



Board of Commissioners
 Office: (541) 766-6800
 Fax: (541) 766-6893
 4500 SW Research Way
 Corvallis, OR 97333
 co.benton.or.us

AGENDA

(Chair May Alter the Agenda)

BENTON COUNTY BOARD OF COMMISSIONERS

Tuesday, May 16, 2023, 9 AM

NOTE: County Service District meetings will immediately follow the Board of Commissioners meeting: (Alpine, Alsea)

How to Participate in the Board of Commissioners Meeting			
In-Person	Zoom Video	Zoom Phone Audio	Facebook LiveStream
Kalapuya Building 4500 SW Research Way Corvallis, OR	Click for Zoom link	Dial 1(253) 215-8782	Click for Facebook LiveStream link
	Zoom Meeting ID: 818 4053 2828		
	Zoom Passcode: 122820		

1. Opening

- 1.1 Call to Order
- 1.2 Introductions
- 1.3 Announcements

2. Review and Approve Agenda

3. Comments from the Public

Time restrictions may be imposed on public comment, dependent on the business before the Board of Commissioners. Individual comment may be limited to three minutes

4. Work Session

- 4.1 15 minutes – Monthly COVID Update from Department Operations Center – *April Holland, Health Services*
- 4.2 15 minutes – Introduce New Natural Areas, Parks, and Events (NAPE) Director – *Tomi Douglas, NAPE*
- 4.3 15 minutes – County Administrator Recruitment Update – *Tracy Martineau, Human Resources*

The Board of Commissioners may call an executive session when necessary pursuant to ORS 192.660. The Board is not required to provide advance notice of an executive session. However, every effort will be made to give notice of an executive session. If an executive session is the only item on the agenda for the Board meeting, notice shall be given as for all public meetings (ORS 192.640(2)) and the notice shall state the specific reason for the executive session as required by ORS 192.660.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to the Board of Commissioners Office, (541) 766-6800.

- 4.4 20 minutes – Total Maximum Daily Load Annual Report – *Daniel Redick, Community Development; Laurel Byer, Public Works*
- 4.5 30 minutes – Oregon Cascades West Council of Governments (OCWCOG) Six-month Update – *Ryan Vogt, Executive Director, OCWCOG*

The Board will take a brief recess between the Work Session and the Business Meeting

BUSINESS MEETING

5. Consent Calendar

- 5.1 In the Matter of Approving the May 2, 2023 Meeting Minutes
- 5.2 In the Matter of Approving the September 27, 2022 Information Sharing Minutes
- 5.3 In the Matter of Approving the August 23, 2022 Information Sharing Minutes

6. Proclamations

- 6.1 In the Matter of Proclaiming May 2023 as Older Americans Month in Benton County, Proclamation #P2023-010 – *Ryan Vogt, Executive Director, OCWCOG*
- 6.2 In the Matter of Proclaiming May as Wildfire Preparedness Month in Benton County, Proclamation #P2023-011 – *Bryan Lee, Emergency Operations Center Coordinator*
- 6.3 In the Matter of Proclaiming May as Asian Americans and Pacific Islanders Heritage Month in Benton County, Proclamation #P2023-009 – *Sarah Siddiqui, Equity, Diversity and Inclusion Coordinator*

Public Hearings

(Hearings are heard at 11:00 a.m., time certain or as soon thereafter as the matter may be heard)

Those wishing to speak should sign the "Public Comment" sign-in sheet – Thank you.

- PH 1 In the Matter of a Public Hearing Regarding Approval of Supplemental Budget 23111, Resolution #R2023-007 – *Jenn Ambuehl, Financial Services*

8. Departmental Reports and Requests

- 8.1 Greenhouse Gas Emissions and Climate Action Plan Update for 2022 – *Sean McGuire, Jen Brown; Sustainability Program*

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8.2 Discussion and Direction Regarding Adverse Consequences to Counties Due to the September 1, 2022 Federal Court Order Limiting Admissions to, and Shortening Treatment at, the Oregon State Hospital – *Damien Sands, Behavioral Health*

9. Other

ORS 192.640(1)" . . . notice shall include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects."

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**MINUTES OF THE MEETING
BENTON COUNTY BOARD OF COMMISSIONERS**

Zoom link: <https://us06web.zoom.us/j/81840532828?pwd=bHV0R2JSREVRMTJqVDFWZzRCeHlqZz09>

Livestream: <http://facebook.com/BentonCoGov>

Tuesday, May 16, 2023

9:00 a.m.

Present: Pat Malone, Chair; Xanthippe Augerot, Commissioner; Nancy Wyse, Commissioner; Vance Croney, County Counsel; Suzanne Hoffman, Interim County Administrator

Staff: Jenn Ambuehl, Rick Cramer, Finance; Jen Brown, Michael Gardner-Brown, Sean McGuire, Sustainability; Shannon Bush, Darren Nichols, Daniel Redick, Inga Williams, Community Development; Laurel Byer, Public Works; John DeVaney, Brian Lee, Jef Van Arsdall, Sheriff's Office; Tomi Douglas, NAPE; Cory Grogan, Public Information Officer; April Holland, Damien Sands, Health; Amanda Makepeace, BOC Staff; Tracy Martineau, Human Resources; Erika Milo, BOC Recorder; Sarah Siddiqui, Equity, Diversity, & Inclusion

Guests: John Harris, Horsepower Productions; Annette Mills, Corvallis Sustainability Coalition; Ryan Vogt, Meg Walker, OCWCOG

1. Opening:
1. Call to Order

Chair Malone called the meeting to order at 9:00 a.m.

2. Introductions
3. Announcements

Augerot noted today is election day.

2. Review and Approve Agenda

No changes were made to the agenda.

3. Comments from the Public

No comments were offered.

4. Work Session

4.1 Monthly COVID-19 Update from Department Operations Center – April Holland, Health Services

Holland explained that the COVID-19 National Public Health Emergency ended on May 11, 2023. On May 5, 2023, the World Health Organization ended its declaration of Public Health Emergency of International Concern. The pandemic is not over, but there are high levels of immunity worldwide. On May 10, 2023, Oregon Health Authority (OHA) rescinded temporary rules requiring masks for healthcare workers, and mask requirements in Kindergarten-12th grade schools will be rescinded on June 17, 2023. This will be followed by new rules. OHA continues to declare COVID-19 an outbreak so that insurance, including Oregon Health Plan, must cover vaccination without cost share regardless of where given.

In alignment with the Centers for Disease Control, individual COVID-19 cases are no longer reportable, but outbreaks are. OHA will use a statewide Sentinel laboratory surveillance program similar to the one for Respiratory Syncytial Virus. Sentinel will record test information and send the State aggregate data on when the season starts, testing positivity rate, and declines in activity. Case counts will no longer be published. Instead of county dashboards, there will be a statewide respiratory virus dashboard showing COVID-19 wastewater trends, variants, hospital rates and capacity, deaths, emergency room trends, and vaccination trends. County-level vaccination numbers will still be available.

New isolation recommendations are expected soon. It is likely that most people infected with COVID-19 will not need to isolate for a set number of days, but all cases should stay home until 24 hours after fever has gone and other symptoms are improving. Infected individuals should avoid contact with high-risk individuals, congregate care residents, and immune-compromised individuals for 10 days after the first positive test. This will also impact schools and congregate settings. Medicare Part B will still covers tests through September 24, 2023 if ordered by a provider. There is still an existing pool of therapeutics and vaccines. The 1135 waivers which allowed providers to create alternate care sites and suspend other requirements expired on May 11, 2023. The Food & Drug Administration Vaccines Advisory Committee will meet June 15, 2023 to discuss 2023-24 vaccination recommendations for the general public.

Augerot expressed concern about how the rules change will affect clinic and hospital economics and access to care.

Holland agreed there are concerns about capacity and added need. Holland to discuss the situation with Samaritan Health Services and other providers.

Malone asked if there is any danger from taking too many boosters.

Holland had not seen any indication of that, but whether to get another booster should be determined by one's provider.

4.2 Introduce New Natural Areas, Parks, and Events (NAPE) Director – Tomi Douglas, NAPE

Douglas introduced herself as a native Oregonian who previously worked as Cultural Services Director in the City of Eugene. Douglas emphasized the importance of communicating with the public about natural resources. Douglas to seek new Fairgrounds fundraising methods so the Fair can expand and maintain facilities. Douglas thanked Jesse Ott for interim leadership. Douglas to schedule meetings with each Commissioners over the next six weeks.

4.3 County Administrator Recruitment Update – Tracy Martineau, Human Resources

Martineau reported that Raftelis recruiter Heather Gantz had received 14 applications for the position. Martineau noted that a County personnel policy requires department heads to live within a 45 minute commute of the Kalapuya Building; this could include residence in other counties. Martineau asked if the Board wanted to change the residence requirement for this position, or maintain the current policy.

Augerot noted that several department directors do not live in Benton, in part due to increased housing costs. Augerot expressed a strong preference for the candidate to live in Benton, but it would limit the pool to exclude someone who cannot afford to live here.

Malone stated that proximity could be a factor in the selection, but not a deciding factor.

Wyse shared it that is desirable for a candidate to love the county, but the main criterion is someone who will show up and do the job.

The Board decided to retain the current residence policy.

4.4 Total Maximum Daily Load (TMDL) Annual Report – Daniel Redick, Community Development; Laurel Byer, Public Works

Redick reported on TMDL, an element of County water quality work in the Willamette Watershed. The Department of Environmental Quality (DEQ) approves a five-year implementation plan, and the County reports annually on the work. The 2021-22 report was accepted by DEQ in April 2023. The work includes staff from Community Development, Public Works, NAPE, Records, Sustainability, and Environmental Health. The main goal is to limit impacts of key pollutants in waterways by monitoring bacteria, temperature, and mercury. The DEQ revised mercury standards, so the County submitted a new implementation plan in March 2023 and will submit a revised plan in June 2023. The program is closely related to County riparian and National Pollution Discharge Elimination System (NPDES) work. Riparian work is covered briefly in the report.

Augerot asked about temperature trends.

Redick replied there is a lack of recent data. Staff will collect more data next biennium.

Augerot noted the Marys River Watershed Council (MRWC) does temperature monitoring, but not enough to make generalizations. There was previous discussion of establishing a citizen science program to monitor water temperature, if staff capacity allows; this could be done in partnership with MRWC and Benton County Soil & Water Conservation District.

Byer shared that MRWC is seeking a grant from the Oregon Watershed Enhancement Board for additional temperature meters. Staff provided a recommendation letter last week.

Redick noted staff are also working with other groups including MRWC on equipment needs and partnerships. Some data does not meet DEQ inclusion standards, so groups need to better align.

Malone asked if DEQ provides guidance on improving the next report.

Redick replied there was no specific feedback other than the mercury requirements, which staff already addressed separately.

Augerot asked if staff were working with community groups on the next five-year plan.

Redick replied that meetings have been mostly internal, receiving feedback from staff who will implement the plan, such as Records.

Malone asked if mercury is an issue in this area.

Redick replied mercury is an issue everywhere, from atmospheric, agricultural, and electronic waste sources; the main control is preventing erosion sediment from entering waterways.

4.5 Oregon Cascades West Council of Governments (COG) Six Month Update – *Ryan Vogt, Executive Director, COG*

Vogt shared that COG received a \$2.4 million grant for mobility hub construction at Oregon State University and Linn-Benton Community College. Vogt will attend a conference by the National Association of Regional Councils, which offers an award for transit connectivity between rural communities.

Business Oregon approved a grant for COG's Cascades West Business Lending. COG has translated all loan marketing materials into Spanish to broaden access. The grant will be an additional backstop to secure loans. After 10 years, unused funds go to the agency, which may allow COG to develop new lending products that are less tied to Federal restrictions.

The Veterans Services Office (VSO) now has regular office hours in Monroe. VSO is putting up a local billboard for suicide prevention and will start a behavioral depression intervention pilot.

Augerot asked who would provide the pilot.

Vogt to acquire that information. Vogt discussed COG's partnership with Community Services Consortium (CSC), including an Equity, Diversity, and Inclusion assessment and joint training plan. Both finance teams will implement Enterprise finance software by July 1, 2023. Three months later, COG and CSC Human Resources staff will begin working together. COG has provided Information Technology support to CSC. COG and CSC have adopted a mutual help desk tool. Conversations will continue.

Augerot brought up the proposed co-location of the organizations' front-facing services.

Vogt replied that the Albany office will co-locate once budget allows. A joint space in Corvallis is being considered, and may include the VSO and Samaritan Health Services Veterans team.

Malone asked if the mobility hub would receive Oregon Department of Transportation (ODOT) funding.

Vogt affirmed that the ODOT funding should be enough to complete the project.

Malone found the report format readable and liked having each county as separate report.

Vogt noted that short reports on each area are available for the Cities of Corvallis, Philomath, and others by request.

Chair Malone recessed the meeting at 10:12 a.m. and reconvened at 10:21 a.m.

5. Consent Calendar

5.1 In the Matter of Approving the May 2, 2023 Meeting Minutes

5.2 In the Matter of Approving the September 27, 2022 Information Sharing Minutes

5.3 In the Matter of Approving the August 23, 2022 Information Sharing Minutes

Malone noted that on page three of 10 of the May 2, 2023 minutes, “ODF’s communications position” should read “ODF’s Community Wildfire Forester position.”

MOTION: Wyse moved to approve the Consent Calendar of May 16, 2023 with the above change. Augerot seconded the motion, which **carried 3-0.**

6. Proclamations

6.1 In the Matter of Proclaiming May 2023 as Older Americans Month in Benton County, Proclamation #P2023-010 – Ryan Vogt, Executive Director, OCWCOG

Vogt read the proclamation aloud. Over 17% of County residents are age 65 and over.

MOTION: Augerot moved to approve Proclamation #P2023-010. Wyse seconded the motion, which **carried 3-0.**

6.2 In the Matter of Proclaiming May as Wildfire Preparedness Month in Benton County, Proclamation #P2023-011 – Bryan Lee, Emergency Operations Center Coordinator

Lee read the proclamation aloud.

MOTION: Augerot moved to approve Proclamation #P2023-011. Wyse seconded the motion, which **carried 3-0.**

Lee announced that the County received a Community Wildfire Risk Reduction grant, which helps fund a Hazard Mitigation Coordinator to implement projects in the Community Wildfire Protection Plan. Funding also covers vegetative fuels reduction in rural communities. Benton will coordinate efforts with the City of Monroe, which also received this grant. The work will connect to Oregon Department of Forestry projects and Federal Emergency Management Agency mitigation grants.

6.3 In the Matter of Proclaiming May as Asian American and Pacific Islander Heritage Month in Benton County – Sarah Siddiqui, Equity, Diversity & Inclusion Coordinator

Siddiqui read the proclamation aloud.

MOTION: Augerot moved to approve Proclamation #P2023-009. Wyse seconded the motion, which **carried 3-0.**

7. Public Hearing

PH 1 In the Matter of a Public Hearing Regarding Approval of Supplemental Budget 23111, Resolution #R2023-007 – Jenn Ambuehl, Financial Services

Chair Malone opened the Public Hearing at 11:00 a.m.

Staff Report

Ambuehl requested to increase appropriations in the General Fund by \$32,091 under Public Safety Operations. The source is a Homeland Security grant for Emergency Operations Center training. In the Trust Fund under Trust Operations, staff request to increase appropriations \$200,000 for logging road repair and a concrete floor at the Beazell Barn. The source is greater-than-anticipated logging revenue from Beazell Memorial Forest.

Public Comment

No comments were offered.

Chair Malone closed the Public Hearing at 11:02 a.m.

MOTION: Augerot moved to adopt Resolution #R2023-007 in the matter of Supplemental Budget 23111. Wyse seconded the motion, which **carried 3-0.**

8. Departmental Reports & Requests

8.1 Greenhouse Gas Emissions and Climate Action Plan Update for 2022 – *Sean McGuire, Jen Brown, Michael Gardner-Brown, Sustainability Program*

McGuire presented the County's 2022 greenhouse gas inventory. The County's goal is to reduce its greenhouse gas emissions by 50% of 2010 levels by 2030 and be net zero by 2050. In 2022, staff added more meters and facilities to the inventory and created a scenario builder to examine impacts of future actions. The biggest impact in 2022 was adding the Kalapuya Building.

Benton County government's total 2022 usage emissions were 3,906 metric tons of carbon dioxide equivalent (MTCO₂E). Subtracting electricity generation and carbon offsets leaves 3,550 net MTCO₂E. McGuire reviewed data since 2010 (see packet). Emissions dropped during the pandemic, but now are rising. Emissions per full-time equivalent employee have generally decreased. It was not possible to calculate an accurate number for usage per square foot this year. The top three emissions sources were electricity, staff commuting, and fleet. Public Works has significantly reduced the County's natural gas usage. Water and waste are a minor part of County emissions.

Augerot noted that the waste calculation does not include heat generated at the landfill.

McGuire explained that net electricity usage is up from 2020-21, but generally trending down. In 2022, Pacific Power cut offset blocks in half due to rising cost. In the next budget, Pacific Power Blue Sky credits will make up 25% of the County's total Pacific Power usage, so the net will go down. Staff are also contracting a solar credit subscription service from Oregon Shines through the Oregon Community Solar Program (OCSP), which will drop net usage 75%. Fleet fuel use now takes much less staff time to calculate due to a database system established in 2019. Fuel use dropped in 2020 and has increased slightly since then.

Based on staff surveys, total commuting emissions in 2022 were slightly over 2019 levels; more staff are driving to work. Use of alternative fuel vehicles saved 75 MTCO₂E. This shows that electrifying the fleet will help lower emissions.

In 2021, NAPE permanently set aside 73 acres at Beazell Memorial Forest. Staff explored ways to calculate carbon capture on that land. Certification was too expensive for such a small area.

Staff found a methodology which shows that the land captures at least 52 MTCO₂E per year. McGuire asked if the Board was comfortable with continuing that approach.

The Board affirmed.

McGuire explained that County solar power generation has increased; a full year of all five solar locations should save 180 MTCO₂E per year. For the first time, County offsets are not just electricity. Consumer Power is much cleaner than Pacific Power, so the goal is to replace Pacific. Facility emissions will change soon, as some buildings are added and others sold or discontinued. Oregon Shines requires a 20-year contract. Staff have started conversations about energy efficiency at the new facilities. By law, 1.5% of new construction expenditures must go to energy efficiency or generation. The County could consider a solar farm. Next steps include expanding the scenario builder and possibly adding reimbursed travel miles, non-fleet travel, and materials purchasing/consumption.

Brown reviewed County progress on the Climate Action Plan (CAP) (see packet). Planned actions include adding more electric vehicles and charging stations, more telework, upgrading facilities lighting and control systems, and adding the OCSP solar subscription. Fees paid to OCSP support renewable energy installations in Oregon. Instead of a cost premium, OCSP provides a 5% savings on electric bills. Actions to reduce landfill waste include composting at more facilities, reducing single-use utensils, and reuse of shredded paper. The Kalapuya Building will centralize purchasing and deliveries. The Kalapuya Building achieved Leadership in Energy and Environmental Design (LEED) Gold certification, and several new facilities will be built to LEED Silver standards. Each department has a climate action goal for the 2023-25 biennium.

Malone noted that the County has made considerable progress since tracking began in 2010.

Brown observed that the County is moving away from its goal. Brown used the scenario tracker to show effects of possible actions. 2024 energy usage is projected to be the same as 2022, minus more solar generation and offsets, for net 2,598 MTCO₂E. However, that assumes no increase in staff or change in facilities. The County could meet its emissions goal by selling the former Board's Office Building, completing lighting upgrades at all facilities, reducing commute emissions through telework and alternative schedules, adding more electric and hybrid vehicles to the fleet, purchasing 100% of electricity from Pacific Power, and purchasing offsets for remaining emissions. Offset prices are rising as demand increases.

Augerot noted that bringing down fleet emissions with electric vehicles depends on the source of electricity being used.

McGuire commented that staff do not have estimates of potential effects from the Justice Systems Improvement Program, new charging stations, and other tradeoffs, but are considering how to incorporate those elements.

Brown reviewed next steps, including: create fleet and facility policies, increase telework and alternative work schedules, complete lighting upgrade, reduce commute drive miles, transition high-use vehicles to electric, establish new purchasing procedures, purchase renewable energy credits, and continue to prioritize climate action internally and externally. For instance, parks can now be reserved online, Community Development is developing online plan review, and Health has a new position dedicated to climate adaptation planning.

8.2 Discussion and Direction Regarding Adverse Consequences to Counties Due to the September 1, 2022 Federal Court Order Limiting Admissions to, and Shortening Treatment at, the Oregon State Hospital – *Damien Sands, Behavioral Health*

Sands explained that Washington and Marion Counties are sending a letter/court action (see packet) against Oregon Health Authority (OHA) and its recent response to the Mosman Order. Benton County is considering whether to send a letter of support as an amicus curiae, acting in concert with fellow counties but not as a main litigant. The Marion County document was shared through the Association of Oregon Counties. The OHA response is very broad and will have a huge impact on Law Enforcement (LE), hospitals, the homeless community, and others, burdening local communities with personal and liability risk. Health staff are currently in discussions asking the State to accept a risk-share model or retain existing language (which has been in place for County Financial Assistance Agreements (CFAAs) with the State). Risk exposure should be shared by the State and the County as staff navigate these complex cases, but currently remains solely with the County.

Sands explained that previously, an individual would reside at Oregon State Hospital (OSH) until deemed ready to be returned to the community; then the County would provide services. Now, an individual must be released from OSH on a timeline, regardless of clinical status. This burdens the County, jail system, emergency department, and community providers. Counties have no recourse but to wait for an incident to occur and the individual to possibly return to OSH, then be released again on the timeline. If a released individual harms self or others, resulting in litigation, the risk exposure falls to the County. There is no responsibility at the State level regarding whether the person was ready to return to the community.

Counsel noted that some individuals are sent to OSH to determine if they can aid and assist in their own defense. If released to the County due to the timeline, these individuals return to the County's matrix evaluation system. This creates a LE/Corrections risk because the Benton County jail is so small; some individuals cannot function outside of jail, yet the severity of the crime does not justify keeping them there. Benton's population at OSH is small, but this still creates challenges. Benton is being asked to support Washington and Marion Counties in asking Judge Michael Mosman to reconsider the decision, and also to help AOC resist efforts by organizations Disability Rights Oregon (DRO) and Metropolitan Public Defender, which are seeking legislative changes to decrease the amount of time challenged with felonies would have to be evaluated. The groups are working on a similar change for misdemeanors. A significant number of Benton adults-in-custody are detained for person-to-person crime, not just theft.

Van Arsdall added that Benton currently has eight individuals at OSH, with an average of 8-10.

Augerot observed that the DRO suit's intent was to protect the civil rights of individuals at OSH, but this produced many unintended consequences. Judges dismiss some of these cases because individuals cannot aid and assist in their own defense, and jail is the wrong place for them, but that does not protect community safety. Augerot strongly supported sending a letter supporting the Washington and Marion County effort to find solutions. This situation affects admission of civilians and guilty-except-for-insanity individuals at OSH, not just people who are justice-involved.

Wyse also supported sending a letter. There were some legitimately concerning cases, but each individual has unique needs. The rule is arbitrary, based on the level of offense, which does not help the individual and leads to misuse of the jail and liability for staff and the County.

DeVaney commented that the Mosman Order has been good and bad for Corrections. The backlog of OSH admissions after the pandemic has improved. Few patients from Benton have been released due to the time limit. But for the community as a whole, keeping an individual at OSH until they are stable enough for Behavioral Health to work with them seems better than releasing them on a set deadline. The jail was not built as a mental health facility.

