way to check in regularly so that at least people know what's going on. If people read OACD newsletters, that's also a good place to get information, but sometimes it is hard to keep up.

Directors Miller and Looney both like this idea. DM Barlow also likes this idea and feels it will allow people to respond nimbly to new legislative happenings.

### **12. District Manager Check-in**

DM Barlow said that the budget process has begun. Staff Member Magyar posted the budget calendar to website today, as well as a solicitation for 1-2 budget committee members (need 7, equal to the number of directors). One of the current members will not be able to serve for the next few months, and another person may have a perceived conflict of interest. She can provide great input but cannot vote.

Staff Member Magyar said that the website is passive outreach, but the more board members can distribute the solicitation for budget committee members, the more interest the District will get.

DM Barlow said that they have about one month to get new budget committee members on board.

At the last meeting, DM Barlow committed to putting effort into meeting as many board members, staff, and constituents as possible. She went to tour Sauvie Island with Jane Hartline, and met Kim Peterson, Mark Nebeker. She met several of the board, but still needs to meet Shawn, George, and Brian in person, as well as get out to more sites. The staff hasn't been going to field sites as much since it isn't the high season for field work, but DM Barlow has gone to several areas. This past Friday she was in Salem with SDAO at a meeting with special districts about legislative issues. She will also be attending OACD Training on Legislative issues. She has been learning a lot about special districts (beyond SWCD). She will be training on tax based special districts and will be helping to onboard new Budget and Fiscal Manager.

### **13. Director and Associate Director Check-ins**

Director Looney said that she is part of an affinity group of Linnton Women who want the Critical Energy Infrastructure Hub (tank farms) to move to a safer location because they aren't safe where they are right now. This group did a protest on the approach to St John's bridge. They received a mixed response from passing vehicles.

Director Preeg Riggsby said that the Highway 43 culvert replacement project is moving forward well and is in the design stages after years of advocacy. There is no money to actually replace it yet, but there is a commitment to making it happen. There is not a huge role for WMSWCD, but it was WMSWCD 20 years ago that assembled partners to talk about importance of replacing the culvert. NRCS was helping too.

### **14. Announcements/Reminders/Upcoming Meetings:**

Director Preeg Riggsby announced the following upcoming meetings/events:

- Next Board Meeting February 21, 2023, on Zoom – **Election of Officers at this meeting**
  - Refresh information on for how long directors can hold officer positions. There is an option to waive those limits.
- March 21 Board Meeting – Annual Workplan presentations
  - Because Directors Lightcap (who had to leave early), Hartline, and Peterson were not in attendance, no decision was made on whether to have the event in person or on Zoom. Director Preeg Riggsby told Directors to look out for an email from staff asking for their preferences. She recommended that we possibly try to rent the same conference room that has been used in the past at Montgomery Park.

Director Preeg Riggsby declared the meeting adjourned at 7:56 PM.

<sup>i</sup>WMSWCD Board meeting minutes December 20, 2022

<sup>ii</sup>WMSWCD-Balance Sheet as of December 31, 2022

<sup>iii</sup>WMSWCD-Budget Performance Report of December 31, 2022

<sup>iv</sup>Staff Reports