

The Oregon State Land Board met in regular session on July 18, 1990, 10:00 a.m. in Hearing Room B of the State Capitol Building, Salem, Oregon.

Present were:

Neil Goldschmidt	Governor
Barbara Roberts	Secretary of State
Anthony Meeker	State Treasurer

<u>Assistants</u>	<u>Dept. of Justice</u>	<u>Staff</u>
Gail Achterman Marilynne Keyser	Bill Cook	Martha O. Pagel Pam Wiley Janet Neuman Earle Johnson Gary Van Horn Burt Lewis Steve Purchase Barbara Hilts Tamara Rice Mindy Manley Gail Lowry

The meeting was called to order by Governor Goldschmidt. The topics discussed and the results of those discussions are listed as follows. Further details of those discussions may be obtained in the transcript of the meeting available at the Division of State Lands, 775 Summer Street NE, Salem, OR 97310.

Consent Agenda

**Rulemaking**

Request to initiate rulemaking for adoption of state agency coordination plan and coordination procedures as required under ORS 197.180.

**Rulemaking**

Request for final adoption of administrative rules allowing a timber sale contract to be placed in default for excessive damage to trees outside the sales area, and establishing a mechanism to assess damages for such actions.

**Scenic Waterway**

Request by Lavelle Holmes to remove material and place up to 350 cubic yards of rock riprap for erosion protection of 325 feet of bankline within the Middle Fork John Day River Scenic Waterway at river mile 49.

**Scenic Waterway**

Request by William Dixon to place up to 265 cubic yards of rock riprap for erosion protection of 250 feet of bankline within the Middle Fork John Day River Scenic Waterway at river mile 30.

**Scenic Waterway**

Request by C. Dave Kline to place up to 345 cubic yards of rock riprap for erosion protection of 275 feet of bankline within the Middle Fork John Day River Scenic Waterway at river mile 43.

**Scenic Waterway**

Request by Sherman Soil and Water Conservation District to place up to 6430 cubic yards of rock for erosion protection and fish habitat enhancement within the John Day River Scenic Waterway, at river mile 25 to 32.

**Scenic Waterway**

Request by the Josephine County Parks Department to relocate an existing access road to the Galice boat ramp, by placing 100 cubic yards of crushed rock and 15 cubic yards of asphalt within the Rogue River Scenic Waterway at river mile 75.5.

**Scenic Waterway**

Request by the USDA Forest Service to remove material and place up to 84 cubic yards of rock for erosion protection of existing bridge abutments within the North Fork John Day River Scenic Waterway at river mile 62.5.

**Minutes**

Request for approval of May 29, 1990, minutes.

The Governor asked that the consent agenda be approved.

The vote was unanimous.

**Land Sale**

Sale of 80 acres of Common School Fund land to the Department of Corrections for a correctional facility near Ontario, Oregon.

Secretary Roberts asked if consideration had been given to a 50- or 100-year lease for the land rather than selling it, and if this would not be more beneficial to the Common School Fund.

Assistant Director Burt Lewis replied that Corrections desired to purchase the property to allow them full control of the land.

Director Pagel explained that a three-way exchange had been proposed early in the planning, whereby the Board would have owned the entire block of land. After the exchange did not materialize, DSL was left with only a small portion of the land wanted by Corrections. Director Pagel stated it would have been difficult to determine a lease value for that land, since it was non-irrigated farmland. More importantly, she noted that earnings to the Common School Fund would be increased by selling the property and making that cash amount available for investment as principal of the Fund.

Treasurer Meeker moved the sale be approved. Secretary Roberts seconded the motion and the decision was unanimous.

**Water Avenue**

Oral update on the proposed Water Avenue on-ramp project.

Director Pagel explained this item had been brought before the Board in May. She said that as a part of the proposal to improve the highway, a condition was added by the city of Portland that ODOT also provide for greenway improvements. The improvements included considerable fill in the river to which the Board reacted unfavorably. At the Board's request, Director Pagel met with leaders from

the city to discuss these issues and to look for alternatives to this proposal. The city presented an option to move forward with the highway improvement portion of the proposal, agreeing to postpone the greenway improvements until the long-range eastside plans are finished and until that planning process could be coordinated with the agency's update of the Lower Willamette River Management Plan.