Malone agreed that arbitrary time limits do not make sense. Release timing should be based on evaluation of the individual. Malone supported sending the letter.

Sands and Counsel are having separate conversations about signing the County's CFAA with the State, which also has an impact. The contract was initially delayed six months; the County might delay six more months due to language around the Mosman Order.

Counsel noted that in the past, the County had no leverage on issues with the CFAA contract. The large counties are pushing back hard on this topic, which may generate changes in State contracts that benefit all counties.

Malone asked if the State legislature was involved in the Mosman situation.

Augerot shared that the attempt to codify elements of the Mosman Order in State law has been slowed by disagreement about the approach. Action on the liability issue was stranded by the Republican walkout. A bill was in the Senate Rules Committee and was to be introduced in the House Rules Committee instead, with a hearing scheduled for last week. However, that would only be a temporary risk pool solution, working with the Oregon Department of Administrative Services. The problem is likely to remain thorny into the next legislative session.

MOTION: Augerot moved to accept the request for support contained in the Marion County Board of Commissioners' April 11, 2023 Memorandum and direct staff to write a letter in support of that effort. Wyse seconded the motion, which **carried 3-0.**

9. Other

No other business was discussed.

10. Adjournment

Chair Malone adjourned the meeting at 12:02 p.m.

DocuSigned by:
Pat Malone
05666320C1A2400...
Pat Malone, Chair

DocuSigned by:
Erika Milo
C7429A6070FD4C7...
Erika Milo, Recorder

* NOTE: Items denoted with an asterisk do NOT have accompanying written materials in the meeting packet.

WORK SESSIONS

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 05/16/23

View [Agenda Tracker](#)

Suggested Placement * Work Session

Department * Community Development

Contact Name * Daniel Redick

Phone Extension * 6014

Meeting Attendee Name * Daniel Redick, Laurel Byer

Agenda Item Details 

Item Title * Total Maximum Daily Load (TMDL) Annual Report

Item Involves * Check all that apply

- Appointments
- Budget
- Contract/Agreement
- Discussion and Action
- Discussion Only
- Document Recording
- Employment
- Notice of Intent
- Order/Resolution
- Ordinance/Public Hearing 1st Reading
- Ordinance/Public Hearing 2nd Reading
- Proclamation
- Project/Committee Update
- Public Comment
- Special Report
- Other

Estimated Time * 20 Minutes

Board/Committee Involvement * Yes No

Advertisement*

Yes

No

Issues and Fiscal Impact

Item Issues and Description

Identified Salient Issues *

Benton County's 2021-2022 Total Maximum Daily Load (TMDL) Implementation Plan Annual Report for the Upper Willamette Sub-Basin was accepted by the Oregon Department of Environmental Quality (DEQ) on April 10, 2023 (attached). This agenda item is intended to provide information to the Board and does not require any action.

The County has been required to submit annual reports detailing the status of required implementation plan elements for the Upper Willamette Sub-Basin since the County's first implementation plan was accepted by DEQ in 2008. The implementation plan tracking matrix (page 8 of the attached report) includes information about the pollutants (bacteria, temperature, and mercury), the source of pollutants, the strategies intended to address the pollution, and the current implementation status of those strategies. DEQ reviews the annual report to ensure it meets the state's TMDL standards for water quality. Several County divisions and departments work collaboratively to implement various aspects of the plan, including Public Works Engineering, Community Development, Environmental Health, Parks, Road Maintenance, Sustainability, and Records and Licenses. The County's plan was recently updated to meet DEQ's Revised Mercury TMDL requirements, and the new plan was accepted by DEQ on March 24, 2023.

The acceptance letter and annual report are also available online here:
https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/1994/2022_tmdl_annual_report_acceptance_letter_combined.pdf .

Options *

The Board is not required to take action on this information item. The Board is welcome, however, to ask questions or provide input to the staff and departments responsible for reporting TMDLs and other water quality measures.

Fiscal Impact *

- Yes
- No

2040 Thriving Communities Initiative

Mandated Service?* Yes
 No

2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

To review the initiative, visit the website [HERE](#).

Mandated Service Description* If this agenda checklist describes a mandated service or other function, please describe here.
 The TMDL Annual Report is required by the State of Oregon Department of Environmental Quality.

Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

Core Values* Select all that apply.

- Vibrant, Livable Communities
- Supportive People Resources
- High Quality Environment and Access
- Diverse Economy that Fits
- Community Resilience
- Equity for Everyone
- Health in All Actions
- NA

Explain Core Values Selections* The TMDL Annual Report focuses on implementing strategies to improve water quality in the County.

Focus Areas and Vision* Select all that apply.

- Community Safety
- Emergency Preparedness
- Outdoor Recreation
- Prosperous Economy
- Environment and Natural Resources
- Mobility and Transportation
- Housing and Growth
- Arts, Entertainment, Culture, and History
- Food and Agriculture
- Lifelong Learning and Education
- NA

Explain Focus Areas and Vision Selection* Improving water quality helps community members enjoy Outdoor Recreation near water ways, and it also helps to ensure the sustainability of our Environment and Natural Resources as it relates to surface waters.

Recommendations and Motions

Item Recommendations and Motions

Staff	None. The Board is not required to take action on this information item. The Board
Recommendations*	is welcome, however, to ask questions or provide input to the staff and departments responsible for reporting TMDLs and other water quality measures.
Work Session	I move to ...
Motions*	N/A

Attachments, Comments, and Submission

Item Comments and Attachments

Attachments

Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.

2022 TMDL Annual Report_Acceptance

5.8MB

Letter_Combined.pdf

Comments (optional)

If you have any questions, please call ext.6800

**Department
Approver**

DARREN NICHOLS

1.

Department Approval

Comments

Signature

Darren Nichols

2.

Counsel Approval

Comments

Signature

Vance H. Cooney

2.

County Administrator Approval

Comments

Signature

Suzanne Hoffman

3.

BOC Final Approval

Comments

Signature

Amarda Makepeace



Oregon

Tina Kotek, Governor

Department of Environmental Quality

Western Region Eugene Office

165 East 7th Avenue, Suite 100

Eugene, OR 97401

(541) 686-7838

FAX (541) 686-7551

TTY 711

Apr. 10, 2023

Laurel Byer
Benton County, Engineering & Survey Program Manager
360 SW Avery Avenue
Corvallis OR 97333

Re: Re: Review and Acceptance of the 2021-2022 TMDL Implementation Plan Annual Report for Benton County

Dear Laurel Byer and Daniel Redick,

Thank you for submitting the Benton County 2021-2022 TMDL Implementation Plan Annual Report. The Department has reviewed your report and finds that the report complies with the annual reporting requirement.

I would like to reaffirm that I am available as a resource to assist you as you move forward with TMDL implementation. Please feel free to contact me at (541) 687-7347 for assistance.

Best regards,

Priscilla Woolverton

Priscilla Woolverton
Willamette Basin Coordinator

Ec: Heather Tugaw, Interim Water Quality Manager DEQ, Western Region
Daniel Redick, Solid Waste and Water Quality Program Coordinator



**Benton County Willamette River Basin
TMDL Implementation Plan Annual Report**
for the reporting Period of October 1, 2021 to September 30, 2022

October 25, 2022

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Executive Summary

Benton County continued to use the 2018-2023 TMDL Implementation Plan Matrix to build on program progress during this reporting period.

As detailed in the attached Annual Status Matrix, County Staff has:

- Continued to maintain the County TMDL website, which includes links to specific handouts (i.e. manure storage, dog kennels, erosion and sediment control) and links to other important programs like local transit opportunities and hazardous waste or drug take-back events. There is also a direct link to the County's NPDES Phase II Stormwater Management Program efforts and other local jurisdiction's efforts. The current website can be reviewed using the following link: <https://www.co.benton.or.us/cd/page/water-quality-and-environment>
- Updated the Solid Waste and Materials Management webpage to include more details regarding waste prevention, recycling, and materials management information. Household Hazardous Waste collection events and electronics recycling are advertised on social media and the webpage. The current website can be reviewed using the following link: <https://www.co.benton.or.us/cd/page/solid-waste-materials-management>.
- Provided a range of outreach and education to interested stakeholders and community residents on the water quality work and requirements, including:
 - Information on proper pet waste disposal mailed with all dog license renewals
 - Mud and manure informational brochures emailed in response to "Agricultural" Exempt and Structural Permits intended for livestock.
 - Septic system pamphlet mailed with each septic permit
 - Stormwater Information Center at Benton County's Avery Building for display and distribution of printed outreach materials.
 - Designing and distributing outreach materials that communicate the new Control Measures for Phase II of the NPDES permit
 - Community stakeholder group which meets monthly to discuss stormwater changes, implementational logistics, and community outreach strategies
 - NPDES Stakeholders' group, composed of County and municipal staff, also meets monthly and is regularly updated on outreach and implementation efforts
 - Benton County participated in the City of Philomath Arbor Day Celebration, where staff gave two hands-on demonstrations of stormwater quality and river/stream health to 300+ K-12 students.
 - Stormwater quality topics were communicated quarterly via the Benton County internal newsletter, the BUZZ. Topics included storm drains, watersheds, LIDs and GI, trash and litter, pollutants and point- and nonpoint-source pollution

- The Solid Waste Program has drafted a webpage for Open Burning outreach and education, which is expected to be published early in the next reporting period
- Solid Waste program webpage updated with sustainable materials management information including waste prevention, recycling, Household Hazardous Waste, and Electronics Recycling.
- Continued implementation of Illicit Discharge requirements, which include tracking of sedimentation, bacteria, and other dumping that could negatively impact water quality. There have been no water quality complaints on record for the reporting period 2021-2022.
- Tracking all water quality related complaints through Benton County Public Works and Benton County Environmental Health. In the 2021-2022 reporting period, there was one septic-related complaint, which remains open. There were also twenty-six single family major and twenty-eight minor repairs, and one commercial major repair of septic system failures or imminent failures. However, Major and Minor Repair Permits do not necessarily mean that sewage has been surfacing on the ground. Sometimes it is backing into the house or the applicant is just being proactive and upgrading the septic system.
- Completed trainings for staff on pollution prevention.
- Completed monitoring and updates for best management practices.

Focus within the next reporting period will be to continue implementing the County's NPDES MS4 Permit that was issued in March of 2019, as the County approaches its final implementation deadline for Control Measures 4 & 5. A strong emphasis will be placed on tying the NPDES and TMDL programs together as seamlessly as possible. Data collection will be another opportunity to explore more during the next reporting period, which will include working with other agencies to develop a monitoring plan. Completing a tool box of Low Impact Development options is underway and will be documented in the next reporting cycle.

Please feel free to contact me at Laurel.Byer@co.benton.or.us or 541-766-6013, Gordon Kurtz (Gordon.P.Kurtz@co.benton.or.us; 541-766-6006), or Daniel Redick (Daniel.Redick@co.benton.or.us or 541-766-6014) with questions.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Submitted by:

Laurel Byer 10/27/22

Laurel Byer, PE
Benton County Engineer

Date: 10/26/22

Status Matrix

BENTON COUNTY TMDL (Upper Willamette Sub-Basin) IMPLEMENTATION TRACKING MATRIX							
POLLUTANTS (Bacteria, Temperature, or Mercury)							
SOURCE	STRATEGY	HOW	FISCAL ANALYSIS	MEASURE	TIMELINE	MILESTONE	STATUS 2022
1. Failing Septic Systems - <i>Bacteria</i>	a. Implement a septic management system	i. Monitor existing Alternative Treatment Technology (ATT) systems annually.	Annual inspection and report fees for ATT's as required under OAR 340-71-345(14)(c)(E).	Track and document submittal of inspection reports and fees for ATT's as required by OAR 340-71-345. Track violations and enforcement actions	Ongoing (Annual)	Annual Report – Metrics associated with tracking method currently in place. Database is kept up to date.	Ongoing. Benton County has an intergovernmental agreement with DEQ established on 1/28/76 and revised on 8/25/81 to operate the onsite program under OAR Chapter 340 Division 071 and 073. Monitoring of septic systems could be expanded beyond ATT systems to include other types of septic systems through state rule change and/or adoption of a local ordinance. Additional funding required through fees. ATT reports tracked as before. Currently there are approximately 280 ATT Contracts. 3 ATT contracts are currently out of compliance for 2021. These may be referred to DEQ for enforcement but are considered low priority by DEQ.
		ii. Work with DEQ, Benton County small cities, and service districts to identify sources of bacteria pollution on a case by case basis. Work cooperatively on abatement and remediation.	General Fund (Benton County Environmental Health & Community Development) and Road Fund (Benton County Public Works)	Track and document potential sources on a case by case basis.	There is no annual plan for this effort. This is a case by case response strategy.	Annual Report – documentation of response actions taken. Documentation of all actions kept up to date.	Septic repair permits are received regularly, and when complaints are received they are usually turned into repair permits and corrected through the onsite septic program. The county received 26 Major Repair permits, 28 Minor Repair permits, and 1 Commercial Major Repair permit (Attachment A). 1 septic complaint was received during this period, which remains open (Attachment B). We get a combination of septic repair permits to replace all or a portion of existing septic systems that have failed. We also receive and process septic complaints which ultimately get turned into septic repair permits for valid complaints. Currently work closely with Corvallis UGB, Philomath UGB, Monroe UGB, North Albany City Limits, Alsea Service District, & Alpine Service District.
		iii. Enforcement response to failing, improperly used or un-maintained systems under OAR 340-71-130(3)	General Fund (Environmental Health)	Track and document complaints and follow-up actions.	County complaint contact information readily available on website.	Annual Report – documentation of response actions taken. Documentation of all actions kept up to date.	Referral process to ODEQ for enforcement. 1 septic complaint was received during this period, which remains open (attachment B).
		iv. Environmental Assessment Priority List (EAPL)	General Fund (Environmental Health) IF	Develop a GIS tool that would allow the end-user to identify	Years 1-2: Develop the GIS tool by	Annual Report – document any areas that	County is prototyping GIS applications for stormwater appurtenances, therefore we are learning from that process and possibly moving toward being able to develop a septic “app” for use in the field.

BENTON COUNTY TMDL (Upper Willamette Sub-Basin) IMPLEMENTATION TRACKING MATRIX							
POLLUTANTS (Bacteria, Temperature, or Mercury)							
SOURCE	STRATEGY	HOW	FISCAL ANALYSIS	MEASURE	TIMELINE	MILESTONE	STATUS 2022
		identifies priority areas for current and future work to improve water quality	APPROVED for FY2019-2021	and analyze a proposed septic drain field proposal using criteria and databases currently available or being developed	the end of year 2020. Years 3-5: Identify and document potential strategies and funding sources for property owners, Craft3 and CWSRF	have been improved	There are not any GIS tools for septic currently in development.
1. Failing Septic Systems - <i>Bacteria</i> (cont.)	b. Maintain standards for proper siting of septic systems.	i. Continue to administer OAR 340-71 & OAR 340-73 under contract between DEQ and Benton County Environmental Health.	Funded by On-Site Sewage Disposal fees & General Fund.	Track and document program metrics, as well as system approvals, denials, maintenance and replacement. Report directly to DEQ.	Ongoing	Annual Report – documentation of program metrics. Documentation of all approvals & actions kept up to date.	Contract between DEQ and Benton County established on 1/28/76 and revised on 8/25/81. Tracking and documentation is done using e-permitting and Laserfiche, and reporting quarterly to DEQ.
	c. Public outreach and education for property owners on proper use and maintenance of septic systems.	i. Environmental Health conducts and participates in outreach and education with at least one outreach per year.	Funded by On-Site Sewage Disposal fees & General Fund.	Track and document outreach efforts, including presentations, workshops, mailings, field consultations etc. Continue to provide relevant and up-to-date septic system information on County website	Ongoing	Annual Report – Examples of outreach materials.	Outreach is available online at www.co.benton.or.us/health/page/sewage-disposal and includes the following: <ul style="list-style-type: none"> • Sand-filter Monitoring Maintenance Checklist • Rural Development Planning • EPAs Homeowner’s Guide to Septic Systems • How to Safeguard Your Septic System • Buying or Selling a home with an On-site Wastewater System <p>Benton County Environmental Health sends a pamphlet with each septic permit entitled “Your Septic System - A Reference Guide for Homeowners”</p> <p>Benton County Environmental Health mails EPA Small Flows Clearinghouse brochure with each septic permit listing the care and maintenance of septic systems.</p>

BENTON COUNTY TMDL (Upper Willamette Sub-Basin) IMPLEMENTATION TRACKING MATRIX							
POLLUTANTS (Bacteria, Temperature, or Mercury)							
SOURCE	STRATEGY	HOW	FISCAL ANALYSIS	MEASURE	TIMELINE	MILESTONE	STATUS 2022
2. Pollutants carried to waterways in stormwater runoff – <i>Bacteria, Temp, & Mercury</i>	a. Protect & limit removal of riparian vegetation to filter runoff.	i. Non-regulatory Riparian Corridor Program based on Statewide Planning Goal 5.	General Fund; additional funds needed to support program implementation GIS fund (specific use fund for aerial photography – value ~\$9k)	Track development permits issued in riparian corridors. Review and analyze aerial photography and remote sensing images to determine whether development causes reduction in riparian cover beyond what would have been allowed by the proposed regulatory program.	Ongoing; Program adopted January 2013 and reassessed in 2018. Coordinate with local watershed partners to establish riparian BMP's by 2020.	Annual Reports. 5-Year Program Trends and Status Report.	Submitted riparian program annual report for reporting period 2019-2020 on 3/31/21, which was accepted by DEQ on 4/30/2021. Development was not determined to cause a reduction in riparian cover beyond what would have been allowed by the proposed regulatory program.
2. Pollutants carried to waterways in stormwater runoff - <i>Bacteria, Temp, & Mercury</i> (cont.).	a. Protect riparian vegetation to filter runoff (cont.).	ii. Staff training on BMP's and ESC measures for County activities on an annual basis.	Public Works Engineering and Road Maintenance staff time is supported by Road Fund money.	Track and document trainings staff attendees.	Ongoing. Annual review.	Annual Report.	One annual training occurred for lead workers and road crew in October of 2021. This training includes: <ul style="list-style-type: none"> - Overview of BMP implementation (attachment 'C') - Procedure for spill response - Overview of impending permit code changes <p>Two annual trainings are scheduled to occur on October 20, 2022, and November 17th, 2022.</p> <p>The goal for following reporting periods is to include more staff members in this annual training.</p> <p>BMPs have been extensively updated throughout the reporting period and the final BMPs are attached to this annual report (attachment C).</p>

BENTON COUNTY TMDL (Upper Willamette Sub-Basin) IMPLEMENTATION TRACKING MATRIX							
POLLUTANTS (Bacteria, Temperature, or Mercury)							
SOURCE	STRATEGY	HOW	FISCAL ANALYSIS	MEASURE	TIMELINE	MILESTONE	STATUS 2022
		iii. Conduct outreach and education.	General Fund (Benton County Environmental Health & Community Development) and Road Fund (Benton County Public Works)	Document brochures are distributed by Community Development and Building Department with approved permits; also make available at front counters. Contact the owners of property where riparian vegetation removal has been identified to provide information about consequences and possible mitigation measures	Ongoing	Annual Report	The “Voluntary Program for Riparian Resources” brochure (attachment D) has been included in the issued permit paperwork for the property owner/contractor. The riparian program methodology can be found in Attachment E, and the program webpage can be found here: https://www.co.benton.or.us/cd/page/voluntary-program-riparian-resources 13 owners of property where riparian vegetation removal has been identified were contacted and provided with more information. Riparian and Wetlands project information and outreach can be found here: https://www.co.benton.or.us/cd/page/riparian-and-wetlands-project-resources
	b. Protect existing wetlands to filter Stormwater runoff.	i. Continue to protect significant wetlands as identified in the National Wetland Inventory, Oregon Online and by ODF&W, DSL, & local overlays.	General Fund (Benton County Environmental Health & Community Development) and Road Fund (Benton County Public Works)	Track and document permit applications within overlay zones. Document variances and enforcement actions.	Ongoing	Annual Report	Benton County sent 15 DSL notifications of development applications for properties with wetlands. DSL sent responses for 8, and confirmed that 1 of them may have impacts on DSL-regulated wetlands. No development has been authorized in a Benton County-regulated wetland overlay zone and no variances or enforcement actions occurred during the reporting period. Details are available in Attachment ‘F’.
		ii. Recognize and support preservation	General Fund (Benton County Environmental	Track direct complaints and	Ongoing	Annual Report	There have been no water quality complaints on record for the reporting period 2021-22.

BENTON COUNTY TMDL (Upper Willamette Sub-Basin) IMPLEMENTATION TRACKING MATRIX							
POLLUTANTS (Bacteria, Temperature, or Mercury)							
SOURCE	STRATEGY	HOW	FISCAL ANALYSIS	MEASURE	TIMELINE	MILESTONE	STATUS 2022
2. Pollutants carried to waterways in stormwater runoff - <i>Bacteria, Temp, & Mercury</i> (cont.)	b. Protect existing wetlands to filter Stormwater runoff.	and protection efforts for existing and developed wetlands as identified in Statewide Planning Goal 5 and as identified in the Federal Register, by ODF&W, DSL and local overlays.	Health & Community Development) and Road Fund (Benton County Public Works)	reports from the public and referrals to the appropriate jurisdictional authority.			The Middle Willamette Agricultural Water Quality Management Area Plan and Regulations information is included as Attachment N.
		iii. Notify DSL when development is proposed in any wetlands identified as described above.	General Fund (Benton County Environmental Health & Community Development) and Road Fund (Benton County Public Works)	Track documentation provided to DSL and DSL responses received.	Year 1: Develop a recordkeeping mechanism to track permit applications for development in delineated wetlands. Staff to notify DSL in these instances. Year 2-5: Maintain records of development applications for properties with delineated wetlands. Year 5: Use records to assess the impact development	Annual Report	Benton County sends DSL notification of development applications for properties with wetlands. This reporting period (2021-2022) there have been 15 development project applications for properties with wetlands. Of these applications, DSL responded to 8 notifications, and has confirmed 1 of them may impact wetlands. Details are available in Attachment 'F'.

BENTON COUNTY TMDL (Upper Willamette Sub-Basin) IMPLEMENTATION TRACKING MATRIX							
POLLUTANTS (Bacteria, Temperature, or Mercury)							
SOURCE	STRATEGY	HOW	FISCAL ANALYSIS	MEASURE	TIMELINE	MILESTONE	STATUS 2022
					is having on wetlands and consider updates to in existing wetland inventories and protections.		
	c. Educate property owners to keep livestock manure storage removed from riparian areas and stream channels.	i. Give fact sheets and stream protection brochures to owners applying for livestock-related building permits.	General Fund (Benton County Environmental Health & Community Development) and Road Fund (Benton County Public Works)	Track and document that applicants receive outreach material for properties that contain riparian areas and streams.	Ongoing Update of the TMDL portions of the Benton County Website is scheduled to be completed by October 31, 2019.	Annual Report	<p>In the 2021-2022 reporting period, there have been eleven permits for structures for animals/livestock, and six of those properties may have riparian areas. Due to staffing challenges, Benton County did not send most of the applicants the stream protection brochures at the time of approval. However, staff have identified the error and sent all applicants for this reporting period the Managing Mud and Manure brochure (attachment H), as detailed in Attachment 'G' on October 21, 2022. Further staff training will occur in the next reporting period on sending this information along with the approved/issued permits for buildings that will house livestock. Published information on website: Taking Care of Streams - Landowner's Guide to Riparian Areas (Attachment I)</p> <p>The County's TMDL Bacteria Pollution Reduction Strategy is included in attachment L, and the associated Agricultural Water Quality Complaint Form is included as attachment M.</p>
2. Pollutants carried to waterways in stormwater runoff – <i>Bacteria, Temp, & Mercury</i> (cont.)	d. Reduce animal waste in County Parks.	i. Educate pet and horse owners with signs and brochures. Have bags and garbage cans available to facilitate compliance with waste removal rules.	General Fund (Benton County Environmental Health & Community Development) and Road Fund (Benton County Public Works)	Monitor pet waste stations cost of providing pet waste bags; maintain signage	Ongoing	Annual Report	Bags and signs are in place and being utilized by the public and restocked regularly.
	e. Reduce dog waste from kennels and other sources.	i. Provide BMP fact sheets and guidelines to applicants for existing and	General Fund (Benton County Environmental Health & Community Development) and	Document all applicants are provided fact sheet. Publish information on	Ongoing Update of the TMDL portions of the Benton	Annual Report	No new kennels applied for conditional use permits during this reporting period (10/21-9/22). Regularly, kennel applicants are provided with Kennel BMPs and Kennels and Water Quality Fact Sheet (Attachment J).

BENTON COUNTY TMDL (Upper Willamette Sub-Basin) IMPLEMENTATION TRACKING MATRIX							
POLLUTANTS (Bacteria, Temperature, or Mercury)							
SOURCE	STRATEGY	HOW	FISCAL ANALYSIS	MEASURE	TIMELINE	MILESTONE	STATUS 2022
		proposed kennels. Post all information on the Benton County website.	Road Fund (Benton County Public Works)	the Benton County website.	County Website is scheduled to be completed by October 31, 2019 .		Published on website: <ul style="list-style-type: none"> - https://www.co.benton.or.us/cd/page/tmdl-water-quality-pollutants - Kennels and Water Quality – DEQ - Best Management for Kennels
		ii. Conditional Use Permit applications ensure commercial kennel waste is disposed of properly.	General Fund (Benton County Environmental Health & Community Development) and Road Fund (Benton County Public Works)	Condition that kennels are required to dispose of animal waste in a sanitary manner and County's enforcement process for non-compliance.	Ongoing Document new kennels as they are established.	Annual Report	No new kennels applied for conditional use permits during this reporting period (10/21-9/22).
		iii. Provide half-sheet handout to dog owners with issuance of a dog license or with license renewal notification.	General Fund (Benton County Environmental Health & Community Development) and Road Fund (Benton County Public Works)	Procedure in place to distribute with every dog license.	Ongoing Once monthly when license renewals are mailed the information sheet is included in the mailing	Annual Report	2,575 pet waste handouts were sent to dog owners during the 2020-2021 reporting period. The Pet Waste and Water Quality Flyer (attachment K) was also updated this reporting period.
2. Pollutants carried to waterways in stormwater runoff - <i>Bacteria, Temp, & Mercury</i> (cont.)	f. Respond to public reports of water quality issues, concerns, and violations	i. Benton County Stormwater webpage and violation reporting phone number are posted where they can easily be found by concerned citizens.	General Fund (Benton County Environmental Health & Community Development) and Road Fund (Benton County Public Works)	Webpage and phone number available.	Ongoing	Annual Report	Website was updated in the previous reporting period to make stormwater concerns a priority and emphasized phone numbers for people to report: https://www.co.benton.or.us/cd/page/stormwater-program
		ii. Continue to track water quality	General Fund (Benton County Environmental	Track and document reports/	Ongoing; annual review	Make it easier for the public to report WQ	There have been no water quality complaints on record for the reporting period 2021-2022.

BENTON COUNTY TMDL (Upper Willamette Sub-Basin) IMPLEMENTATION TRACKING MATRIX							
POLLUTANTS (Bacteria, Temperature, or Mercury)							
SOURCE	STRATEGY	HOW	FISCAL ANALYSIS	MEASURE	TIMELINE	MILESTONE	STATUS 2022
		complaints, follow-up and enforcement actions	Health & Community Development) and Road Fund (Benton County Public Works)	complaints received and follow-up and enforcement actions		issues and concerns	
3. Other watershed sources - <i>Bacteria, Temp, & Mercury</i>	a. Promote watershed practices that protect and enhance water quality through collaboration with outside agencies and organizations.	i. Support and collaborate with watershed partners to implement projects that benefit water quality	General Fund (Benton County Environmental Health & Community Development) and Road Fund (Benton County Public Works)	Track and document support provided (in-kind and financial) and projects completed.	Year 1: Work with MRWC to replace the Skunk Creek Culvert Year 2: Collaborate on the Oak Creek fish barrier removal project		<p>Agriculture and Wildlife Protection Program (AWPP) received funds from USDA to purchase outreach materials, beaver mitigation supplies and professional consultation/installation, and a UAS system to perform wetland/project surveys.</p> <p>Benton County is currently overseeing the Construction Site Runoff Control and the Post Construction Site Runoff measures for the City of Philomath under an Inter-Governmental Agreement (I.G.A.) The County currently is working on implementing NPDES Phase II outreach, an updated Stormwater Management Plan, Stormwater Design Manual and new County Code modifications which will be in place for Phase II Implementation in March 2023.</p> <p>Benton County was a representative stakeholder in the Marys River Watershed Council's (MRWC) Oak Creek Stewardship effort funded by the Oregon Watershed Enhancement Board (OWEB). Public Works staff remains engaged with the Oak Creek Watershed Network, an engagement and action group founded during the Oak Creek Stewardship effort. County staff continue to advise and support the Network's efforts with land use policy, transportation planning, and road/stream interfaces. The stewardship effort also created a Knowledge Clearinghouse, using an on-line resource tool called Data Basin hosted by the Conservation Biology Institute. Public Works staff continue to provide data and information to the Knowledge Clearinghouse as needed. Current information can be found at the following link https://oregonexplorer.info/topics/oak-creek-watershed-network?ptopic=38 . Additional OWEB funding is being sought by MRWC to implement action items identified by the stewardship stakeholders. Benton County's cooperation with MRWC and participation in this stewardship effort is and is planned to be on-going.</p> <p>Benton County works cooperatively with the Marys River, Luckiamute, Long Tom and Mid-Coast Watershed Councils to assist in their restoration and outreach efforts as well as drawing upon their network of volunteers and environmental knowledge to effectively implement our</p>

BENTON COUNTY TMDL (Upper Willamette Sub-Basin) IMPLEMENTATION TRACKING MATRIX							
POLLUTANTS (Bacteria, Temperature, or Mercury)							
SOURCE	STRATEGY	HOW	FISCAL ANALYSIS	MEASURE	TIMELINE	MILESTONE	STATUS 2022
							<p>own projects. In June of 2020, Benton County and MRWC signed an Inter-Governmental Agreement to solidify the two entities' commitment to working cooperatively. The Marys River Watershed is 40% of the total land area of Benton County and is nearly completely contained within Benton County. As part of this IGA, Benton County provides MRWC with technical support and in return MRWC personnel can be hired by the County to monitor, maintain, and repair restoration work required as part of our culvert and bridge replacement programs.</p> <p>Benton County staff routinely provide input and review for Oregon State University Capstone projects. This year's senior project suite is the first in a proposed multi-year program titled Stormwater on Campus. The end-goal of this effort is tangible changes to existing stormwater systems that support water quality in the Oak Creek Basin.</p>
		ii. Implement the currently defined TMDL and NPDES Phase II programs.	Various, as indicated in the matrix documents contained in these programs.	Adherence to goals, outcomes, and timelines as specified in the program documents.	-see program documents-	-see program documents-	<p>Differences clearly defined on website: https://www.co.benton.or.us/cd/page/water-quality-and-environment</p> <p>Benton County Stormwater Program Staff are currently in the process of designing and distributing outreach materials that communicate the new Control Measures for Phase II of the NPDES permit. There is a community stakeholder group which meets monthly to discuss stormwater changes, implementational logistics, and community outreach strategies. This group is composed of contractors, developers, real estate professionals, road district members, and interested citizens.</p> <p>The NPDES Stakeholders' group, composed of County and municipal staff, also meets monthly and is regularly updated on outreach and implementation efforts.</p>
		iii. Incorporate awareness and promote protection of water resources on a watershed scale in County-wide policies and programs.	All funding streams available to the County contribute to this effort.	Through the Thriving Communities Initiative, the Implementation Steering Committee will form policies and programs that promote protection. These policies will be documented	Ongoing	Stewardship Sustainability Resource Efficiency Reduce Recycle Reuse Benton County Sustainability Policy Resolution #: R2017-025	<p>Ongoing – County leadership is moving forward with policies and procedures. In 2019, Focus Areas were identified, and Leadership requires goals for county departments to be included in biennial budgets. Progress is tracked.</p>

BENTON COUNTY TMDL (Upper Willamette Sub-Basin) IMPLEMENTATION TRACKING MATRIX							
POLLUTANTS (Bacteria, Temperature, or Mercury)							
SOURCE	STRATEGY	HOW	FISCAL ANALYSIS	MEASURE	TIMELINE	MILESTONE	STATUS 2022
				and institutionalized.			
3. Other watershed sources - <i>Bacteria, Temp, & Mercury</i> (cont.)	b. Regulate long-term stormwater management through application of post-construction requirements	i. Apply code requirements to developments or building permits greater than 1 acre ground disturbance OR 25,000 sf of impervious surface	General Fund and building/development permit fees cover this effort	Document the number of permits required to have a post-construction plan approval	Ongoing	Annual Report	In this reporting period, one post-construction facility was required in Benton County jurisdiction. Code changes for these issues to comply with the 2019 permit are due to be completed by March 2023. This process will be augmented once Code changes are in place as a part of the NPDES MS4 2019 updates.
		ii. Emphasize Low Impact Development options	General Fund and Permit Fees	Develop a separate LID menu of design options for use in post-construction facilities	Complete by June 30, 2020	Annual Report	County staff has made several efforts to develop LID standards and have faced challenges accomplishing that task over the last 5 years. Those challenges have been identified in previous annual reports. The Public Works and Community Development Departments have recently added full-time water quality staff members and we believe the additional FTEs will facilitate a return to the LID standards development. The County is approaching its final implementation deadline for Control Measures 4 & 5 of the 2019 NPDES Phase II MS4 permit. Control Measure 5 had very specific language regarding identification of LID methods and construction techniques that will offer the public effective design options when development is proposed. The LID options will be chosen to best fit rural and/or urban/rural interface applications. The effort to establish this standard is underway and will be documented in the next reporting cycle.
	c. Continually evaluate and improve County system BMPs	i. Prioritize mechanical mowing by promoting no-spray program in County newsletter, handouts	Road Fund	Document the trend of no-spray zones, increasing or decreasing	Ongoing	Annual Report	No-spray zones are trending slightly downward, decreasing by 15 no-spray permits from the 2021-2022 reporting period. 2022 (As of 10/5/22) – 142 no-spray permits 2021 – 157 no-spray permits 2020 – 166 no-spray permits 2019 – 169 no-spray permits 2018 – 177 no-spray permits 2017 – 173 no-spray permits 2016 – 173 no-spray permits
	c. Continually evaluate and improve County	ii. Evaluate effectiveness and timing of	Road Fund	Document miles of road swept by each	Annual review	Annual Report	The rural county roads are swept 2-3 times per year. An estimated 3000 road miles were swept. An Odometer was installed on the sweeper during this reporting period, which did not produce accurate

BENTON COUNTY TMDL (Upper Willamette Sub-Basin) IMPLEMENTATION TRACKING MATRIX							
POLLUTANTS (Bacteria, Temperature, or Mercury)							
SOURCE	STRATEGY	HOW	FISCAL ANALYSIS	MEASURE	TIMELINE	MILESTONE	STATUS 2022
	system BMPs (cont.)	road sweeping programs		method (rotary or vacuum)			measurements as intended. An Automated Vehicle Log (AVL) was then installed in May of 2022 to help record the amount of time the broom is on. This year's estimate uses 3 months of AVL data (converting from time to miles), and the next reporting period is expected to have a full year's worth of data with more accurate measurements.
4. Excess solar radiation - <i>Temperature</i>	a. Limit removal of riparian vegetation-expand and enhance existing managed natural resources in Benton County Parks & Natural Areas	i. Riparian & wetland restoration and preservation are established, documented priorities in all Parks & Natural Areas Management and Development Plans.	Grant funding is cyclically available for materials and activities above and beyond routine on-the-ground management and enhancement activities.	Expand, enhance and create new wetlands - increase impoundment at Jackson Frazier Wetland. Remove invasive species and replace with native plants in JF stream corridors.	Plans are updated on an annual basis; new plans will be developed as new stewardship properties are acquired. Jackson-Frazier enhancement to be completed by spring 2020.	Annual Report	<p>The USFWS utilized their heavy equipment scraper machines to develop 3 large seasonal pools, that capture significant surface water flow and increase infiltration. These are approximately 300' long and 50' wide with varying edges for natural feature enhancement. During high rain events these capture and slow stormwater runoff from the Jackson-Frazier subbasin within the developed a undeveloped North Corvallis region. All these areas are heavily seeded and planted with native aquatic and wetland prairie species.</p> <p>Ongoing Summer and Fall control of primarily Reed Canary grass has occurred, within the wetland and riparian stream corridors within Jackson-Frazier wetland. This includes ongoing mowing and dry-season targeted herbicide applications. These have significantly reduced the density of Reed Canary grass leading to enhance streamflow and reduction of possible debris capture/localized flooding during storm events.</p>
5. Soil erosion - <i>Mercury</i>	a. Reduce erosion caused by livestock.	i. Give fact sheets and stream protection brochures to owners applying for livestock-related building permits.	General Fund (Benton County Environmental Health & Community Development) and Road Fund (Benton County Public Works)	Document that Fact sheet is given out with livestock related building permits.	Ongoing	Annual Report	In the 2021-2022 reporting period, there have been eleven permits for structures for animals/livestock, and six of those properties may have riparian areas. Due to staffing challenges, Benton County did not send most of the applicants the stream protection brochures at the time of approval. However, staff have identified the error and sent all applicants for this reporting period the Managing Mud and Manure handout, as detailed in Attachment 'G' on October 21, 2022. Further staff training will occur in the next reporting period on sending this information along with the approved/issued permits for buildings that will house livestock. Published information on website: Managing Mud and Manure
	b. Implement the currently defined NPDES Stormwater Plan.	i. Add erosion prevention and sediment control information to the County website.	General Fund (Benton County Environmental Health & Community Development) and Road Fund (Benton County Public Works)	Website is updated with erosion prevention and sediment control information	Update website with erosion prevention and sediment control information by October 31, 2019	Annual Report	<p>The webpage has been extensively updated to better communicate erosion prevention and sediment control during the reporting period.</p> <p>Published on website: https://www.co.benton.or.us/cd/page/control-measure-4-construction-site-runoff-control</p> <p>https://www.co.benton.or.us/cd/page/control-measure-5-post-construction-site-runoff-control</p>

BENTON COUNTY TMDL (Upper Willamette Sub-Basin) IMPLEMENTATION TRACKING MATRIX							
POLLUTANTS (Bacteria, Temperature, or Mercury)							
SOURCE	STRATEGY	HOW	FISCAL ANALYSIS	MEASURE	TIMELINE	MILESTONE	STATUS 2022
		ii. Continue to implement construction site erosion prevention program with defined runoff and sediment control standards and methods.	General Fund (Benton County Environmental Health & Community Development) and Road Fund (Benton County Public Works)	Track and document Erosion and Sediment permit applications, violations and follow-up or enforcement actions	Ongoing	Annual Report	The County has issued 4 erosion and sediment control permits since October 2021. If complaints were received, they were remedied in the field with the contractor.
		iii. Coordinate with local partners to teach private property owners about erosion control and the sources of mercury in our water.	General Fund (Benton County Environmental Health & Community Development) and Road Fund (Benton County Public Works)	Track meetings and workshops in which the County has participated. Track outreach efforts.	Years 1-5: Help to coordinate and support at least one outreach event a year	Annual Report	<p>County staff is an active participant in the Oak Creek Watershed Network, an organization dedicated to improving water quality and aquatic habitat in the Oak Creek watershed. Stakeholders include Marys River Watershed Council, Oregon State University, OSU Extension, Benton County, Benton Soil and water Conservation District, interested neighbors, etc.</p> <p>Also, monthly meetings are still occurring for the NPDES/TMDL implementation group which includes internal departments as well as the cities of Philomath, Corvallis, and Albany. The focus is implementation of the 2019 NPDES MS4 Pollution Prevention Permit.</p> <p>Benton County participated in the City of Philomath Arbor Day Celebration, where staff gave two hands-on demonstrations of stormwater quality and river/stream health to 300+ K-12 students.</p> <p>Stormwater quality topics were communicated quarterly via the Benton County internal newsletter, the BUZZ. Topics included storm drains, watersheds, LIDs and GI, trash and litter, pollutants and point- and nonpoint-source pollution.</p>
	b. Implement the currently defined NPDES Stormwater Plan. (cont.)	iv. Maintain CESCL certification for two Public Works Engineering staff members at all times.	Public Works Engineering and Road Maintenance staff time is supported by Road Fund money.	Track and document staff training and certification.	Ongoing	Annual Report	Benton County currently has five staff members that are CESCL certified. Our partner agency, The City of Philomath, currently has two CESCL certified staff members, and the City of Corvallis has three CPESC certified staff members.
6. Air pollution settling to the ground - Mercury	a. Reduce fossil fuel consumption	i. Coordinate efforts with the County-wide Sustainability	General Fund (Benton County Environmental Health & Community	Establishment of goals and guidelines. Communication	Ongoing	Annual Report Resolution #: R2017-025	Ongoing. In 2020, County adopted a greenhouse gas emission reduction goal of reducing to 50% of 2010 levels by 2030 and be net-zero by 2050. In coordination with the 2040 Thriving Communities Initiative and Sustainability Program, the County is working on how to move forward

BENTON COUNTY TMDL (Upper Willamette Sub-Basin) IMPLEMENTATION TRACKING MATRIX							
POLLUTANTS (Bacteria, Temperature, or Mercury)							
SOURCE	STRATEGY	HOW	FISCAL ANALYSIS	MEASURE	TIMELINE	MILESTONE	STATUS 2022
	and open burning.	Program. Adoption of CO2 emissions reduction goal.	Development) and Road Fund (Benton County Public Works)	with and participation the Sustainability Program.		Resolution #: R2018-024	with policies and procedures. In 2019, Focus Areas were identified, and Leadership requires goals for county departments to be included in biennial budgets. Progress is tracked. The following sustainability updates have also occurred: <ul style="list-style-type: none"> - Updated GHG Reduction Goal: #R2020-004 - Updated Climate Action Plan in 2022. - 5 solar arrays on public buildings <p>The Solid Waste Program has drafted a webpage for Open Burning outreach and education, which is expected to be published early in the next reporting period.</p>
		ii. In support of Resolution R2018-024, encourage employees and the public to walk, bike, ride-share, car-pool and mass transportation.	General Fund (Benton County Environmental Health & Community Development) and Road Fund (Benton County Public Works)	Provide schedules and contact information for local transportation services and alternatives.	Ongoing	Annual Report	Transit information is located in our main lobby area of the County's Avery building. Links are provided on our internal website.
7. Landfills - Mercury	a. Encourage recycling in general and specifically of mercury-containing products.	i. Add recycling policy and guideline materials to the County website, maintain and update. Inform the public about local hazardous waste collection events in newsletters and social media posts.	General Fund (Benton County Environmental Health & Community Development) and Road Fund (Benton County Public Works)	Website maintenance, transmission of local solid waste handler's policies and guidelines, notice of changes to these guidelines.	Update website with current information by October 31, 2019 maintenance of the website will be ongoing afterward	Annual Report	Website updated with waste prevention, recycling, and materials management information: https://www.co.benton.or.us/cd/page/solid-waste-materials-management . Household Hazardous Waste collection events advertised on social media and the webpage: https://www.co.benton.or.us/cd/page/household-hazardous-waste . Electronics Recycling is also advertised on social media and the webpage: https://www.co.benton.or.us/cd/page/electronics-recycling .
	b. Ensure the Board is aware of TMDL Plan and requirements	i. Annual Report is presented to the Board every year	General Fund (Benton County Environmental Health & Community Development) and Road Fund (Benton County Public Works)	Board meeting agenda, meeting minutes	Annual	Submit request to Board for opportunity to discuss TMDL planning and implementation	Staff generally try to provide informational updates throughout the year; however, a formal presentation would occur in February to capture new Board members (if applicable). A formal presentation was not provided during the reporting period.

FISCAL TRACKING	Benton County addresses the requirements of the TMDL program with staff and funding streams from three departments: Public Works, Community Development and the Environmental Health Division of the Health Department. The funding sources for these three principal contributors are varied. Benton County has several methods of tracking staff time. Public Works can produce reports for staff time devoted to either the TMDL or NPDES programs. A more detailed accounting system can be developed if required by DEQ.
MILESTONES	Many of the program elements itemized above have been given an "Annual Report" Milestone. This indicates that the results of (mostly) ongoing programs will be summarized and enumerated in the Annual Report at the end of each year. The County wishes to comply with the Milestone requirements and requests input on this approach.

Attachments



DEPARTMENT OF ENVIRONMENTAL QUALITY

Onsite Waste Systems Activity Report
 for 10/1/21 through 9/30/22
 DEQ Surcharge Fee of \$100.00 used in calculations

www.co.benton.or.us

Type of Activity	Number of Activities	Calculated Surcharge Fees	Notes
SITE EVALUATION REPORTS			
Residential	22	\$2,200.00	
Commercial	2	\$200.00	
Existing Systems	3	\$300.00	
CONSTRUCTION - INSTALLATION PERMITS			
Standard Systems	26	\$2,600.00	
Capping Fill Systems	1	\$100.00	
Pressure Distribution Systems	0	\$0.00	
Sand Filter Systems	1	\$100.00	
ATT (Alternative Treatment Technology) Systems	6	\$600.00	
RGF (Recirculating Gravel Filter) Systems	0	\$0.00	
Other Alternative Systems	0	\$0.00	
Holding Tanks	0	\$0.00	
ALTERATION PERMITS			
Major	12	\$1,200.00	
Minor	7	\$700.00	
REPAIR PERMITS			
Single Family (Major)	25	\$2,500.00	
Single Family (Minor)	8	\$800.00	
Commercial (Major)	0	\$0.00	
Commercial (Minor)	2	\$200.00	
PERMIT RENEWAL/REINSTATEMENT/TRANSFER			
With field visit	0	\$0.00	
No field visit	6	\$600.00	
AUTHORIZATION NOTICES			
With field visit	19	\$1,900.00	
No field visit	5	\$500.00	
DEQ only activities	0	\$0.00	
Total activities and calculated surcharge	145	\$14,500.00	

Authorizations resulting in permits 3

Remit to: Dept of Environmental Quality
 Attn: Accounts Receivable
 700 NE Multnomah Suite 600
 Portland, OR 97232-4100

Attachment B: Septic Complaints Summary

Septic Complaint Summary – 10/1/21-9/30/22			
#	Date	Complaint ID #	Status
1	7/28/2022	12559	Open

Attachment C: Best Management Practices (BMPs), Roads
Division, Updated and Revised 2022

Benton County
**ROADS, FACILITIES, PARKS & NATURAL
AREAS**



**STANDARD OPERATING PROCEDURES &
BEST MANAGEMENT PRACTICES**

2022

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INTRODUCTION

Best Management Practices (BMPs) are intended to guide Benton County in minimizing impacts to environmental and cultural resources while maintaining infrastructure.