A discussion ensued about a possible water taxi in Portland that would carry people from locations on one side of the Willamette to the other. The Governor asked that the Division of State Lands get involved in planning for the water taxi program to assure coordination with the LWRMP planning, transportation planning, and waterfront facilities, such as OMSI.

**NHAC**

Review of the Natural Heritage Advisory Council's proposed budget for 1991-93.

Governor Goldschmidt acknowledged a letter received by Christopher Topik of the Council and apologized that Mr. Topik had desired to address the Board personally at the last two meetings, but was unable to do so. The Governor asked that this letter be included in the official record of the Land Board meeting.

Assistant Director Janet Neuman informed the Board that the revisions being presented were an effort made by the Council in response to the Board's request to trim their budget as much as they felt possible. The Council's basic request was for one FTE program coordinator to manage the data base and give services to the agencies for their data needs. They also requested \$27,600 for contract services to hire an aquatics ecologist. (This request represents one half of the Council's original request. They will need to obtain the remaining funds elsewhere.)

In support of the budget request, the Council distributed its "Direction and Long Term Goals."

Secretary Roberts asked Caryn Throop, the chairman of the Council, to discuss the budget enhancements being requested. Ms. Throop stated again the Council's request for a full-time program coordinator whose responsibility would be to oversee the functions of the data base, help agencies identify their properties and provide management for natural area values. She also reviewed the request for contracting a half-time position to do wetlands ecology work.

Treasurer Meeker suggested that instead of asking for General Fund money, since the Board felt this would fail, the Council request Other Funds and then assess fees to the agencies which use the data base services.

Land Board Assistant Gail Achterman mentioned her concern about assessing agencies who would need to include this in their agency budget, and would possibly run the risk of having it deleted in the budget process.

The Governor acknowledged that a natural area data base was needed and that there were a number of clients around who would use it. He voiced concerns, though, about a data base servicing the state agencies being placed under a citizen's advisory committee such as NHAC. A proposal to set up the framework for this data base using limited duration funding this biennium was discussed, realizing that the Council may not be the place the data base should be located on a permanent basis.

Treasurer Meeker moved that the Board approve the data base management position with a recommendation that one-half be funded from the General Fund and one-half from Other Funds.

Caryn Throop commented on the need to create an entity, whether it be the heritage program or another place, so that it could begin functioning and that agencies could understand and relate to it.

After discussion, the former motion was approved unanimously.

In response to a question by Secretary Roberts, Jimmy Kagan responded that \$50,000 in private funds has been received for the aquatics ecologist and an additional \$50,000 has been committed if state funds can also be obtained.

Secretary Roberts moved the Board approve the request for \$27,600 for contract services for an aquatics ecologist.

Treasurer Meeker asked how this differed from the wetlands budget that had previously been approved for the agency, and the inventory they are proposing. Assistant Director Janet Neuman responded that this wouldn't include any activities related to the money requested in the wetlands budget.

Director Pagel described the inventory that would be created from this request as providing a smaller focus, with more site specific information than would be available from the wetlands program.

Treasurer Meeker felt that Ways and Means would have difficulty seeing these two requests as separate and would probably try to combine them.

Jimmy Kagan said the broad wetlands program inventory provides regulatory information, which wouldn't tell whether a site was the best example of a type of wetlands. This information is needed for preservation of samples.

The vote on the former motion ended in a tie. Secretary Roberts voted for approval of the \$27,600 wetlands ecology contract, and Treasurer Meeker voted against it.

Governor Goldschmidt suggested that Land Board Assistant Gail Achterman invite Caryn Throop to the next agency heads' meeting where this issue will be discussed.

**New Employee**

Director Pagel introduced Vicky Chartier, previously employed by Fairview Training Center, who will be the new agency personnel officer.

The meeting was adjourned.

---

Martha O. Pagel, Director

---

Neil Goldschmidt, Governor