These BMPs are largely based on the Oregon Department of Transportation (ODOT) Routine Road Maintenance Water Quality and Habitat Guide Best Management Practices (Figure 1).

The activities detailed in this document are subject to Benton County's DSL/USACE joint permit and/or Oregon Department of Environmental Quality (OR DEQ) 1200-CA permits. The County's 1200-CA permit requires compliance with the MS4 Program while conducting construction and maintenance activities in the County Right-of-Ways.

Benton County's BMPs reference the Endangered Species Act (ESA) and incorporate guidance from the:

- ✓ **National Marine Fisheries Service (NMFS),**
- ✓ **Oregon Department of Fish and Wildlife (ODFW),**
- ✓ **Oregon Department of Environmental Quality (OR DEQ),**
- ✓ **US Fish and Wildlife Service (USFWS),**
- ✓ **Oregon Department of Agriculture (ODA),**
- ✓ **US Department of Agriculture and Plant Health Inspection Service (APHIS),**
- ✓ **Wildlife Service (WS), US Forest Service (USFS), and the**
- ✓ **State Historic Preservation Office (SHPO)**

Benton County BMPs should serve to protect and conserve salmonid and steelhead that are listed as threatened, as well as wetlands, cultural and other protected resources. They also provide the county with direction on how to minimize regulatory compliance risk.

The BMPs throughout this document directly address many of Benton County's Focus Areas and Vision, including: Community Safety; Outdoor Recreation; a Prosperous Economy; Environment and Natural Resources; Mobility and Transportation; Arts, Entertainment, Culture and History; and Food and Agriculture. They also address Core Values of Benton County's 2040 Thriving Communities Initiative: County Demographics; Vibrant, Livable Communities; Supportive People & Resources; High Quality Environment and Access; Diverse Economy that Fits; and Community Resilience.

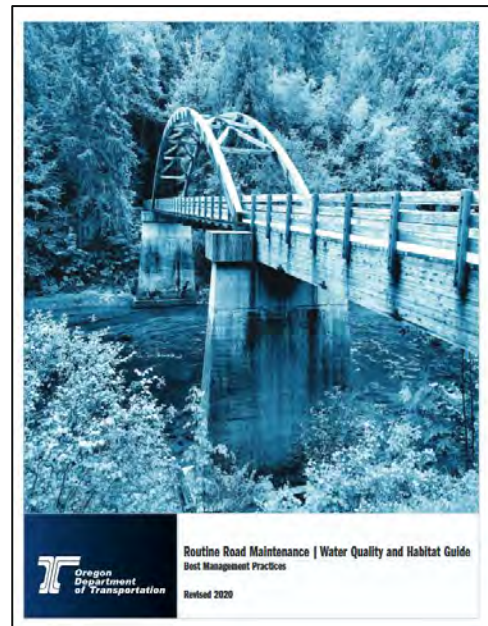



Figure 1 ODOT Water Quality and Habitat Guide BMPs

CULTURAL AND NATURAL RESOURCES


The phrases ‘to the maximum extent practicable/as possible’ are used throughout this guidebook. This guidance refers to situations where distinct requirements may not exist. Staff are encouraged to use their best judgement to mitigate environmental impacts as best as possible.

Some activities, like spraying within Special Management Areas or disrupting fish passage, have permit-related requirements that require designated permission from collaborating agencies such as ODOT, USFWS, NMFS or others. If procedures for regulated activities are unclear, please contact your Crew Lead or Department Head for direction. **Crew leads or supervisors should be aware of permit requirements while work is being planned and before it takes place.**

The lowest impact work options should be used in consideration of Benton County’s missions of sustainability and environmental stewardship. The appendices at the end of this guide, as well as the **ODOT Water Quality and Habitat Guide Best Management Practices (Blue Book)** provide further details on certain maintenance, construction, or cleaning activities.

Throughout this book, a **water drop icon ()** accompanies activities that have direct implications for **water quality and erosion and sediment control** which are further regulated by Benton County’s DEQ National Pollution and Discharge Elimination System (NPDES) permit.



Archaeological Resources

- **If archaeological material is identified during any work activity,  STOP WORK immediately.**
- Contact the project manager or the Department Head who will then coordinate with the appropriate government agency and/or tribe in order to continue work after required assessment and preservation measures.

Nesting Birds and Bat Colonies

- If work activities **will directly impact active nesting migratory birds or bat colonies,  STOP WORK immediately** and notify the Project Manager or Department Director as these species are protected.

Water Quality

	Denotes water quality , erosion and sediment control-related activities
	Denotes activities impacting fish passage and protected fish species

GENERAL GOOD HOUSEKEEPING

Mitigation and avoidance are key to Best Management Practices. BMPs in this section **apply at all times.**

Safety

Implementing BMPs should never take precedence over ensuring employee safety.

BMPs seek to minimize the environmental and cultural impacts of Benton County's activities. However, managers may need to exercise flexibility where possible in implementing BMP measures, particularly in consideration of employee safety.

Streams and Waterways – Best Management Practices

- **Keep debris, road materials, and chemicals out of streams.** OR DEQ prohibits introduction of any chemicals, runoff, or sediment into State waters.
- Prioritize the use of environmentally friendly products whenever possible.
- Use non-toxic structural repair materials for in-water features.
- Dampen mechanical sounds in fish-bearing streams if required by permit.
- **Use erosion and sediment measures when vegetation or ground is disturbed.** ¹ Examples include straw, mulch, geotextile fabrics, plastic sheeting, matting, sediment fence or wattles.
- Work in and around wetlands requires extreme care and DEQ, DSL, ODFW, USACE, or USFWS permits may apply.



Vegetation – Best Management Practices

- Protect existing vegetation at all times, including implementing low-impact development practices.
- Use environmentally friendly (e.g. [DEQ-approved](#)) herbicide/insecticide products and application methods.
- Perform work in a manner that minimalizes any impact to water quality or vegetation.
- Be aware of regulations and approved protocols while working within Special Management Areas (SMAs). Consult the Special Management Areas section of this document and Benton County's Prairie Species Habitat Conservation Plan (HCP) for guidance.

¹ Appendix F: [In Water Work Period & ODOT Erosion Control Manual References](#) and Appendix G: [ODOT Erosion Control Manual](#)

BEST MANAGEMENT PRACTICES

1 ATTENUATOR MAINTENANCE ²

1.1.1 Description

Impact attenuators are physical systems placed along exit ramps, bridge abutments, etc. to reduce damages to infrastructure, vehicles and motorists resulting from a crash. Attenuators compact upon impact, sometimes releasing fluid that may flow into drainage systems or waterways. Attenuator maintenance includes repair, replacement, and restoration of these systems for the safety of the traveling public.

1.1.2 Mitigation, Avoidance and BMPs:

- Use non-chemical systems when installing new attenuators.
- Install and use the most environmentally sound devices.
- Use absorbent materials (dams, diapers, etc.) around attenuators during repair or maintenance.
- Identify and close inlets during attenuator maintenance if this can be done safely.

2 BRIDGE CLEANING AND MAINTENANCE

2.1.1 Description



This activity includes maintaining bridges and culverts in a way that minimizes impacts to natural and cultural resources. Work may include: jet rodding of drain holes; weeps and scuppers; drift removal; maintenance of bridges and large culverts (greater than 3ft diameter); sweeping/shoveling debris off bridge decks; pressure washing deck, rails and under supports while capturing runoff and sediment or discharge; and painting, scraping or patching curbs, rails, deck joints, or concrete and steel bridge components.



ODFW and NMFS fish passage requirements must be adhered to when performing many of these activities. Some activities that impact fish-bearing water bodies may require additional permits.

2.2 Drift Removal

- Remove drift during the in-water work window (*see Appendix F*).
- Turn, or cut and turn, and allow drift to float.
- Use environmentally-friendly bar oil when cutting over water.
- Remove drift when necessary; place above the Ordinary High Water Line (OHWL) or further downstream to float.

 ² [2020 ODOT Routine Road Maintenance Water Quality and Habitat Guide BMPs Section 17](#)

- Materials should be cleaned up at the source and handled/disposed of using erosion and sediment control protocols.³
- **Materials should not be allowed to enter the water.**
- Stabilize material in a timely manner, including:³
 - Spreading and top seeding;
 - Covering with matting or straw;
 - Hauling away and managing any material that cannot be stabilized above the OHWL.
- **Repair and restore riparian areas impacted by machinery.**³

2.3 Bridge Cleaning

2.3.1 Pressure Washing

- Temporarily block deck drains and scuppers when pressure washing, sandblasting, or scraping to route water off deck and into vegetated areas.⁴
- Remove debris in a way that prevents material from entering waterbodies, including removing large debris with a sweeper or a shovel.
- Other material may be scraped by hand and collected before pressure washing.
- Prevent paint overspray with a shield.
- Pressure wash only at times of high water using low volume, high pressure water.

2.3.2 Sweeping

- When sweeping, collect material and dispose of away from the bridge/water.
- Stop pressure washing if paint chips have the potential to enter the stream. Set-up containment to collect paint chips.
- Position broom so that material is swept towards the end of the bridge deck onto the vegetated shoulder.

2.3.3 Bird Nests

- Inactive bird nests (empty nests that do NOT have eggs or chicks) may be cleaned off at any time.
- If bridge washing activities **will directly impact active bird nests or bat colonies**, ● **STOP WORK immediately** and notify the Project Manager or Department Head.



2.3.4 Fish

- Mimic natural stream channel conditions.

³ Appendix A: Erosion and Sediment Control Details ([DETS100](#), [DETS101](#), [DET6100](#), [DET6101](#), [DET6102](#), [DET6103](#))

⁴ Appendix A: Erosion and Sediment Control Details ([RD1010](#), [RD1015](#))

- Minimize or eliminate jumps created during cleaning. Adhere to ODFW fish passage guidelines and permits.
- Repair damage to existing fish passage modifications.
- Repair damage to the bridge that may have occurred during cleaning.

3 BRIDGE REPAIR ⁵

3.1.1 Description

Repair bridges and large culverts (greater than 3ft diameter) while minimizing impacts to natural and cultural resources. Includes repair or replacement of riprap, bridge drainage features, and catch basins and replacement of structural components.

3.1.2 Mitigation, Avoidance and BMPs

- **Coordinate bridge repairs with the in-water work window if access within the channel is required. Permits may be required – check with Benton County Engineering.** ⁶
- **Concrete spilled into a waterway is virtually impossible to clean up and toxic for fish and wildlife.** Ensure that concrete does not come into contact with water bodies - follow BMPs.⁷
- **Historic review and approval is not required for the following activities on historical bridges:**
 - Deck surface work (e.g. striping, paving, joints, epoxy overlay, patching, and deck seals);
 - Replacement of moveable bridge controls and related traffic safety systems;
 - Scour repair.

3.2 In-Water Work ⁸




- Mimic natural stream channel conditions upstream and downstream of bridge.
- Consider bio-engineering solutions for bridge repair work that requires installation of riprap.

3.3 Wildlife



- Adhere to ODFW Fish Passage permits and guidelines on fish passage solutions.
- Repair existing fish passage modifications like weirs or baffles if damage occurs during repair.
- Remove and dispose of repair material using proper environmental protocols; do not allow to enter water.

 ⁵ [2020 ODOT Routine Road Maintenance Water Quality and Habitat Guide BMPs Section 19](#)

 ⁶ [Appendix F: In Water Work Period & ODOT Erosion Control Manual References and Appendix G: ODOT Erosion Control Manual](#)

 ⁷ [Managing Concrete; Concrete Washout; Managing Concrete and Mortar; Slurry and Concrete Management](#)

 ⁸ [Appendix H: Temporary Water Management](#)

3.4 Water Quality



- Use a designated concrete truck chute clean-out area to prevent material from being deposited in riparian corridors, wetlands, or washing into a stream or wetland.⁹
- Use cofferdams for structural repairs as appropriate.¹⁰
- When cutting treated wood, contain chips and do not allow to enter the environment.



3.5 Piling

- Piling work must include erosion and sediment control BMP's and spill containment.
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- Install floating absorbent boom when treated pile is cut for repair.
- Apply noise mitigation if required by permit.
- Use foam or other quickset material designed for in-water use to plug the void prior to using concrete, if the void is connected to a waterbody.
- Screen any intake pump per [NMFS screen criteria](#) during operation (Appendix D of this document).



4 STREAM CHANNEL MAINTENANCE¹¹



4.1.1 Description

Stream channel maintenance includes cleaning and repair of existing channels to facilitate culvert flow, maintain the integrity of the channel structure, ensure fish passage, and minimize impacts to water quality and habitat. This activity also includes replacing riprap to restore line and grade of the channel. Vegetation may be removed during this activity.

4.1.2 Mitigation, Avoidance and BMPs



- **This activity may require a USACE and/or a DSL permit if fish are present.**
- Coordinate in-water work with NMFS or ODFW to aid fish passage, minimize sediment, and clarify in-water work windows for transitional stream reaches.
- Work in dry conditions when possible and work below OHWL only during the in-water work window.
- Communicate schedule, methods, and repairs to ODFW **at least two weeks prior** to working in ODFW/DSL sensitive areas (e.g. spawning grounds or essential salmonid habitat).
- Evaluate potential for bioengineering solutions before replacing large sections of riprap.¹²
- Use rock types that maximize habitat function.
- Remove excess material and place above the OHWL or at approved/permitted dump sites.

⁹ Appendix A: Erosion and Sediment Control Details ([RD1070](#)), [Stormwater Construction Erosion and Sediment Control Elements](#)

¹⁰ Appendix H: [Temporary Water Management](#)

¹¹ [2020 ODOT Routine Road Maintenance Water Quality and Habitat Guide BMPs Section 10](#)

¹² Appendix A: Erosion and Sediment Control Details ([DET5100](#), [DET5101](#), [DET5102](#), [RD1055](#), [DET6017](#), [DET6100](#), [DET6101](#), [DET6102](#), [DET6103](#)), Appendix F: [In Water Work Period & ODOT Erosion Control Manual References](#), and Appendix G: [ODOT Erosion Control Manual](#)

- Manage drift using the following priorities:
 1. Turning and allow drift to float;
 2. Remove drift to riparian area outside of the channel;
 3. Remove drift and place downstream;
 4. Cut and turn drift to float;
- Handle excess material in a way that minimizes impact to protected resources.
- Stabilize material in a timely manner, including spreading and top seeding, covering with matting or straw, or other appropriate erosion or stabilization control measures.¹³
- Haul away material that cannot be stabilized above the OWHL.

5 CULVERT AND INLET CLEANING AND REPAIR¹⁴

5.1.1 Description

This section addresses activities done to restore function and to repair damaged water conveyances of ALL types, including box concrete, metal and wood culverts, siphons, catch basins and drop inlets.

Activities may also include clearing debris from culvert inlet/outlets, pump stations, and wash rack sumps, cleaning diversions, trash racks and stand pipes as well as fish passage retrofits and slip linings.

Various equipment may be used including backhoes, spider hoes, vactor or jet rodders, slip chute mechanism, draglines, conveyer belts, bobcats, suction devices (dredges), clam buckets, and shovels. Vegetation may be removed during cleaning. These activities are performed year-round in all weather.

These activities must provide for adequate hydraulic flow and to aid in fish passage while protecting against sedimentation.



Caution should be taken to reduce impacts to protected fish and their habitat. Fish passage and associated ODFW statutes ([ORS 509.585-509.610](#)) must be complied with while performing these activities. NMFS Fish Passage design criteria may also be required. Additional information is available on [ODFW's Fish Passage Website](#).



Removal of beaver dams (and other debris dams) that occurs within 20 feet upstream or downstream of the culvert to restore flow, prevent flooding, and allow for fish passage is considered culvert cleaning.


¹³ Appendix A: Erosion and Sediment Control Details ([DET5100](#), [DET5101](#), [DET5102](#), [RD1055](#), [DET6017](#), [DET6100](#), [DET6101](#), [DET6102](#), [DET6103](#)), Appendix F: [In Water Work Period & ODOT Erosion Control Manual References](#), and Appendix G: [ODOT Erosion Control Manual](#)

¹⁴ [2020 ODOT Routine Road Maintenance Water Quality and Habitat Guide BMPs Sections 8 & 9](#)



Before removing beaver dams, consult the [Beaver Dam Removal subsection](#) (next page). If work is greater than 20 feet from the end of the barrel, use the practices identified in [Section 4: Stream Channel Maintenance](#).

This activity may require a USACE permit, a DSL permit, temporary water management, fish salvage, or the need to provide fish passage. **If a permit is required, plan in advance to allow time to get permits. Acquiring the permits and scheduling fish salvage can require 75+ business days. Consult with Benton County Engineering.**

5.2 Culvert Cleaning and Debris Dam Removal

- Perform culvert cleaning during lowest stream flow possible (optimally dry) and only during the in-water work window.
- Manage streamflow to minimize turbidity.
- Install erosion control devices prior to work when flowing or stagnant water is present. ¹⁵
-  • **Minimize or eliminate jumps created that may impact fish passage.** Repair damage or modifications to the culvert (bent ends, disconnected joints, etc.) and fish passage modifications (weirs or baffles) that may have occurred during cleaning.
- Mimic natural stream conditions inside and outside of the culvert.
- Manage removed drift using the following priorities:
 1. Turning and allow drift to float;
 2. Remove drift to riparian area outside of the channel;
 3. Remove drift and place downstream;
 4. Cut and turn drift to float.
- Place excess material above the OHWL where there is no opportunity for material to reach the waterbody; haul away material which cannot be stabilized above OHWL.
- Stabilize material in a timely manner.

5.2.1 Trash Rack Maintenance/Cleaning

- Visually inspect trash rack for debris buildup.
-  • Ensure that the elevation of the stream on either side of the trash rack mimics natural stream slope to reduce impacts to fish passage. ²¹
-  • Minimize or eliminate jumps that could effect fish passage; follow fish passage permitting requirements set forth by ODFW.
- Ensure that design standards for trash racks are followed on fish-bearing streams. ²¹

 ¹⁵ Appendix A: Erosion and Sediment Control Details ([DET5103](#), [DET6012](#), [DET6017](#), [RD1030](#), [RD1031](#), [RD1032](#), [RD1033](#), [RD1040](#))

5.2.2 Beaver Dams ¹⁶

Beaver dams can cause flooding on county roads and damage to other infrastructure including private property (*See next page: Beaver dam sites in Benton County*). Removal of beaver dams may not always be the best long-term solution. Coordinating with conservation partners (see '[Beaver Dam Modification Flowchart](#)') may yield options that will better control beaver activity over the long term. **When possible, mitigation should be used to allow beavers to remain onsite.**



Contact the Environmental Project Coordinator (Public Works) before taking action. The Coordinator will work with NMFS, ODFW and local watershed councils to achieve solutions and determine if a biologist needs to be present to address potential fish stranding. The Environmental Project Coordinator will coordinate installation of deterrents, dam analogs and pond levelers with ODFW if needed.



If a beaver dam must be removed, it should be done in a way that minimizes the likelihood of stranding fish, harming habitat, or adding sediment to the stream.

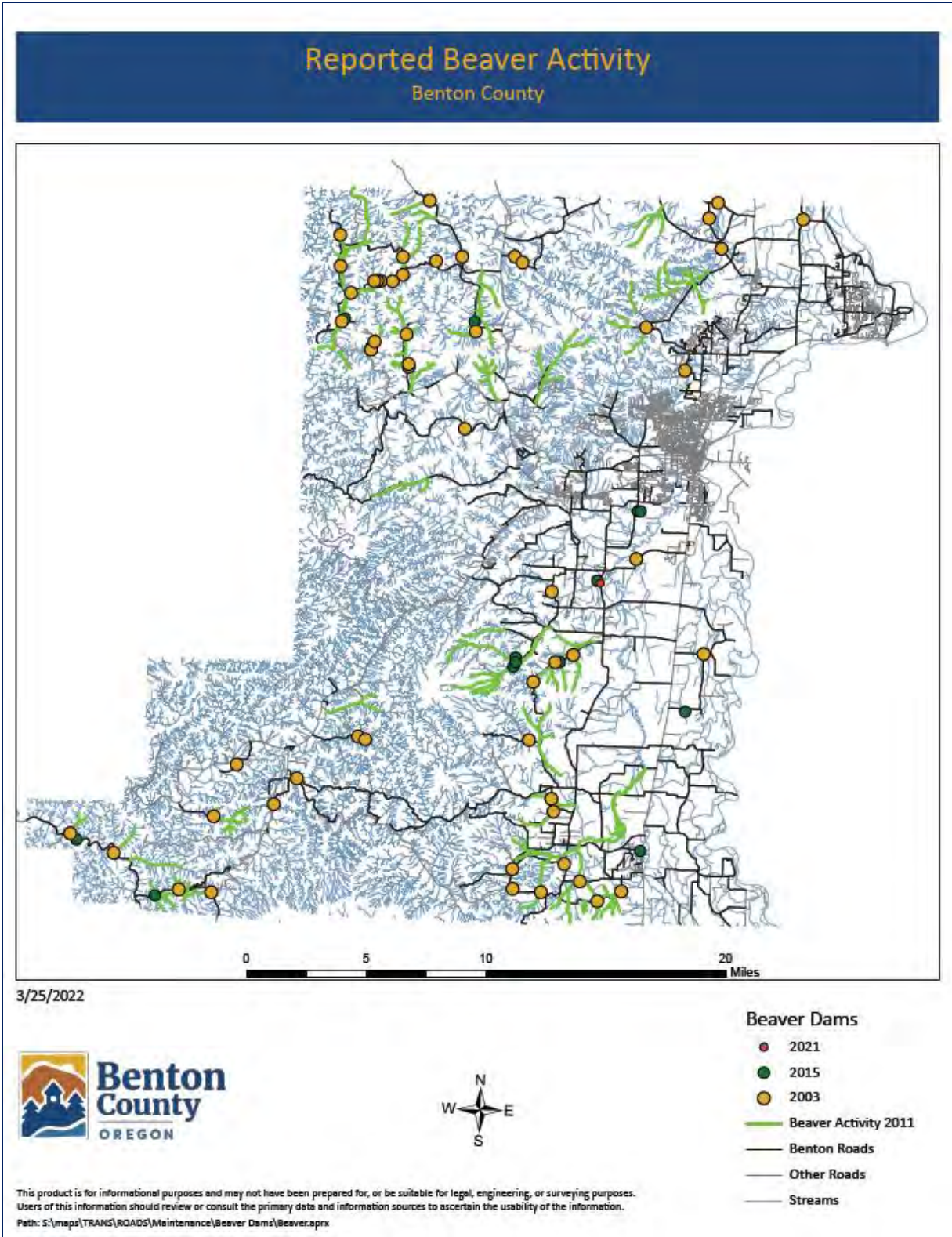
Remove the minimum amount of material in a slow, controlled manner to reduce risk of stranding fish. Use sediment control measures to prevent washing debris downstream.

Beaver dam material should be moved off-site or outside of the riparian area to prevent beavers from reusing it to build another dam.



ODFW must be notified if stranded fish are observed during dam removal.

¹⁶ [USFWS Beaver Restoration Guidebook](#)



Beaver dams and reported activity in Benton County. Data collected 2003, 2011 (affected watershed areas), 2015, and 2021.

5.2.3 Culvert/Inlet Repair



This activity applies to replacement and repair of drainage structures in the same location, such as culverts (less than 3ft diameter) or slip-lining. This activity may include temporary water management.

- Culvert replacement may require a permit from USACE/DSL. Replacement and some repairs will require that fish passage, fish salvage and temporary water management be addressed. Engineering and Survey can assist with questions around this.
- Conduct work during the in-water work window when appropriate (this is not always necessary, for example, on cross drains).



6 STORMWATER MANAGEMENT¹⁷

6.1.1 Description

Stormwater management aims to reduce or eliminate pollution from waterbodies.

Activities in this section include cleaning of right-of-way and catch basins, erosion control, trapping winter sanding materials, managing and maintaining ditches, stormwater inlet (catch basin) cleaning, and curb and gutter cleaning.

6.1.2 Mitigation, Avoidance and BMPs

- Consider what stormwater management measures are required when altering impervious area or existing drainage.
- Promote sheet flow to leave the road where appropriate. This may include blading or grading to re-establish flow where stormwater is being concentrated.
- Prevent discharge to receiving streams and wetlands by plugging scuppers and weep holes on bridges, installing curbing to divert water off structures, installing check dams in ditch lines, or constructing sand traps.

6.2 Construction

Construction and redevelopment activities must comply with Benton County's OR DEQ MS4 and NPDES permits.

6.3 Catch Basin Cleaning

- All agencies and contractors performing vector services for Benton County must utilize and document BMPs and submit records to Benton County including:

¹⁷ [2020 ODOT Routine Road Maintenance Water Quality and Habitat Guide BMPs Section 1](#)

1. Location
2. Date
3. Inspection report for all catch basins

6.4 Curb and Gutter Cleaning

The City of Corvallis Public Works is contracted to sweep and vactor all curb and gutters within Benton County in order to reduce pollutants washed into stormwater conveyance systems.

- Track the location and timing of sweeping in the County’s Asset Management System.
- Keep curb, gutter and stormwater infrastructure maps updated to provide maintenance details to agencies and contractors conducting street sweeping.

7 DITCH SHAPING AND CLEANING ¹⁸

7.1.1 Description

This activity includes cleaning and reshaping ditches to maintain or improve drainage and loading, hauling and disposing of excess materials (such as vegetation or soil). This activity may be performed in all types of weather with various equipment.

([Appendix I: DSL Removal-Fill Guide, Ch. 2 ‘When is a permit required?’](#))

7.1.2 Mitigation, Avoidance and BMPs ¹⁹

- Conduct this work during dry weather and lowest stream flow. ODFW consult may be required in wet season or when silt devices cannot adequately filter water draining into waterways.
- Evaluate and modify existing ditch slopes to trap sediments (short term BMP) and support permanent establishment of vegetation (long term BMP).
- Use erosion control devices to prevent sediment discharge.
- When ditching to a waterway, leave a 25’ buffer and apply an erosion control device at the beginning of the work zone to prevent leaching of sediment or water from the work site.
- When cleaning a ditch with a 10% or greater slope, install check dams every 300 feet.
- Re-seed drainage ditches and steep slopes as appropriate.
- Revegetation in Special Management Areas (SMAs) should be done with native seed or plants. ²⁰
- Do not leave materials where they can leach into a water body after a precipitation event.
- Use extreme caution to prevent fallback from entering wetlands and waters where no barrier or natural bench is present. ²¹
- Dispose of excess or removed material at permitted disposal sites.
- Reuse excess materials where feasible.

 ¹⁸ [2020 ODOT Routine Road Maintenance Water Quality and Habitat Guide BMPs Section 7](#)

 ¹⁹ [Appendix A: Erosion and Sediment Control Details \(DET6106, RD1005, RD1006\); In Water Work Period & ODOT Erosion Control Manual References; and Appendix G: ODOT Erosion Control Manual](#)

 ²⁰ [Section 20. Special Management Areas \(SMAs\); Oregon Native Plants for Erosion Control](#)

 ²¹ [Appendix A: Erosion and Sediment Control Details \(DET5100, DET5102, DET6001, RD1031\)](#)

7.2 Skip Ditching

- Protect water quality while cleaning and re-shaping roadside ditches. **Skip ditching** is a ditch maintenance process which leaves vegetation in place between areas of re-shaping so flowing water can be slowed and filtered before discharging into waterways.
- Divide lengths of ditch shaping into equal segments through the reach of a drainage ditch. Alternate segments between reshaping and leaving undisturbed vegetation.



Skip ditching in action along a rural roadway.

8 DUST ABATEMENT ²²

8.1.1 Description

Dust abatement includes the use of dust mitigation on non-paved road surfaces to temporarily stabilize soil and reduce dust during the dry season. Dust palliatives may include water, calcium magnesium acetate, magnesium chloride, or lignin sulfonates.

Dust palliatives are applied in liquid form at a maximum rate of one half gallon per square yard of surface. The rate is adjusted to be less as required to prevent puddling or runoff of the liquid solution from the road.

 ²² [2020 ODOT Routine Road Maintenance Water Quality and Habitat Guide BMPs Section 26](#)

8.1.2 Mitigation, Avoidance and BMPs

- When possible, prepare road surface prior to application of dust palliatives.
- Construct gravel berms at the low shoulders of the roadway to prevent liquid palliatives from entering waterbodies.
- **Do not apply dust palliatives within 72 hours of predicted precipitation event** (e.g. conduct this activity only before a three day forecast of sunny weather).
- Apply materials in accordance with the manufacturers' recommendations. Mix and utilize the *minimum amount needed* to prevent runoff and excess material.
- Use a 1' buffer zone on the edge of gravel if the road width allows.
- Use a 25' buffer zone near waterways or reduce application rate to prevent runoff.
- Carry spill protection and spill containment equipment.
- Use environmentally sensitive cleaning agents.
- Use all material or return to the supplier.
- **Use water alone when feasible as a primary dust palliative.**

9 EMERGENCY ROAD MAINTENANCE ²³



NOTE: If archaeological sites are known to occur in the area and repair work isn't scheduled to begin for 30 days or more, archaeological surveys should proceed if necessary. Appropriate clearance documentation should be provided prior to proceeding with repair work.

Work may require an archaeological monitor present during repair activities.

Under advisement of the Public Works Director, the Board of Commissioners determines if the event warrants a Declaration of Emergency to expedite repair work and approvals, and necessary environmental documentation/review is completed concurrently or after the fact.

The Public Works Director or County Engineer will decide if repair work must be halted to obtain necessary environmental or cultural clearances or if repair work must continue in which case clearances will be obtained concurrent with repair work or after the fact.

The Engineering Division assists with identifying environmental concerns, notifying regulatory agencies, coordinating other technical staff, and obtaining verbal approval or permits as required by the situation.

9.1.1 Description:

This activity restores and manages the transportation system in the event of natural and man-made emergencies while minimizing impact to environmental resources. It includes fixing damage to roadways, the roadside, and structures caused by storms, floods, and other events. **Failure to perform these activities may result in immediate threat to life, limb, or infrastructure.**

 ²³ [2020 ODOT Routine Road Maintenance Water Quality and Habitat Guide BMPs Section 23](#)

Emergency road maintenance activities may include: extraordinary maintenance; use of riprap; pile installation; fish passage, screening, capture and removal; temporary access roads; erosion control and site management; and drilling and boring.



This activity may require in-water work, a USACE permit, a DSL permit, temporary water management, fish salvage, archaeological clearances, and/or review and compliance with NMFS review and processes. The emergency event may trigger coordination with ODFW on the fish passage laws.

NMFS and USFWS have defined a “Natural Hazard” as an event that creates a need for an immediate (or before the next in-water work window) repair to a road, culvert, bridge or utility line to prevent imminent loss of human life, property or natural resources.

9.1.2 Mitigation, Avoidance and BMPs:



- Proceed with work to protect public and staff safety of immediate concern.
- Repair damage to fish or water resources caused by county response in coordination with USACE, DSL, ODFW, NMFS, or USFWS as appropriate.
- Avoid and/or minimize impacts to wetlands or waterbodies.
- Provide adequate erosion control and bank stabilization.
- Identify and plan for slide material storage. Identify and map long and short-term material storage sites and obtain necessary environmental clearances. ²⁴
- Use alternatives to blasting in areas with ESA-listed or protected birds.
- Refer to current SLOPES (Standard Local Operation Procedures for Endangered Species) for additional information on Major Hazard Response and USFWS Major Hazard Response Programmatic Agreement.

Other federal clearances may also be required if federal reimbursement is expected to occur after the immediate emergency threat has been addressed.

9.2 Extraordinary Maintenance

This activity includes work which is atypical and required to maintain the transportation system under circumstances outside of the control of the County while making every effort to protect natural resources. Examples include military operations, fire response, bench cleaning, and broken water line repair and cleanup.



- Follow Erosion and Sediment [BMP guidelines](#) (Section 6 of this document) to ensure sediment and other materials do not enter wetland or waterbodies.
- Repair any damage to fish habitat caused directly or indirectly by County actions.

²⁴ Appendix A. Erosion and Sediment Control Details ([DET5100](#), [DET5102](#))

9.3 Riprap – Emergency Installation

- Repair bank and bridge scours with riprap large enough to not become dislodged in high water events.
- Limit riprap to the amount of rock needed to retain structural integrity. If toe of slope must be established below the Ordinary High Water Line (OHWL).
- Above the OHWL, use appropriate size rock that is NOT open graded. Mix with soil when feasible in order to encourage plant growth.
- If riprap is used below the OHWL, use open grade rock.
- Place riprap from the top of bank or bridge when possible.
- Place rocks individually whenever equipment, time, and safety allow.
- Taper riprap size and shape above the toe.
- Plant native vegetation in riprap below and above OHWL to top of bank.
- Incorporate large wood and other bioengineering elements into slope stabilization project when appropriate and feasible.

In situations where woody vegetation and large wood cannot be incorporated into riprap, coordinate with NMFS/USFWS on developing a mitigation plan that meets the scope, scale and effects of the repair. Some potential options include: removing unwanted vegetation from immediate area and replanting with appropriate vegetation or provide resources, equipment, and services to another organization for a restoration project.

9.4 Emergency Pile Installation

- In emergency situations where pile installation is required, use a vibratory hammer when available.
- Apply noise mitigation such as bubble curtains if required by permit.
- Use steel or untreated wood as pile. Use treated timber ONLY if other materials are not available and timber will be coated/sealed.
- **Document decision making process on the use of pile and BMPs.**

9.5 Fish Passage, Screening, Capture and Removal in Emergency Circumstances



In circumstances where a culvert or other hydraulic facility must be replaced and may involve fish passage, screening, capture and/or removal, contact the County Engineering Department directly.



9.6 Emergency Establishment of Temporary Access Roads

- Minimize the number and size of entry points or access into the work area.
- Consider using geotextile fabric to protect the ground and ease cleanup.
- When work is completed, the temporary access routes shall be obliterated, removed, or mitigated.
- Stabilize soil and restore vegetation if possible.



9.7 Erosion Control and Site Management in Emergency Situations ²⁵

NOTE: Work in this section is subject to Benton County's DSL, USACE, and/or OR DEQ 1200-CA permits. The County's 1200-CA permit requires compliance with the MS4 Program while conducting construction and maintenance activities in the County Right-of-Ways.

- Flag the boundaries of the clearing limits. Do not clear ground beyond the flagged area unless circumstances change.
- If vegetation in the riparian area must be cleared, trim at ground level (not grubbed) unless noxious weeds are present.
- Minimize damage to aquatic, riparian, and terrestrial vegetation without jeopardizing worker safety.
- Minimize erosion and sediment, as appropriate for site conditions, by installing erosion control measures prior to conducting the repair. This may include, if appropriate and safe, installing measures in-channel.
- Inspect erosion and sediment control measures daily to ensure adequate function.
- Mobilize work crews to make immediate repairs to erosion controls or to install erosion controls during work or off-work hours.
- Replace or fix ineffective BMP measures immediately.
- Remove erosion and sediment control devices after stabilization of the project and vegetation.

10 SIGNS, TRAFFIC SIGNALS AND ILLUMINATION ²⁶

10.1.1 Description

These activities may include washing, locating, installing, repairing and replacing signs, traffic signals or other items to ensure that they are functional and in good repair.

10.1.2 Mitigation, Avoidance and BMPs

- Use erosion and sediment control devices when activities may affect waterbodies.
- Use untreated timber or other nontoxic alternatives when installing new sign posts.
- Review the [Special Management Areas](#) section of this document, and the [Benton County Habitat Conservation Plan](#) for special BMPs when working in SMAs.
- Use upland areas with proper containment capacity for green concrete for truck chute cleanout.
- **Clean out shall not occur on or near waterbodies.**
- **Protect inlets, catchments, wetlands and waterways from green concrete.**
- Use environmentally-sensitive chemicals to the maximum extent practicable.

²⁵ [Appendix A: Erosion and Sediment Control Details](#)

²⁶ 2020 ODOT Routine Road Maintenance Water Quality and Habitat Guide BMPs Section 14 2020 ODOT BMPs Section 14



11 FISH PASSAGE RESTORATION/IMPROVEMENT ²⁷

11.1.1 Description

Improves habitat conditions or fish passage while maintaining a safe and efficient transportation system. Activities include planting vegetation or placing large wood (e.g. logs or root wads) in or along a stream corridor. It also includes fish habitat restoration, enhancement and fish passage improvements.

NOTE: Fish passage activities require a USACE permit, a DSL permit, temporary water management, fish salvage, and/or cultural resource clearance. Follow ODFW in-water work guidelines or as coordinated with ODFW, NMFS through the Engineering and Survey Department.

11.1.2 This Activity Includes

- Installation and removal of culverts or the installation, removal, and repairs of baffles, weirs, or other systems within and adjacent to culverts for the purpose of improving fish passage.
- This activity may include the placement of large wood or other methods of fish passage improvement.

11.1.3 Mitigation, Avoidance and BMPs ²⁸

- Install erosion control devices, such as check dams, silt mats and other erosion and sediment control measures in a timely manner, including seeding and mulching with non-invasive species. Install silt fences and other devices as needed.
- Look for opportunities to plant vegetation on failing banks to slow roadbed deterioration and prevent sediment and pollutants from reaching nearby waterbodies.
- Place excess material above the Ordinary High Water Line (OHWL) where there is no opportunity for it to reach waterbodies or impact a wetland, unless otherwise directed by ODFW or NMFS.
- Stabilize material in a timely manner including spreading and top seeding; covering with matting or straw; or other erosion control and stabilization measures.
- Haul away and manage any material that cannot be stabilized above the OHWL.

12 FUELING

12.1.1 Description

This activity includes use of the diesel and gasoline fueling station located at Avery Maintenance Yard and refueling equipment out in the field. **Refuel equipment in the field at least 25 feet from waterbodies and follow Benton County vehicle fueling training and procedures.**

²⁷ [2020 ODOT Routine Road Maintenance Water Quality and Habitat Guide BMPs Section 20](#)

²⁸ [ODOT Erosion Control Manual](#); and Appendix H: [Temporary Water Management](#).

13 VEHICLE WASHING

13.1.1 Description

Equipment washing to ensure proper operation, function and safety of equipment and fleet vehicles.

13.1.2 Mitigation, Avoidance and BMPs

- Equipment will be washed in the covered wash rack area that contains an oil/water separator and settling vault. Water is discharged to a municipal sanitary sewer.
- Sediment in vault should be cleaned out quarterly or as needed.
- If any equipment must be washed outside of wash rack due to size, clean only the exterior (no engines or undercarriages) and use only clean water, no soap.

14 WATER QUALITY FACILITIES ²⁹

14.1.1 Description

This activity includes maintaining structures designed to contain stormwater runoff from county roads and facilities to ensure that these roads and facilities function as intended. Structures include detention and retention ponds, grassy swales, holding vaults, etc. and activities might include removal of sediment, vegetation, changing filter, periodic inspections or grading. Equipment used to maintain these structures include backhoes, vactors, jet rodders, handtools, etc. Specialty equipment may be used as needed.

14.1.2 Mitigation, Avoidance and BMPs ³⁰

- Dispose of excess or removed material at permitted disposal sites.
- Reuse excess materials where feasible.

15 GRAVEL ROAD MAINTENANCE

15.1.1 Description

Maintaining gravel roads includes restoring the roadway cross-slope, improving drainage, reshaping and smoothing existing surface material with a motor grader, and the placement of aggregate material on the road surface.

15.1.2 Mitigation, Avoidance and BMPs

- Perform this activity when adequate moisture is present in soil and aggregate.
- Use a five-pass process when grading: three cutting and mixing passes, then two lay-out passes.

 ²⁹ [2020 ODOT Routine Road Maintenance Water Quality and Habitat Guide BMPs Section 11](#)

 ³⁰ [Appendix A: Erosion and Sediment Control Details](#)

- Pull aggregate from the edge of road to center without going below the top of ditch.
- Place gravel four to six inches from top edge of foreslope when possible during layout.
- Keep crowns at 3% to 6% grade.
- When repairing potholes and washboarding, cut the material to a depth of 1 inch or below bottom of damaged area. Mix and lay-out material.
- Add gravel when necessary to restore road structure.
- If possible, use a roller to improve compaction.
- Utilize materials recommended by [ODOT Standard Specifications](#) whenever possible.
- Do not place rock on roads during freezing weather.
- When a gravel road intersects a paved road, modify the crown of the road 50 feet prior to the intersection to blend with the paved roadway. Push rock up to and onto the paved surface edge then back drag the material off.
- Install erosion control devices to protect sensitive resources as needed.³¹

16 GUARDRAILS AND CABLE BARRIERS³²

16.1.1 Description

This activity involves repair, replacement, and cleaning of existing guardrail and cable barrier sections, including pouring concrete pads and placing concrete barriers. Cleaning includes the removal of material from under guardrail and around posts by hand or grader mounted cleaner.

16.2 Repair and Replacement

- Install erosion control measures in unstable areas to protect the downslope during guardrail/cable barrier replacement.³³
- **Protect inlets, catchments, wetlands and waterways from green concrete. Green concrete is toxic to fish and wildlife and impossible to clean up once it has entered a waterway.**
- Match new guardrail with existing material including treated guardrail posts.
- Limit the use of creosote or other treated woods.

16.3 Cleaning

- Prevent material from entering streams or waterbodies.
- Pick up excess material rather than blading onto the bank when working near streams.
- Reuse recovered material when feasible.

³¹ Appendix A: [Erosion and Sediment Control Details](#)

³² [2020 ODOT Routine Road Maintenance Water Quality and Habitat Guide BMPs Section 16](#)

³³ [Erosion and Sediment Control Details \(DET5103, DET6007, DET6010, DET6012, RD1045, RD1050, RD1065\)](#)

17 HAZARDOUS MATERIAL SPILL MITIGATION ³⁴



NOTE: If archaeological material is identified in the immediate vicinity of the spill, ensure the responsible party and their contractor are also notified.

17.1.1 Description

Addresses work associated with hazardous materials abandoned, leaked or spilled. Work includes identifying, testing, removing, and disposing of the involved material and restoring the site as needed.

Benton County staff are not generally trained, equipped or authorized to perform hazardous material cleanup. Allow the responsible party or cleanup contractor to conduct emergency response actions and cleanup necessary to protect human health, safety, and the environment. Facilitate or assist as directed and certified.

The entirety of Benton County's spill prevention and response can be accessed here:

<G:\avery\Public Works\Safety\Spill Plan>

18 SHOULDER MAINTENANCE AND REPAIR ³⁵

18.1.1 Description

Shoulder maintenance and repair includes restoration of unpaved shoulder sections by adding, reshaping and compacting aggregate material. This activity is done to correct rutting and buildup of materials, to remove vegetation for safety, improve drainage and prevent standing water on roadways. Activities may include shoulder blading and rebuilding, erosion control and repair of erosion-related damage; and/or riprap placement.

18.2 Shoulder Blading and Rebuilding

- Determine if there is an existing barrier or natural bench to protect waterbodies from fallback material. This barrier must be above the Ordinary High Water Line (OHWL) with adequate width to prevent movement of material during weather events. ³⁶
- If a barrier or natural bench is not present, install approved erosion and sediment control measures such as check dams in roadside ditches. ³⁷
- Blade while moisture is still present in substrate but not during the wettest part of the year.



³⁴ [2020 ODOT Routine Road Maintenance Water Quality and Habitat Guide BMPs Section 25](#)

³⁵ [2020 ODOT Routine Road Maintenance Water Quality and Habitat Guide BMPs Section 4](#)

³⁶ [Appendix A: Erosion and Sediment Control Details \(DETS100, DETS102, DET6001, RD1031\)](#)

³⁷ [Appendix A: Erosion and Sediment Control Details \(DETS103, DET6007, DET6010, DET6012, RD1005, RD1006, RD1045, RD1050, RD1065\)](#)

- Evaluate the width of the blading activity and modify if needed to minimize disturbance to vegetation.
- Evaluate sites for alternatives to blading such as berming or paving shoulder.
- Take care to prevent slope failure from overly-steep slopes or reduced ditch capacity.
- Treat paved shoulders the same as unpaved shoulders.
- Sweep gravel away from salmon habitat and flowing streams within 25 feet.
- Permanently stabilize soils using seeding, plants, etc.³⁸



18.3 Erosion Repair

- This activity may require permits from USACE, SSL, or DEQ.
- This activity may also involve temporary water management, fish salvage, or impact habitat for protected species.³⁹



- Consider the use of bio-engineering solutions where practical.⁴⁰
- Replace riprap during ODFW in-water work periods except during an emergency.
- Place excess material at appropriate sites above the Ordinary High Water Line (OHWL) where there is no opportunity for material to reach wetlands or other resources.
- Uncover the minimum amount of soil necessary for each phase of the repair.
- Install erosion and sediment control measures as soon as possible where erosion is likely to occur.⁴¹
- Plant vegetation or reinforce failing banks to prevent roadbed deterioration and reduce sediment and pollutant transport.⁴²



19 SLIDES AND SETTLEMENTS ⁴³

19.1.1 Description

This activity includes slide and settlements repair by placing fill and removing material to proactively restore the roadway to prevent a catastrophic failure. This work is done to prevent emergency when a road is in danger of collapse.

³⁸ Appendix A: Erosion and Sediment Control Details (DETS100, DETS101, DETS102, DET6017, DET6101, DET6102, DET6103)

³⁹ Appendix A: Erosion and Sediment Control Details (DETS100, DETS101, DETS102, DET6017, DET6101, DET6102, DET6103)

⁴⁰ Appendix A: Erosion and Sediment Control Details (DETS100, DETS101, DETS102, DET6017, DET6101, DET6102, DET6103)


⁴¹ Appendix A: Erosion and Sediment Control Details (DETS100, DETS101, DETS102, DET6017, DET6101, DET6102, DET6103)

⁴² Appendix A: Erosion and Sediment Control Details (DETS100, DETS101, DETS102, DET6017, DET6101, DET6102, DET6103)

⁴³ 2020 ODOT Routine Road Maintenance Water Quality and Habitat Guide BMPs Section 24




19.1.2 Mitigation, Avoidance and BMPs


Under advisement of the Public Works Director, the Board of Commissioners determines if the event warrants a Declaration of Emergency to expedite repair work and approvals, and necessary environmental documentation/review is completed concurrently or after the fact.

- 
The Public Works Director or County Engineer will decide if repair work must be halted to obtain necessary environmental or cultural clearances or if repair work must continue in which case clearances will be obtained concurrent with repair work or after the fact.

The Engineering Division assists with identifying environmental concerns, notifying regulatory agencies, coordinating other technical staff, and obtaining verbal approval or permits as required by the situation.

This activity may require a USACE permit, a DSL permit, temporary water management, fish salvage, archaeological clearance, and review and/or compliance with NMFS review and processes as described in [Section 9: Emergency Maintenance](#). The event may trigger coordination with ODFW regarding fish passage requirements and habitat regulations.⁴⁴

- 
 - Avoid or minimize additional impacts to wetlands or waterbodies. Mitigation may be required.
 - Provide adequate erosion control or bank stabilization to protect water quality.
 - Identify and plan for material storage as appropriate. Map long and short-term material storage sites and ensure necessary clearances for wetland, sensitive species, and archaeological impacts have been secured.⁵¹
- 
 - Prioritize bioengineering and fish and wildlife friendly solutions.
 - Consider alternatives to blasting in areas with ESA-listed or protected birds, if emergency allows.
 - Significant changes to the topography or vegetation of a riparian area must be coordinated with Benton County Engineering and regulatory agencies.
 - Follow in-water work guidelines.
 - Place excess material above the OHWL where there is no opportunity for material to reach wetlands or waterways.
- 
 - Install erosion control measures in a timely manner in areas where erosion is likely to occur, including seeding and mulching areas with non-invasive species.⁴⁵
 - If a USACE permit or DSL permit is required or the event may qualify for ER reimbursement, see [Section 9: Emergency Maintenance](#) for additional BMPs to be implemented to meet USACE requirements and to comply with the current version of SLOPES.

 ⁴⁴ Appendix A: Erosion and Sediment Control Details ([DET5100](#), [DET5101](#), [DET5102](#), [RD1045](#), [RD1050](#)), Appendix F: [In Water Work Period & ODOT Erosion Control Manual References](#), Appendix G: [ODOT Erosion Control Manual](#), and Appendix H: [Temporary Water Management](#)

 ⁴⁵ Appendix A: Erosion and Sediment Control Details

20 SNOW AND ICE MITIGATION ⁴⁶

20.1.1 Description

Removes snow and ice from the roadway while protecting natural resources. This includes sanding and/or removal of snow, ice, and slush from roadways using a snow plow, grader, loader or snow blower.

20.1.2 Mitigation, Avoidance and BMPs

- Reduce plowing speed in sensitive areas.
- Adjust blower chute to minimize blowing into sensitive areas where feasible.

20.2 Sanding

This activity involves applying abrasive material (sand) to roadway surfaces to assist with traction for safer driving, while protecting water quality and fish habitat in nearby waterbodies.

- Carefully consider using sanding material in the following areas: a) those with dust related air quality problems, and b) where there is danger of siltation in streams, shallow lakes or ponds.
- Store sanding material in a manner to minimize contamination of surface or groundwater.
- Covered storage for sanding material is preferred.
- Reduce speed when applying abrasives to minimize bounce and scatter.
- **Keep accurate application records including when, where, and quantity of sanding material used.**
- Place barriers in specific locations to capture sanding material, such as along streams or areas that drain directly to waterbodies. ⁴⁷
- Identify and create facilities to capture sanding material where opportunities present themselves.



21 STOCKPILES ⁴⁸

21.1.1 Description

Store stockpile materials (such as rock, sanding material, etc.) in a secure manner that minimizes impacts to natural and cultural resources.

Stockpiles should only be placed in permitted areas unless in case of emergency.

21.1.2 Mitigation, Avoidance and BMPs

- **Develop site plans and/or implement erosion control plans for areas in proximity to riparian areas, waterbodies, or wetlands. The plan should identify erosion and sediment control needs and ensure stability of the stockpiled material.**
- Review the appropriate procedures for management, reuse or disposal of stockpiled materials.

⁴⁶ [2020 ODOT Routine Road Maintenance Water Quality and Habitat Guide BMPs Section 22](#)

⁴⁷ [Appendix A: Erosion and Sediment Control Details \(DET5103, DET6012, RD1010, RD1015, RD1030, RD1031, RD1032, RD1033\).](#)

⁴⁸ [2020 ODOT Routine Road Maintenance Water Quality and Habitat Guide BMPs Section 2](#)

22 STRIPING AND LEGEND MARKING ⁴⁹

22.1.1 Description

This activity includes maintaining traffic markings including painting traffic lines, arrows, bike lanes, crosswalks, etc. Materials may include paint or durable products containing glass beads to provide retroreflectivity. These activities are conducted on paved surfaces during dry weather conditions. Pavement preparation may include grinding off old markings (generally less than 10%).

22.1.2 Mitigation, Avoidance and BMPs

- Use environmentally safe products when available.
- Contact the **County Safety Officer** or hazardous waste contractor prior to disposal of stripe grindings as they may be categorized as hazardous waste.
- Contain all waste from equipment clean outs and dispose of and store appropriately.

23 SURFACING ⁵⁰

23.1.1 Description

These activities are intended to repair the road base, surfaces, and shoulder to preserve a safe driving surface. These activities are performed on asphalt, concrete, and chip seal surfaces. Activities also include producing pavement materials (concrete, asphalt, chip rock), using grinding materials, deep base digging, site de-watering, fog sealing, filling voids (slab jacking), grinding and crack sealing. Nearby waterways should be protected from potential pollutants associated with surface work (such as asphalt, concrete, and release agents).


23.1.2 Mitigation, Avoidance and BMPs

- Have materials for spill containment on site.
- Capture and contain all excess materials when cleaning equipment in the yard or in the field.
- Prevent release agents and material from escaping the top of the pavement. Use limited amounts of release agents and/or capture material as necessary.

23.2 Pavement Production and Surface/Deep Base Repair

- Avoid working near populations of listed plants, wetlands, riparian corridors, or known archaeological resources as possible.
- Use commercial asphalt plants whenever feasible.

 ⁴⁹ [2020 ODOT Routine Road Maintenance Water Quality and Habitat Guide BMPs Section 13](#)

 ⁵⁰ [2020 ODOT Routine Road Maintenance Water Quality and Habitat Guide BMPs Section 3, Benton County Spill Prevention and Response Plan \(G:\avery\Public Works\Safety\Spill Plan\)](#)

- Use upland areas for truck chute cleanout and properly contain green concrete and asphalt. Do NOT clean out over waterbodies, in wetlands or within Special Management Areas (SMAs).
- **Green concrete is toxic to fish and wildlife and impossible to clean up after it has entered a water body.** Protect inlets and catchments using appropriate containment.
- Perform surface work in dry weather to minimize any runoff of potentially hazardous material.

23.3 Release Agents

- Do not use diesel fuel as a releasing or cleaning agent (except for the use of diesel as required in closed distributor bar systems).
- Use only products marketed as release agents, and use environmentally sensitive products when possible.
- For areas without engineered wash rack systems with oil/water treatment, capture the material released using plastic, sand blankets, or drip pans, etc.
- Capture, contain, or retain excess material on the pavement when cleaning equipment in the field using products containing release agents.
- Recycle or dispose of release agents and materials as directed by the Material Safety Data Sheet (MSDS) or as per the manufacturer's directions.
- Use heat sources to warm and clean tack nozzles during operations.
- Carry emergency spill kits with absorbent materials (diapers, kitty litter, shovels, etc.) to keep materials out of waterbodies.

23.4 Void Filling

- If the void is connected to a waterbody, use foam or other quickset material designed for use in water to plug the void prior to using concrete to prevent concrete from entering the waterbody.
- Utilize erosion control and spill prevention practices as necessary.

23.5 Chip Sealing

- **Use any practical means to prevent rock from entering streams.**
- Chip seal in dry weather only.
- Cover scuppers and drains prior to chip sealing on or near bridge decks.
- Remove excess gravel on bridge decks.
- Pick-up or sweep gravel away from waterbodies within 25 feet of work area.

23.6 Pavement Grinding and Saw Cutting

- Keep stockpiled grinding material removed from roadways away from drain inlets, drainage ditches and watercourses.
- Old asphalt or concrete must be recycled or disposed of as approved by County Engineer.
- AC grindings, pieces, or chunks used in embankments or shoulder material must not be allowed to enter any storm drains or watercourses.
- Install a silt fence until permanent controls are in place.
- Apply temporary perimeter controls such as inlet protection until cleanup is complete.
- Do not allow saw-cut Portland Concrete Cement (PCC) slurry to enter storm drains or watercourses.

- Residue from grinding/saw cutting operations shall be collected and contained and not allowed to flow across or be left on the surface of the pavement.
- Collect pavement dig-out material by mechanical or manual methods.

24 SWEEPING AND FLUSHING ⁵¹

24.1.1 Description

This activity includes removing materials such as sand, dirt, or non-hazardous debris from the road surface or shoulders while preventing sediment and pollutants from reaching waterbodies. Includes non-pickup and pickup sweeping and flushing of roadways. These activities are performed year-round.

24.1.2 Mitigation, Avoidance and BMPs

- Prevent materials from entering wetlands and waterbodies.
- Dispose of sweepings offsite to prevent impacts to natural resources.

24.2 Non-Pickup Sweeping and Flushing

Materials are sidecast (not recovered) under this activity.

- Schedule sweeping during damp weather to minimize dust production. If sweeping cannot be done during damp weather, use water to reduce dust as needed.
- If the road is parallel to a waterbody less than 25 feet from the fog line, slow the sweeper and broom speed and change the angle of the broom to prevent sweepings from entering the waterbody.

25 VEGETATION MANAGEMENT ⁵²

25.1.1 Description

This activity includes management of noxious weeds and unwanted vegetation around County roadways and infrastructure, including hand cutting of trees or brush, mechanical mowing and limbing, and herbicide application.

25.1.2 Mitigation, Avoidance and BMPs

- Avoid cutting if you see a nest in a tree.
- Employ erosion and sediment control measures if there is potential for sediment to enter a waterbody.
- Consider leaving downed trees for habitat restoration or bio-engineering projects.

 ⁵¹ [2020 ODOT Routine Road Maintenance Water Quality and Habitat Guide BMPs Section 5 & 6](#)

 ⁵² [2020 ODOT Routine Road Maintenance Water Quality and Habitat Guide BMPs Section 12](#)

- When mowing in riparian corridors, limit mowing to no more than 12 feet off pavement edge unless needed to maintain road function.

25.2 Hand Cutting Trees and Brush

- Remove vegetation up to 10 feet beyond guardrails to maintain visibility.
- Maintain shade trees along watercourses.
- Brush may be cut within 20 feet of either side of or under bridges.
- Only cut brush necessary to perform required maintenance.
- Trees or snags on or near a roadway/bridge that are weakened, unsound, undermined, leaning, or may fall across a roadway as exceptions to the above BMP.
- If trees providing shade or bank stabilization within 50 feet of watercourses are determined to be a risk to public safety as defined above, the trees will be removed. **Mature trees (greater than 12 in. diameter at breast height) removed will be replaced at a 2:1 ratio within the same watershed.**
- Leave cut brush in place whenever possible if it does not interfere with sight distance, drainage or safety.
- Vegetation control in Special Management Areas is addressed in [Section 25](#) of this document.

25.3 Mechanical Mowing and Limbing

- The tractor must be inspected and greased daily.
- Check the mower head twice daily on warm or hot days for wire or vegetation wrapped around it.
- Fill out the vehicle inspection sheet daily.
- Travel at the speed you are most comfortable with while mowing; production will increase with experience.
- Spring mowing consists of 1-2 passes of the mower head (3'-6'). At reduced site distance locations, multiple passes may be required. Utility locates are not always necessary during spring mowing except where Right-of-Way is narrow and utilities are close to the road. The aim is to keep grasses cut short.
- Fall and winter mowing include multiple passes with a focus on brush removal and overhanging limbs. **Utility locates are required.**
- **Do not cut or limb in landscaped areas, even in the Right-of-Way.** This requires hand cutting and attempts be made to talk with the property owner in advance.
- When cutting limbs, try to mulch vegetation as much as possible. Otherwise, return to area at the end of the work day and remove limbs/brush from roadway and ditch-line.
- Hand cutting low limbs will always improve the look of your job and keep larger debris off roadway.
- Mowing around bridges and guardrails should occur during each rotation.
- Do not lift mower head over the top of signs. **Pull mower head in and around signs to reduce the chance of damaging them.**
- Any damage to signs, pedestals, power poles, etc. must be reported to the office.
- Notify Road Manager about property damage or issues with citizens by the end of the work day.
- Row mowing does not mean to cut everything in reach. Use good judgment.

- Maintain a 2' buffer around all aboveground utilities.
- Limited mowing (3'-6') from the edge of pavement should occur April 1 through October 1.
- Mechanical brush cutting of backslope and low-hanging limbs should occur from October 1 through March 31st.
- Remove vegetation up to 10 feet beyond guardrails to maintain visibility.
Vegetation control in Special Management Areas is addressed in [Section 25](#).

25.4 Herbicides ⁵³

25.4.1 Broadleaf Application

- **Application of broadleaf herbicides will occur between May and October 15th.**
- **DO NOT apply herbicides in front of schools, bus stop waiting areas, driveways, field entrances or permitted no-spray areas or where persons are present.**
- Herbicide application will be spot treatment only with the focus on noxious weed control.
- Herbicides will not be applied within 25' of stream OHWL to protect water resources and sensitive fish species.
- Hand spraying herbicide is allowed within 25' of bridges IF: 1) removing vegetation is critical to the function of the structure 2) rain is not forecasted in the timeframe outlined on the herbicide label 3) an aquatic-approved herbicide is used.
- Any application on or over waterways will be with an approved aquatic herbicide only.
- Apply herbicides in accordance with EPA labels (this includes weather criteria and disposal of empty container).
- The herbicide truck will carry current Material Safety Data Sheets (MSDS) and labels of herbicides used in operation.
- **Keep records of** application date, amount of pesticide applied, location of application, temperature and wind-speed at the beginning and end of application.
Vegetation control in Special Management Areas is addressed in [Section 25](#) of this document.



25.4.2 Shoulder Application

- **Shoulder application of herbicides will occur April 1-June 30.**
- 2'- 6' of rock shoulders will be kept free of vegetation through the use of a foliar-active and/or soil residual herbicide. Typically this will be 2' for local roads, 4' for collector roads and 6' for arterial roads, depending on shoulder width.
- Treat under and around guardrails to minimize vegetation growth.
- Application of herbicides will cease 25' prior to crossing over a listed stream.
- Herbicides will be used in accordance with EPA labels including weather criteria and disposal.
- **DO NOT apply herbicides in front of schools, bus stop waiting areas, driveways, field entrances or permitted no-spray areas or where persons are present.**
- Carry current Material Safety Data Sheets (MSDS) and labels of herbicides used in operation.



⁵³ [Benton County Spill Prevention and Response Plan \(G:\avery\Public Works\Safety\Spill Plan\)](#)

- A record-keeping system will be maintained that documents: date, amount applied, location, temperature and wind-speed at the beginning and end of application. This information will meet or exceed Oregon Department of Agriculture requirements.
- **Application will occur April 1-June 30.**
- EXCEPTION: Identified test areas being evaluated for impacts associated with vegetative shoulders.

26 SPECIAL MANAGEMENT AREAS (SMAs)

26.1.1 Description

Management of designated Right-of-Ways where plants covered under Benton County’s Prairie Species Habitat Conservation Plan (HCP) occur.

This activity may include mowing, cutting, thinning or removing tree stumps, chemical treatments (herbicides), restrictions near Fender’s blue butterfly habitat and protected plant species.

Protected plants include:

COMMON NAME	OREGON CONSERVATION STATUS	FEDERAL CONSERVATION STATUS
Kincaid’s lupine	Threatened	Threatened
Peacock larkspur	Endangered	Species of Concern
Bradshaw’s lomatium	Endangered	Threatened
Nelson’s checkermallow	Threatened	Threatened
Willamette daisy	Endangered	Endangered

In addition to the protected plants, two butterfly species are part of Benton County’s HCP:

COMMON NAME	OREGON CONSERVATION STATUS	FEDERAL CONSERVATION STATUS
Fender’s blue butterfly	Endangered	Endangered
Taylor’s checkerspot butterfly	On Threatened and Endangered Species List	Endangered

26.1.2 Mitigation, Avoidance and BMPs

- **Upon confirmation of a new presence or populations of protected plants within a Right-of-Way, Benton County must designate a new SMA, notify ODA and apply signage within 60 working days.**
- To prevent the spread of noxious weeds and non-native plants, all equipment (hand tools, vehicles and heavy machinery) should be cleaned to remove mud and debris prior to entering the site.
- Human activities (including walking) within SMAs will be limited to minimize potential negative effects to Covered Species.
- Vehicle use should be minimized to reduce damage or mortality to covered plants and butterflies.
- Soil disturbance should be avoided to the maximum extent possible during road maintenance.
- Projects should minimize alterations to hydrology.
- Weed-free products should be used whenever possible.
- Re-vegetation of disturbed areas should be done with native grass/forb seed mixes or transplants.

- Vegetation control will be maintained in “sight distance zones” (areas required to be kept clear of obstructing vegetation for safety reasons), despite the presence of Covered Species.
- Woody plant and noxious weed encroachment should be minimized.

26.2 Mowing

- **Mowing will occur during the fall and winter (August 15 - February 28)**, after T&E plant species are outside of their active growth periods for the year.
- Set the mowing deck a minimum of 15 cm (6 in) above the ground to prevent unnecessary damage to protected plant species.
- Mowing or driving on non-paved surfaces should be avoided when soil is saturated to minimize compaction and rutting. If mowing must occur, use of rubber tracked equipment is preferred.
- **Spring mowing is only allowed where necessary to control a weed infestation involving a weed species reproduced mainly by seed (e.g., meadow knapweed), in which case up to ½ of the covered plant population may be mowed in an effort to control seed set.**
- No flail mowers will be used.

26.3 Tree Cutting/Thinning and Stump Removal

- **This activity should be conducted when Covered Species are in less sensitive life stages (August-February). During the flowering season, strong precautions should be used (e.g., marking with posts and flagging).**
- Handheld power tools may be used to remove woody vegetation.
- **No trees will be removed from Fender’s blue butterfly habitat during the flight season (March-June)**, unless a tree is deemed a hazard and immediate removal is required.
- Stump removal will occur only during dry periods.
- All cut material will be piled or chipped and spread away from any protected plants or hauled off-site for disposal.
- If activities occur during the wet season, tree debris may be left on site away from the covered plant species, until the dry season when equipment can access the work area to remove the debris.

26.4 Chemical Treatment

- Herbicides will be applied by a licensed applicator using appropriate equipment and BMPs.
- Minimize exposure of non-targeted species to herbicide spray, drift, leaching or runoff.
- Follow labeled restrictions, including limitations for use near water.⁵⁴
- Use the lowest effective nozzle pressure and minimum height recommended by the manufacturer.
- Droplet size shall be at least 500 microns.
- Do not apply herbicides when winds exceed 11 km (7 mph) or the wind limits specified by the manufacturer.
- Spray only when temperatures are below 30° C (85° F).
- Drift retardant adjuvants may only be used for boom spray applications, and must be non-toxic and applied under the above strict application requirements.
- Dyes may be used for applications to ensure complete and uniform application and to observe the amount of drift.

 ⁵⁴ Appendix E for a table of acceptable herbicides for use in Special Management Areas.

- The entirety of Benton County's spill prevention and response can be accessed here:
<G:\avery\Public Works\Safety\Spill Plan>

26.4.1 Chemical Restrictions near Fender's Blue Butterfly

Research indicates that populations of Fender's blue larvae do not appear to be significantly damaged by some herbicides such as glyphosate, pendimethalin, imazapic, or fluazifop under field application conditions **when herbicides are applied in September-November (Clark et al. 2004)**. This may be because the larvae are buried in leaf litter and shielded from direct contact with these herbicides.

- **See Benton County spill prevention and response plan in the case of improper herbicide application or emergencies.**
<G:\avery\Public Works\Safety\Spill Plan>
- For non-tested herbicides, broad scale application will be limited to a portion of the occupied habitat (areas with Kincaid's lupine that may host larvae) during the season when larvae are buried under leaf litter.
- The area allowed for herbicide application will be less in smaller populations. **Note restrictions on approved Herbicide Table, Appendix E of this document.**

26.4.2 Chemical Restrictions near Nelson's checkermallow

In some cases, Nelson's checkermallow does not go completely dormant in the fall and winter. Use of herbicides when this species is present requires additional precautions. As of 2022, there are sixteen Special Management Areas containing Nelson's checkermallow, including five 'Type 1' SMAs.

- Plants must be shielded from herbicide drift or overspray with buckets, tree protection tubes, or other suitable material or method of application. **Application should be by hand (e.g., backpack sprayer wand) when spraying within 2 m (6 ft.) of Nelson's checkermallow plants.**
- Exceptions to this include herbicides that do not harm Nelson's checkermallow (such as grass-specific herbicides) and wipe-on applications that target other species and do not result in drift. **These exceptions are noted in Appendix E of this document and the Benton County HCP Table J.1.**

LIST OF APPENDICES

Appendix resources are cited in their entirety below, with a link to the online version of the document, where available. The relevant sections of the larger documents from which these materials are gathered are also provided as printable, PDF versions.

Appendix A

Oregon Department of Transportation. 2022. **Erosion and Sediment Control Details**. <https://www.oregon.gov/odot/Engineering/Pages/Standards.aspx>

Appendix B

Oregon Department of Transportation. 2020. Routine Road Maintenance: Water Quality and Habitat Guide Best Management Practices. **Appendix F: Pesticide-Treated Wood**. https://www.oregon.gov/odot/Maintenance/Documents/blue_book.pdf

Appendix C

Oregon Department of Transportation. 2020. Routine Road Maintenance: Water Quality and Habitat Guide Best Management Practices. **Appendix I: Beaver Dam Modification Flowchart**. https://www.oregon.gov/odot/Maintenance/Documents/blue_book.pdf

Appendix D

Oregon Department of Transportation. 2020. Routine Road Maintenance: Water Quality and Habitat Guide Best Management Practices. **Appendix D: NMFS Fish Screen Criteria**. https://www.oregon.gov/odot/Maintenance/Documents/blue_book.pdf

Appendix E

Benton County. 2010. Prairie Species Habitat Conservation Plan. **Appendix J: Prairie Habitat Vegetation Management Guidelines (Table J.1: Approved Herbicides)**. https://www.co.benton.or.us/sites/default/files/fileattachments/nature_areas_and_parks/page/2382/benton_county_prairie_species_hcp.pdf

Appendix F

In Water Work Period

Summarized from: ODFW. 2022. **Oregon Guidelines for timing of in-water work to protect fish and wildlife resources**.

<https://www.dfw.state.or.us/lands/inwater/Oregon%20In-water%20Work%20Guidelines%20January%202022.pdf?msclkid=6c7719e8a6c511eca3ff1bf4749751a8>

ODOT Erosion Control Manual References

Oregon Department of Transportation. 2020. Routine Road Maintenance: Water Quality and Habitat Guide Best Management Practices.

Vegetative Buffers: Pages 37-39

Seeding: Pages 39-49

Straw/Mulch/Mats: Pages 49-53, 57-62

Appendix G

Oregon Department of Transportation. 2019. **ODOT Erosion Control Manual.**

https://www.oregon.gov/odot/GeoEnvironmental/Docs_Environmental/Erosion_Control_Manual.pdf

Appendix H

Oregon Department of Transportation. 2014. ODOT Hydraulics Manual. **Chapter 18: Temporary Water Management.**

https://www.oregon.gov/ODOT/GeoEnvironmental/Docs_Hydraulics_Manual/Hydraulics-18.pdf

Appendix I

Oregon Department of State Lands. 2019. **A Guide to the Removal-Fill Process. Chapter 2: When is a permit required?**

https://www.oregon.gov/dsl/WW/Documents/Removal_Fill_Guide.pdf

ADDITIONAL RESOURCES

Clark, D., Blakeley-Smith, M., Hammond, P., Johnson, D., Kaye, T., Kelpsas, B., ... & Wilson, M. (2004). Control of *Brachypodium sylvaticum* and restoration of rare native upland prairie habitat at Butterfly Meadows, Benton County. *Final Report to Oregon State Weed Board and Oregon Department of Agriculture, Salem.*

IMAGE CREDITS

The icons used throughout this document were obtained via creative commons or TheNounProject.com. TheNounProject art credits are as follows:

- Water drop: Agenes Irwina Dhewi
- Salmon: BomSymbols
- Archaeology: MadexMade

[Attachment D: Riparian Program Brochure](#)

Riparian Program Brochure intended to be distributed by Community Development Department with approved permits for properties with riparian areas, to properties with removed riparian vegetation, and at the front counter area of the Avery building.

High resolution Riparian downloadable PDF available at :

https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/2801/benton_county_riparian_brochure_final_1.pdf

The Benton County Voluntary Program for Riparian Resources

Emphasis on Education: Benton County will support landowners to conserve and enhance riparian resources by informing them about the functions and values of riparian resources, and connecting landowners to technical and financial resources.

Monitoring Progress: Benton County has developed a procedure to estimate year to year gains and losses of riparian vegetation. Annual review of aerial photos and occasional site visits will identify changes in vegetation occurring in conjunction with building and land use permits near priority riparian corridors. Trends in vegetation gains and losses will help inform the community.

For more specifics on the 'Benton County Voluntary Program for Riparian Resources' please visit the project website at: www.co.benton.or.us/cd/riparian or contact the project coordinator at (541) 766-6085

Benton County Enhancing Our Shared Water Resources *Voluntary Program for Riparian Resources*

Resources:

Benton County residents care about their rivers and creeks. Great work has been done by local landowners in recent years to enhance stream habitat. But there's more to do and you haven't missed the opportunity to get assistance.

The following funding and technical resources are currently available to support streamside landowners' initiatives to protect and enhance their riparian areas.

- **Benton Soil & Water Conservation District**
Assists small and large landowners by offering technical and financial assistance for protecting and enhancing agriculture, wetlands, riparian areas and wildlife habitat. Visit: www.bentonswcd.org or call (541) 753-7208

- **Luckiamute Watershed Council**
A volunteer group of diverse neighbors learning about the watershed and improving local water quality and habitat. Visit: www.luckiamutelwc.org or call (503) 837-0237

- **Marys River Watershed Council**
Works on a neighborhood by neighborhood basis to inspire and support stewardship of water quality, fish and wildlife habitat. Support includes technical and potentially financial assistance. Visit: www.mrwc.org or call (541) 758-7597.

There are many up-to-date resources located on the Benton County Riparian and Wetlands Project page: www.co.benton.or.us/cd/riparian. Call the Project Coordinator for details at (541) 766-6085

-Cliff Hall Kings Valley Landowner

"We found many helpful resources in Benton County with the expertise and willingness to help us learn how to improve our stream side property. Our efforts to protect and restore the native vegetation along the waterways of our property have not only been fulfilling personally, but have helped leave a little spot of Benton County a better place for future generations of Oregonians."

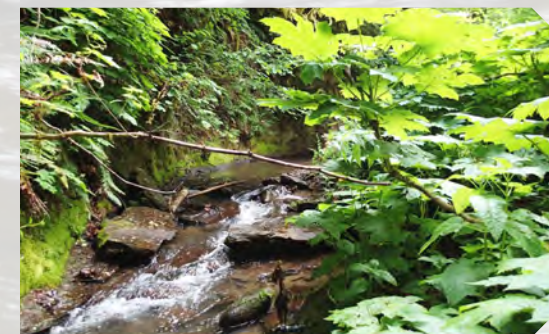


-Stella Guenther Woods Creek Landowner

"One day a representative from the Marys River Watershed Council knocked on our door and simply asked permission to control Japanese Knotweed that was present on our property. From that day on it has been a wonderful relationship. Through the guidance of the Marys River Watershed Council the Woods Creek Rd. project has become an excellent example of people working together to produce a mutually beneficial outcome."



"The goal is to protect and enhance our shared water resources without additional regulation."
-- Benton County Board of Commissioners



Since 2009, Benton County, local landowners, Benton Soil and Water Conservation District, and the Marys River Watershed Council have worked to develop a local program to support protection and enhancement of riparian resources.

Partial funding for brochure development provided by the Oregon Chapter of the American Fisheries Society



Our Shared Riparian Resources

Benton County contains over 3,800 miles of streams within the Alsea Basin and Willamette Basin. These streams provide drinking water, irrigation, habitat for fish and wildlife, and recreation.



Homes and Landscaping: Building a minimum of 50 feet from the top of the stream bank is required on most streams, and helps protect property against damage like floods and erosion. Lawns, gardens, and other landscaping near streams are possible without removing native vegetation along the river.

Do you have questions on landscaping near your stream and riparian area? See the resources section for help.

Trails and Views: Minor trimming of riparian vegetation will maintain a path to your stream and allow you to enjoy the scenery. By leaving large trees, removing invasive vegetation and selectively pruning native riparian vegetation, your stream will have a healthy riparian zone.

Would you like to know more about how to maintain your trails, views, and riparian resources? See the resources section for help.

Stream Habitat: Fallen trees in streams provide habitat for fish and wildlife. Large wood slows water by backing it up and spreading it out onto the floodplain. Spawning gravels settle out rather than being carried to sea, and native fish find slack water refuge on the floodplain.

Native trees, shrubs, and plants: Native streamside vegetation requires much less maintenance than ornamentals and will reduce the spread of weeds downstream. The wider the riparian buffer, the cooler the air temperature and the more it contributes to cool streams in the summer. *Riparian planting* can often be done at little or no cost to the landowner, with assistance from the Benton SWCD or Watershed Council.

What you can do to help

1. Maintain or plant trees along the water - reduce solar heating by increasing shade.
2. Leave wood in the creek to trap gravels and sediment so the stream is less exposed to solar heating of exposed bedrock and stays cooler as it flows through the gravels.
3. Conserve water and store winter rain in rain barrels and beaver ponds.

Follow the stream to more resources...

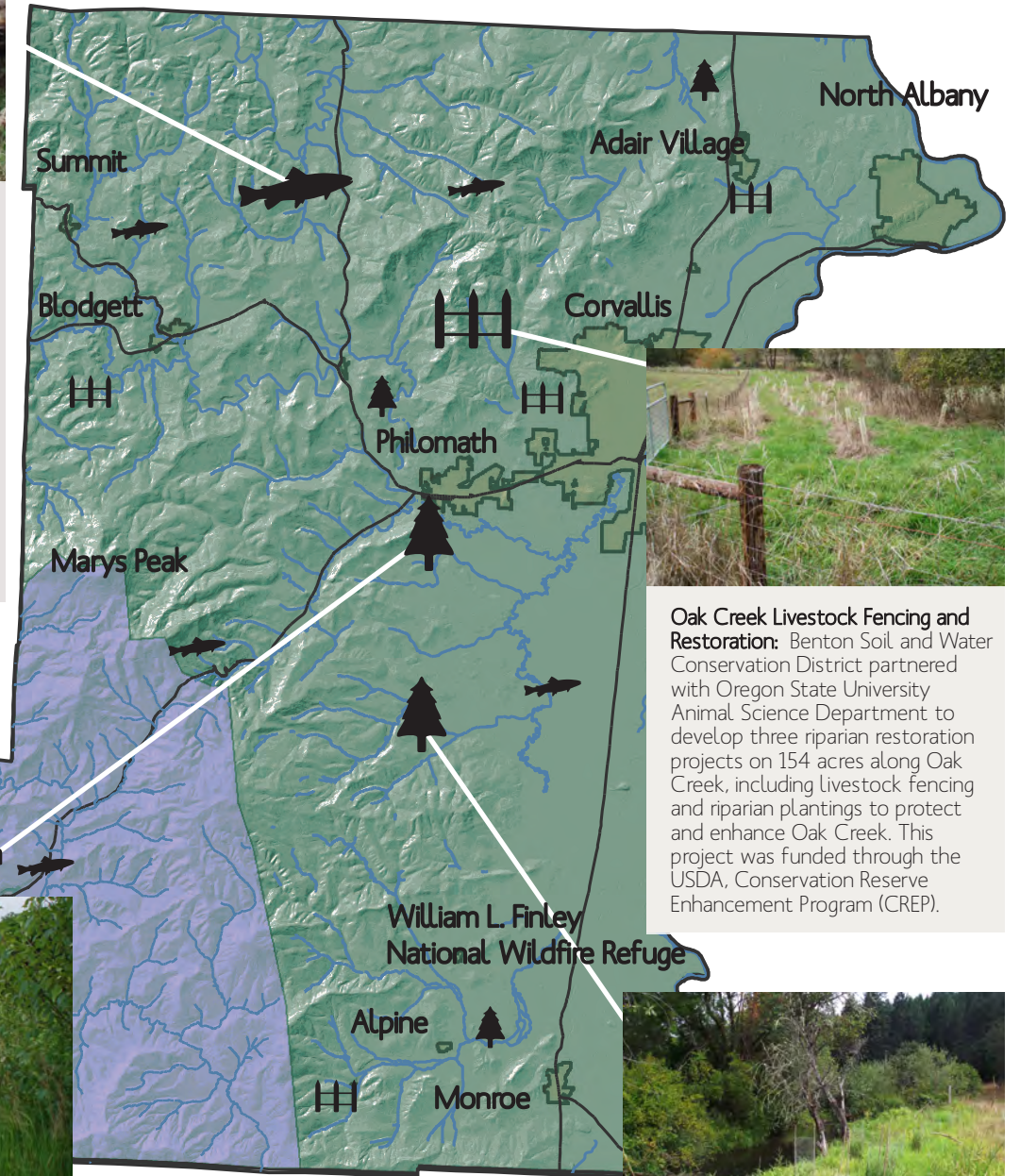
Everyone can have a role in supporting our streams



Maxfield Creek Tree Planting & In-Stream Large Wood Placement: Maxfield Creek flows into the Luckiamute River. Current landowners have partnered with the Luckiamute Watershed Council, Benton SWCD and others to place large wood in the stream and plant over 4,500 trees. The large wood helps create a more natural stream channel, slows the flow of water, and captures sediment to provide habitat for cutthroat trout. The tree planting will help expand the riparian forest, improve water quality, and provide habitat for elk, beaver, quail, fish and other wildlife.



Evergreen Creek & Wetland Enhancement: Owners of the Evergreen Wetland partnered with the Benton SWCD to plant native cottonwood, willow, ninebark, and other wetland shrubs/trees to provide habitat for abundant waterfowl and other wildlife.



Legend

- Priority Riparian Resources
- Highways
- Alsea Basin



Oak Creek Livestock Fencing and Restoration: Benton Soil and Water Conservation District partnered with Oregon State University Animal Science Department to develop three riparian restoration projects on 154 acres along Oak Creek, including livestock fencing and riparian plantings to protect and enhance Oak Creek. This project was funded through the USDA, Conservation Reserve Enhancement Program (CREP).



Beaver Creek Restoration Projects: Marys River Watershed Council is completing long term 'neighbor by neighbor' projects with landowners along Beaver Creek including tree planting, weed control, large wood enrichment, fish passage, and snorkel surveys to monitor fish populations.

Follow the stream to more resources...

Attachment E: Benton County Non-Regulatory Riparian Corridor Program
Vegetation Monitoring Scope of Analysis Area and Monitoring Methodology

Benton County Non-Regulatory Riparian Corridor Program
Vegetation Monitoring
Scope of Analysis Area and Monitoring Methodology

Introduction

The Benton County Total Maximum Daily Loads (TMDL) implementation plan was adopted by Benton County in 2007, and included the goal of reducing Temperature and Bacteria inputs through the protection of riparian corridor vegetation (Benton County TMDL Implementation Plan Tracking Matrix). Through formal correspondence with Oregon Department of Environmental Quality (DEQ) water quality division staff Benton County initiated development of a non-regulatory riparian corridor vegetation program, to comply with Willamette Basin TMDL requirements specifically meeting Division 42 TMDL ‘reasonable assurance’¹ requirements. In 2012, Oregon DEQ Water Quality modeling and division staff provided updates and a request for specific details for a proposed monitoring program if a non-regulatory program is adopted by Benton County. We note that DEQ would not require vegetation monitoring for a regulatory riparian program, although enforcement of all adopted code would be expected. Benton County understands there is less experience with non-regulatory programs to meet compliance with TMDL requirements, and that monitoring is necessary to gauge success. The effectiveness of regulations and their enforcement can also vary greatly, and simply having adopted code does not ensure success in riparian vegetation preservation.

Initially, the Benton County Riparian and Wetlands Project participants developed the following methodology to enable DEQ staff to determine whether the proposed monitoring is sufficient to meet applicable TMDL requirements with a non-regulatory program. See <https://www.co.benton.or.us/cd/page/voluntary-program-riparian-resources> for more information on the project as a whole.

DEQ Requested Information

Program Goal

By means of education, outreach, collaboration, monitoring, and adaptive management, Benton County intends to work with property owners to ensure that

¹ “Reasonable Assurance” defined in OAR 340-042-0030 (9) means a demonstration that a TMDL will be implemented by federal, state, or local governments or individuals through regulatory or voluntary actions including management strategies or other controls.

native riparian vegetation is not reduced and is hopefully enhanced. A key element of achieving this goal is monitoring the status of riparian vegetation over time.

The elements of the proposed non-regulatory program include:

- Education and outreach to inform riparian landowners regarding preservation/enhancement;
- Support and coordination with watershed councils and soil and water conservation districts of their efforts to enhance and restore riparian areas;
- Continuation of Benton County’s current requirement that new structures adhere to setback requirements from streams;
- Monitoring of riparian vegetation conditions;
- Implementation of regulatory riparian protection program if monitoring indicates degradation is occurring;
- Periodic reporting to, and consultation with, DEQ regarding riparian conditions and adaptive management;
- Budget estimate and assurance of funding;

Scope of Analysis Area

The vegetation analysis is proposed within “priority riparian corridors,” defined as:

Land, zoned rural residential, situated within 50 ft. (75 ft. for main-stem Willamette River) of

- a. a perennial stream (as determined by Benton County from USGS and BLM data),
or
- b. a ‘Fish Bearing’ stream with ‘verified’ or ‘assumed’ ‘fish presence’ map attributes (as determined by Oregon Department of Forestry)

Excluded from “priority riparian corridors” are:

1. Land within the Urban Growth Boundary and city limits of the following incorporated cities: Corvallis, Albany, Philomath, Adair Village, and Monroe.
2. Those portions of private property where farm and forest activities are the primary land use;
3. Public lands.

In summary, monitoring is proposed primarily within applicable rural residential zoned properties and select locations where multiple developments or re-development ²is proposed regardless of the primary zoning designation.

Monitoring Methodology

² Development or redevelopment defined by ODEQ from Benton County Floodplain Development Permit: ‘structural (new addition, remodel, and demolition) permits and non-structural projects related to grading, excavation, and fill work; construction of fences and retaining walls; stream restoration and rehabilitation work’.

The following monitoring methodology was developed by Benton County Riparian and Wetlands Project staff (Community Development) with guidance provided by ODEQ Water Quality Division staff (Pers. Comms. Loboy, Bayham, Michie). The proposed methodology is organized in chronological order of the monitoring that would occur for 'priority riparian corridors' as defined above.

1. **Establish baseline characterization of the extent of existing overstory riparian vegetation by digitizing vegetation from LiDAR (2008) and best available resolution aerial imagery:** LiDAR imagery (captured summer 2008) is currently available for nearly all of Benton County. Using Arc GIS, LiDAR (2008) 'highest hit' data subtracted from 'bare earth' data will provide vegetation density and height and establish a baseline. The 1-meter DEMs are to be utilized to determine channel locations. LiDAR riparian vegetation height/cover analysis (highest hits minus bare earth) are to be completed for all priority riparian corridors in Benton County utilizing current LiDAR data. The vegetation height analysis will provide specific locations/properties where riparian vegetation gaps are located.
2. **Perform Annual Monitoring (once per calendar year or as acquisition of new aerial imagery becomes available) for priority riparian corridors:** Aerial imagery (2011, 1-ft. resolution) is available countywide and is updated (approximately) on an annual basis by federal, state, or local agencies or private organizations and is available for County use. Best available aerial imagery is to be utilized to digitize riparian vegetation overstory presence/absence adjacent to priority riparian corridors. There are an estimated 40-60 stream miles within the priority riparian corridors; of these, 20 stream miles are to be selected for annual evaluation. The digitized areas will then be compared with results from prior monitoring periods. In addition, some ground-truthing is to be performed in predetermined locations to compare with remote sensing data. Areas of decreased riparian vegetation are to be identified, and the decrease/increase in vegetation coverage within the riparian corridor will be assessed. This will allow staff to quantify the degree of change in riparian cover per stream mile. Areas of apparent vegetation removal will be further analyzed to determine the cause and determine any required mitigating factors (e.g., removal of non-native vegetation; removal of hazard trees; replanting). Benton County will also attempt to identify areas of vegetation enhancement and areas of permanent change or alteration (e.g., trees replaced by shrubs or grasses/forbs) where possible.
3. **Program Trends and Status Report (5-year reporting schedule):** After every five years of non-regulatory program implementation, Benton County will compile and review the annual changes and analyze for trends. The County will prepare a status report to DEQ. Staff reviews most recent LiDAR (if available) and aerial imagery monitoring to compare the change from the baseline (year 2018 condition) to the riparian corridor conditions in year 5 (2023). The report also identifies locations of riparian vegetation removal. Best

available data will be used for each program status report. A five-year report was completed in 2018, and another will be completed in 2023.

4. **Thresholds and Triggers:** If the Five-Year study indicates a decline in riparian vegetation of 20% or greater relative to the baseline, Benton County will initiate the public hearing process for adoption of a regulatory riparian protection program. If the report identifies other trends or changes, which may or may not be quantifiable, and which are concerning to Benton County or DEQ, Benton County will consult with DEQ regarding potential modifications to the program.

Additionally, if annual monitoring indicates significant decline in riparian vegetation (greater than 20% vegetation removal across the study area or near-complete removal at a single parcel level), Benton County will take immediate action to encourage voluntary enhancement in locations where extensive removal occurred and track whether that vegetation enhancement is occurring.

Budget & Financial Assurance

Deliverable	Estimated Staff Time (hours)	Approx. Budget Cost
Baseline LiDAR Vegetation Analysis	100 (project staff)	\$9,400.00
Annual Digitization of Priority Riparian Corridor Vegetation	70 (combined intern and project staff)	\$1,750.00 \$3,290.00
5-Year Program Trends and Status Report	100 hour (project staff)	\$9,400.00

Photopoint Analysis

We evaluated and considered the potential role of establishing photo-points at specific sites. Photo-points would enable site-specific tracking of modifications over time. However, quantifying results of photo-point analysis would be difficult. The goal of this monitoring program is not to identify site-specific impacts in order to take action; the goal is to evaluate the change across the riparian landscape. Having detailed documentation at a few sites via photo-points does not appear to assist with this goal. For this reason, Benton County is not proposing photo-point analysis, but may use photos as part of the ground-truthing described in Section 2 of the Methodology.

Conclusion

The proposed monitoring program provides a process for Benton County to meet anti-degradation and reasonable assurance requirements of the Oregon Administrative Rules for Total Maximum Daily Load through a non-regulatory program to assess, monitor, and encourage voluntary protection/enhancement riparian corridors to meet State water quality requirements as a Designated Management Agency.

References Cited

Benton County Total Maximum Daily Load Implementation Plan (2008). Benton County, Oregon adopted TMDL implementation plan adopted and approved by ODEQ.

Ozawa, C.P. and Yeakley, J.A. 2007. Performance of Management Strategies in the Protection of Riparian Vegetation in Three Oregon Cities. *Journal of Environmental Planning and Management* 50: 803-822. [\(PDF\)](#)

Michael J. Schuft, Thomas J. Moser, P.J. Wigington, Jr., Don L. Stevens, Jr., Lynne S. McAllister, Shannen S. Chapman, and Ted L. Ernst. Development of Landscape Metrics for Characterizing Riparian-Stream Networks
http://asprs.org/a/publications/pers/99journal/october/1999_oct_1157-1167.pdf

Oregon Department of Environmental Quality, Antidegradation Policy Internal Management Directive: <http://www.deq.state.or.us/wq/pubs/imds/antideg.pdf>

Oregon Department of Environmental Quality—Water Quality Division Staff (pers. comms. with Chris Bayham, Zach Loboy, Ryan Michie).

Attachment F: DSL Responses to Wetland Notifications

Records of Development Applications for Properties with Delineated Wetlands, with Potential for Wetland Impact, As Determined by the Department of State Lands (DSL) (2021-2022)

Permit Applications on Sites Containing Wetlands, DSL Responses			
#	DSL Response	LU or Building Permit #	May Impact wetlands (DSL Preliminary Advisory Information)?
1	12/9/2021	138-21-001004-STR	No
2	4/22/2022	LU-22-017	No
3	8/30/2022	138-22-000845-STR	No
4	2/8/2022	138-21-001811	No
5	9/2/2022	138-22-000810-STR	No
6	5/23/2022	LU-21-81	No
7	4/21/2022	138-22-000423-STR	No
8	3/4/2022	138-22-000153-STR	Yes

[Attachment G: Livestock-Related Agricultural Exempt and Structural Building Permits](#)

Livestock-Related Agricultural Exempt and Structural Building Permits each received Managing Mud and Manure Fact Sheet (Attachment H)

Livestock-Related Agricultural Exempt and Structural Buidling Permits - 10/1/21-9/30/22								
#	Record Number	Record Type	Livestock Related? (Y/N)	Description	Contains Riparian Area?	City	Status	Opened
1	138-22-000990-STR	Residential Structural	Y	12x24 Animal Barn.	N	ALBANY	In Review	7/25/2022
2	138-22-000227-STR	Residential Structural	Y	CONSTRUCITON OF NEW 30X40 ARENA COVER	N	Corvallis	Finald	2/24/2022
3	138-22-000267-STR	Commercial Structural	Y	CONSTRUCTION OF 1824 SQ FT STORAGE BUILDING FOR GRASSHOPPER FARM	N	Corvallis	Permit Issued	3/2/2022
4	138-22-000161-STR	Commercial Structural	Y		Y	Alsea	Expired	2/10/2022
5	138-22-000387-AGE	Commercial Agricultural Equine	Y	24 X 24 Livestock Barn	N	Philomath	Approved	3/23/2022
6	138-22-000233-AGE	Commercial Agricultural Equine	Y	40' x 60' Pole Barn	Y	Alsea	Approved	2/24/2022
7	138-22-000098-AGE	Commercial Agricultural Equine	Y	Pole barn for hay storage/cow feed barn. Raise cattle.	Y	Alsea	Approved	1/27/2022
8	138-22-000046-AGE	Commercial Agricultural Equine	Y	Storing and maintaining equipment used for farm/forestry.	Y	ALSEA	Approved	1/13/2022
9	138-22-000038-AGE	Commercial Agricultural Equine	Y	Ag permit for existing pole barn on the property, used to store hay and repair farm equipment.	Y	Corvallis	Approved	1/11/2022
10	138-22-000002-AGE	Commercial Agricultural Equine	Y	Equine Facility: Run-in shed with tack room and 10 foot roof extension.	Y	Alsea	Approved	1/3/2022
11	138-21-001669-AGE	Commercial Agricultural Equine	Y	Building used to expand capacity storage of feed equipment for raising chickens (for eggs), goats, pigs, to sell.	N	Philomath	Approved	11/22/2021

Attachment H: Managing Mud and Manure Brochure Fact Sheet

Web Link: [Managing Mud and Manure Brochure Fact Sheet](#)

Fact Sheet

NO. 11 JANUARY 1999

Managing Mud and Manure

Tips for Small Acreages in Oregon

Manure: Muck or Money?

Manure is "black gold." The manure from one horse is worth \$150 in fertilizer per year! In the wrong place, however, manure may become a pollutant. Raw manure or manure attached to eroding soil can wash off the land and into the nearest stream. In the stream, manure nutrients and bacteria may cause algae blooms, kill fish, degrade shellfish beds, and pollute drinking water. Your farm's manure pile and muddy animal yard may cause only a small pollution problem, but small things add up. Read on to find out how to turn manure into an asset rather than a liability...

More Reasons to Manage Mud and Manure: Animal Health

Poor mud and manure management can be hazardous to your animals' health.

- Raw manure and mud provide a breeding ground for flies.
- Accumulated mud and manure cause thrush, rain scald, and other diseases.
- Dried manure produces molds and causes respiratory problems in horses and cattle.
- Heavy manure applications overfertilize grasses. Animals that eat these grasses may suffer nitrate poisoning and grass tetany.

Mud and Manure Management Problems and Solutions

The first step in managing manure is to identify areas on the farm that may need improvement. Here are some examples of poor mud and manure management:

- Manure pile is uncovered and placed in a low area. Nutrients and bacteria can leach into the groundwater.

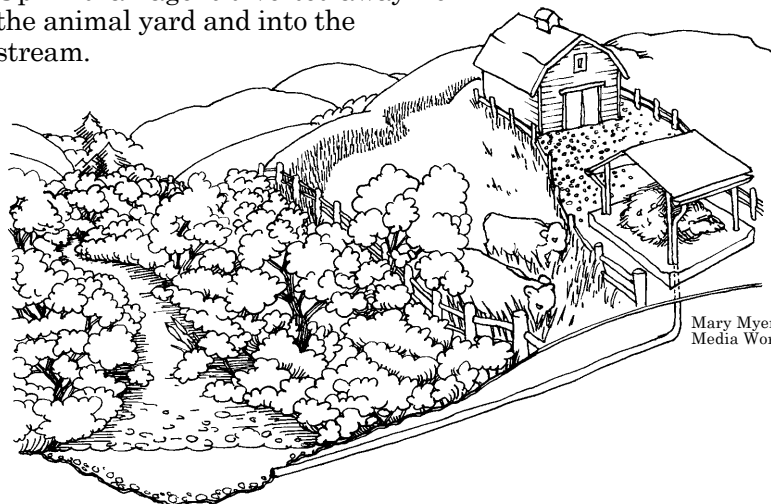
- Animals trample streambanks, get stuck in the mud, and cause soil erosion.
- Water tanks concentrate animal traffic and manure next to the stream.
- Roof gutters leak water onto the ground. Water creates muddy areas, picks up pollutants, and flows into the stream.
- Uphill drainage enters the animal yard and carries polluted runoff into the stream.

You may already be practicing proper mud and manure management. Good for you! Here are some examples of *good* management:

- Manure pile is moved into a covered facility for winter storage.
- Animals are fenced away from the stream. A buffer of shrubs and trees planted next to the stream helps to filter animal yard runoff.
- Water tanks are located in each paddock and away from the stream.
- Roof gutters, downspouts, and a tile divert rainwater away from the animal yard and into the stream. Muddy areas are replaced with an installation of road fabric and gravel.
- Uphill drainage is diverted away from the animal yard and into the stream.

"I know two things about the horse and one of them is rather coarse."

- Naomi Royde Smith



Mary Myers,
Media Works

The 'Scoop' on Manure

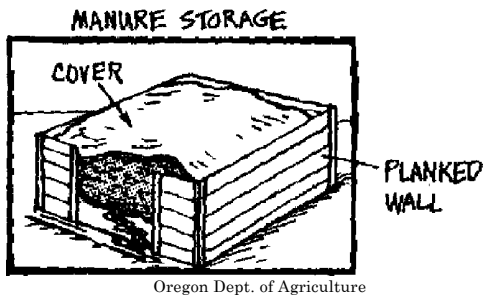
Here are the steps towards good manure management:

Collect manure every 1 to 3 days.

You will reduce muddy areas, fly breeding sites, and polluted runoff by regularly removing manure. Use a shovel, manure fork, wheelbarrow, or tractor to collect raw manure from the stalls, animal yards, and pastures.

Store and cover manure to keep nutrients from leaching away.

If you have few animals, you may only need a watertight tarp to go over and under a small manure pile. Locate the pile on a site that's high and dry. If you have many animals, you may want to install a roofed storage structure with a watertight floor. The manure stack should have two to three walls to hold leached materials and to ease manure handling. Storage facilities should be located more than 100 feet from wetlands, streams, or ditches and above floodplains.



Compost manure to produce a valuable resource.

Composting has many benefits. It may reduce a manure pile to half its original size, produce a stable fertilizer, and kill animal parasites. For effective composting, build the pile dimensions to at least 3 feet tall by 3 feet wide, aerate the pile by turning it or inserting perforated pipes through the center, and water the pile until it is moist, but not saturated. You should not be able to wring water from a handful of compost. These steps should raise the temperature up to 131¼F for at least three days in a row to kill worm eggs. Finished compost will smell earthy and feel cool to the touch.

Stockpile manure during the fall and winter.

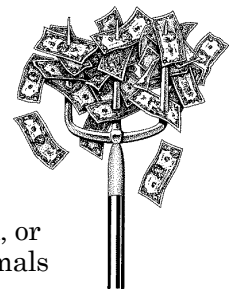
The storage area should be big enough to store all the manure until it can be used as a fertilizer. Six months of storage, from October to April, will allow you to stockpile manure when soils are saturated or frozen and the potential for runoff is high. You can then spread manure in the spring, when plants are growing and can use the manure nutrients. See "Storage Area Needed Per Animal" for general guidelines on storing manure.

Spread manure during the growing season.

Spread manure or compost for use as a fertilizer on growing plants during the growing season. You'll need a tractor and manure spreader or a pickup truck and rake to spread manure. See "Acreage Needed Per Animal" for general guidelines for spreading manure.

Apply Manure to Match Pasture Needs

Spreading manure from one 1,000-lb. horse, one 1,000-lb. beef cow, three 150-lb. pigs, twelve 100-lb. sheep, six 100-lb. goats, or four 300-lb. llamas on one acre of pasture may provide the yearly phosphorus needs for pasture. Actual numbers will depend on a soil test, crop yield, and management conditions. Apply too much manure, and you run the risk of losing fertilizer dollars, raising forage nutrients to dangerous levels for animal health, and leaching nutrients and bacteria into water. Have you discovered that you don't have enough land? Consider giving away manure to your community, increasing your pasture production, buying or renting more land, or reducing the number of animals that you own.



Manure Storage Needed per Animal

In general, you will need the following floor space to store the manure produced by an animal over a 6-month period. The estimates are based on a 5-foot-high manure pile and average bedding.

Livestock Area needed per animal for 6 months storage

Horse	72 square feet
Cattle	72 square feet
Sheep	6 square feet
Pig	12 square feet
Goat	6 square feet
Llama	12 square feet

The actual space will vary according to the bedding used, animal weight, and height of the manure pile. Adapted from *Pollution Control for Horse Stables and Backyard Livestock*, U.S. Environmental Protection Agency.

Mud Matters

Mud can make chore time unpleasant, increase fly breeding areas, transmit diseases, create unsafe footing, and increase polluted runoff. Often the best protection against mud is prevention. Reduce the amount of rain that runs through your animal yard and you will reduce mud and polluted runoff. Tips to reduce runoff include:

- **Install roof gutters.**

Install roof gutters and downspouts to divert clean water from the animal yard. A 1-inch rain on a 20-foot by 50-foot roof will produce 620 gallons! Design gutters to handle the amount of rainfall in your area.

- **Protect downspouts.**

Protect downspouts from animal and equipment damage by using heavy polyvinyl chloride (PVC) pipe, a hot wire, or a permanent barrier. Empty downspouts into a stock watering tank, rain barrel, dry well, tile line, road ditch, or creek.

- **Control runoff.**

Locate new animal yards at least 100 feet from wetlands, ditches, and streams. Curb concrete animal yards or use an earthen berm around animal yards that are close to wetlands, streams, or ditches. Divert animal yard runoff away from wetlands, ditches, and streams and into a vegetated area that can filter the flow. Divert clean water above animal yards to wetlands, ditches, and streams. Close open ditches with a buried pipe to carry water past animal yards.

You may not be able to eliminate mud, but you can reduce the amount of mud. Tips to reduce mud and potential pollution include:

- **Fence animals.**

Fence animals away from wetlands, streams, or ditches. Rotate water tank areas to avoid mud and manure buildup.

- **Use sacrifice areas.**

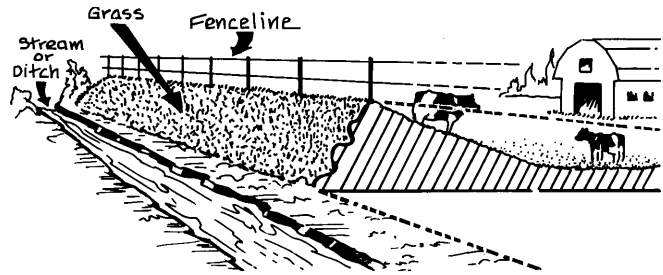
Move animals into a corral, run, or pen when pastures are wet in the winter or when grass is less than 3 inches high in the summer. These holding areas are called "sacrifice areas" because the grass is "sacrificed" to preserve cover in the pastures. Locate a new sacrifice area on high ground and at least 100 feet away from wells and open water. Maintain a 25-foot grass buffer around the sacrifice area to filter polluted runoff. Widen the buffer if the sacrifice area slopes or is located near wetlands, streams, or ditches.

- **Install firm footing.**

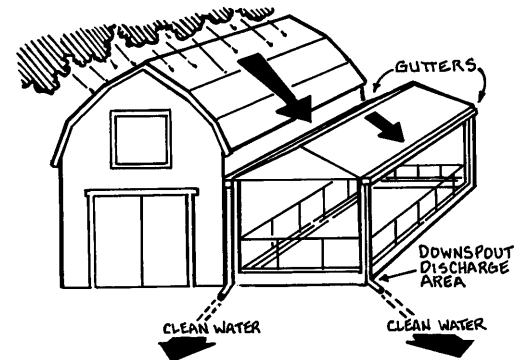
Muddy areas are often found at barn entrances, lanes, gates, and loafing areas. You can install concrete in these areas. However, geotextile fabric and gravel will provide an all-weather surface at a third of the cost. Geotextile fabric allows water to drain down, but stops mud from working up through the gravel. Use a layer of geotextile fabric next to the soil, a 4- to 6-inch layer of 1.5-inch minus crushed rock in the middle, and a 2- to 3-inch layer of 5/8-inch minus crushed rock on top to provide a firm surface. In areas with less animal traffic, consider using up to 18 inches of hogfuel or wood chips for footing. Hogfuel decomposes and needs to be periodically replaced. Avoid using hogfuel near wetlands, streams, or ditches, as resin acids may leach into water.

- **Design drainage.**

Slope the animal yard with a 4 to 6 percent grade and use a southern aspect for quick drying. Use tile drainage to reduce water in the animal yard and riding ring. Drain tile water into a buffer strip that can filter pollutants in runoff.



Washington State University
Cooperative Extension



Washington State University
Cooperative Extension

A Year in the Life of a Manure Manager



January, February, March

No manure is applied to frozen or saturated soils, to frequently flooded land, or on days when heavy rains are forecast. Manure is applied at low rates on land with well-drained soil and actively growing grass. In the Willamette valley and eastern Oregon, grass begins to grow in March and April, respectively.

April, May

Manure from the storage facility is tested for nutrients and applied to match plant needs. Manure buildup is removed from animal yards and is spread on pastures, cropland, and gardens. On annually tilled land, manure is applied and immediately incorporated to retain nutrients.

June, July, August

Manure is applied to pastures and hay ground to match plant needs. Irrigation is used to water-in nutrients using good irrigation water management. Some animals will not graze pastures with freshly applied manure. In this situation, the manager has two or more pastures to graze animals. If the manure has not been composted to kill parasites, the deworming program is continued.

September, October

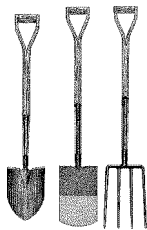
This is the critical time of year for managing manure in an environmentally sound manner. Soil conditions produce nitrates that may leach into water with the first fall rains and continue through the winter. No manure is applied to annual crops where growth has slowed or stopped. Some manure may be applied to growing grasses or a cover crop, according to soil test recommendations.

November, December

No manure is applied. Manure pile is covered. Animal yards and pastures are scouted for problem areas that have runoff, standing water, or mud.

It's the Law

You are responsible for managing manure to protect surface water and groundwater. Federal and state laws forbid discharging animal wastes into water. Would you believe that manure management could increase your property values? If you are selling your property, manure facilities can be an asset under today's regulatory requirements.



- The local Soil and Water Conservation District and USDA-Natural Resources Conservation Service may provide on-site technical advice on managing manure, designing roof runoff systems, and improving water quality. Contact your local office for more information.
- Oregon State University Extension Service offers workshops, publications, and over-the-phone assistance on manure management and composting. Contact your local office for more information.



Attachment I: Stream Protections and Livestock Brochure

Web link: [Taking Care of Streams - Landowner's Guide to Riparian Areas](#)



Taking Care of

streams

in Western Washington, Western Oregon, and Coastal Alaska

A Landowner's Guide to Riparian Areas

PNW 558 • October 2002 • A Pacific Northwest Extension publication

Oregon State University • University of Idaho • Washington State University
in cooperation with the University of Alaska

As a landowner in the Pacific Northwest, you have a unique opportunity to help maintain or improve the health of streams and riparian areas.

A riparian area is the area of land adjacent to a stream, lake, or wetland. Most healthy, natural riparian areas have moist, fertile soils that support many types of moisture-loving plants. These plants provide food and shelter to numerous fish and wildlife.

Healthy riparian areas:

- Reduce the chance of flooding
- Improve water quality
- Provide habitat for fish and wildlife

Why do riparian areas matter?

Plants in healthy riparian areas:

- Provide wood to streams, creating fish habitat and slowing the stream current after storms.
- Shade streams in summer. Cool water is healthier for many native fish species.
- Help prevent erosion by holding soil in place with their roots.
- Filter sediment out of muddy runoff, keeping sediment from smothering fish habitat.
- Allow heavy winter rains to soak into the soil instead of running into the stream. This allows water to be released slowly to the stream during the dry season.
- Filter out pollutants, such as fertilizers, pesticides, and animal wastes.
- Provide important food sources, homes, shelter, and travel corridors for wildlife, fish, and other aquatic organisms.

The bottom line is:

- Less winter flooding
- More water in the stream during summer
- Cleaner water
- Homes and food for wildlife, including many species of fish, insects, amphibians, reptiles, birds, and mammals

It's all about plants

Healthy riparian areas include a variety of types and ages of plants, including trees, shrubs, grasses, and groundcovers. Plants adapted to local rainfall, climate, insects, and soil conditions tend to be easier to care for because they need less water and pesticides.

Most native plants are well adapted to their region. In the Pacific Northwest, a few of the common native riparian plants are:

- Alder
- Black cottonwood
- Douglas-fir
- Dwarf birch
- Elderberry
- Highbush cranberry
- Labrador tea
- Oceanspray
- Oregon ash
- Pacific ninebark
- Red-osier dogwood
- Salmonberry
- Sitka spruce
- Snowberry
- Swamp rose
- Western hemlock
- Western redcedar
- Wild rose
- Willow

Snowberry



Red-osier dogwood



Oceanspray



How do people change riparian areas?

Removing or damaging plants through livestock grazing, timber harvest, construction, and landscaping practices, especially in the riparian area, can harm streams. Plants, particularly trees and shrubs, catch rainfall and allow it to soak slowly into the ground instead of running quickly into streams. Plants also help prevent the formation of gullies that can result when water flows across bare soils. When water runoff from storms reaches streams too quickly, more erosion and flooding occur downstream. More rainwater, pesticides, fertilizers, and sediment reach the stream in areas without riparian plants to slow and filter water.

When streams and riparian areas are not healthy, people feel the consequences.

- We lose recreational areas.
- Fish and wildlife decline, reducing opportunities for hunting, fishing, and wildlife viewing.
- Increased flooding may cause erosion and property damage.
- The region may lose economic opportunities because people avoid unattractive and unhealthy areas.

Look for ways to encourage water to seep into the soil on your property rather than flowing off.



Do not allow livestock to enter streams.

What Can You Do?

Tend to your livestock and riparian areas

- Alternate grazing areas to allow vegetation to recover.
- Allow grazing when forage plants are about 9 to 10 inches tall, and stop grazing when they have been grazed down to about 3 to 4 inches tall.
- Limit grazing of riparian areas by using fences or paddocks where possible.
- Provide water, shade, and salt in other areas to encourage livestock to graze and loiter away from riparian areas.
- Limit or avoid grazing in riparian areas during the fall and winter when grasses are dormant and the chance of erosion from runoff is greater.
- Keep livestock out of streams, other bodies of water, and fragile riparian areas that have difficulty recovering.
- Locate animal waste and compost piles on flat surfaces away from streams or drainage areas and cover them during wet periods.
- Locate paddocks in dry areas away from streams.
- Provide wide, grassy areas around paddocks to keep mud and animal waste in the paddock area from entering streams or ponds.
- Use gutters and downspouts on barns and stables to direct water away from paddocks.
- If grazing a large number of livestock, create a grazing management plan. Contacts for technical assistance are listed on the back of this brochure.

Take care of plants and the streamside

- Promote dense vegetation to reduce runoff and trap contaminants.
- Learn about native plants and use them where appropriate.
- Restore eroded streambanks with help from a professional.
- Leave wood and other natural materials in streams.
- Don't straighten channels or place rubble or rip-rap on streambanks.
- Use switchback trails to reduce erosion in steep areas.

Grow and maintain a stream-friendly garden and lawn

- Select appropriate plants. Native plants can be easier to care for because they often are better adapted to local pests and rainfall conditions.
- Minimize the use of pesticides and fertilizers. Consider using natural, slow-release fertilizers.
- Locate compost piles on flat surfaces away from streams or drainage areas, and keep them covered during the wet winter months. Keep grass clippings away from streams.
- Apply compost to pastures and gardens only during the growing season.

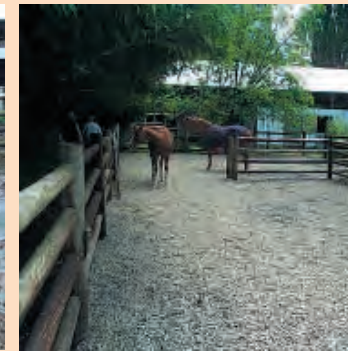
Be careful when you build

- Leave as many native plants as possible near streams and everywhere!
- Plan new construction away from existing streams and wetlands instead of modifying them.
- Minimize paved areas. Keep the roof area, walkways, and driveways as small as possible.
- Use gravel or bark instead of pavement for paths and driveways.
- Always observe local ordinances and get proper permits.
- Leave as wide a vegetation buffer as possible next to the stream.
- Direct runoff toward landscaping or other areas where it will soak into the ground.

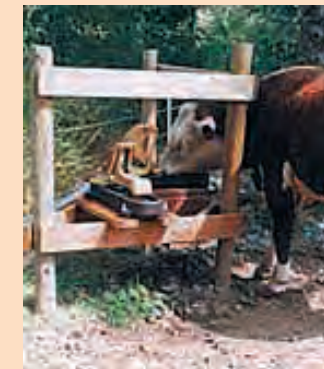
Take pride in caring for the stream flowing across your land.



Corral before implementing heavy-use area best management practices. (Photo courtesy of Kitsap Conservation District)



Corral and happy horses after installation of gravel. (Photo courtesy of Kitsap Conservation District)



Alternative watering systems such as nose pumps help keep livestock out of streams.



Install a bark path instead of pavement.

There's more you can do around the house

- Don't pour soapy water, automobile oil, paint, household chemicals, or pesticides down storm drains. Drains often are connected directly to streams.
- Direct gutters away from streams, pavement, and septic drain fields and into areas where water can seep slowly into the soil.
- Keep livestock, cars, and trees away from your septic tank and septic field.
- Inspect your septic system annually, and pump the tank as necessary.
- Keep pet waste away from streams, riparian areas, and paved areas. Put pet waste in a bag and place it in the trash.
- Use less toxic or nontoxic household cleaners.

Taking Care of Streams in Western Washington, Western Oregon, and Coastal Alaska

A Landowner's Guide to Riparian Areas

For more information

Grow Your Own Native Landscape (M. Leigh, revised 1999, Washington State University Cooperative Extension, MISC 0273). <http://gardening.wsu.edu/nwnative/>

Life on the Edge: Improving Riparian Function (D. Godwin, 2000, Oregon State University Extension Service, EM 8738). <http://eesc.oregonstate.edu/agcomwebfile/edmat/EM8738.pdf>

Protecting Groundwater: Managing Livestock on Small Acreage (J. Schmidt and B. Wolfley, 1992, Washington State University Cooperative Extension, EB 1713). <http://cru.cahe.wsu.edu/CEPublications/eb1713/eb1713.html>

*Stream*A*Syst: A Tool to Help You Examine Stream Conditions on Your Property* (G. Andrews and L. Townsend, 2000, Oregon State University Extension Service, EM 8761). <http://eesc.oregonstate.edu/agcomwebfile/edmat/html/em/em8761/em8761.html>

Stream Corridor Restoration—Principles, Processes, and Practices (The Federal Interagency Stream Restoration Working Group, 1998, revised August 2000). http://www.usda.gov/stream_restoration

EPA Region 10

Seattle, WA
206-553-1200
800-424-4372 (toll free in AK, ID, OR, WA)
<http://www.epa.gov/r10earth/>

Oregon

Oregon State University Extension Service
Call your local office or 541-737-4021
<http://oregonstate.edu/extension/>

Natural Resources Conservation Service
503-414-3200 (<http://www.or.nrcs.usda.gov/>)

Oregon Association of Conservation Districts
503-472-6307
<http://www.netcnct.net/community/oacd/>

Washington

Washington State University Cooperative Extension (call your local office or 509-335-2885)
<http://wawater.wsu.edu>

Natural Resources Conservation Service
509-323-2900 (<http://www.wa.nrcs.usda.gov/>)

Washington Association of Conservation Districts
360-407-6200 (<http://wa.nacdnet.org/>)

Alaska

University of Alaska Cooperative Extension
Call your local office or 907-786-6300
<http://www.uaf.edu/coop-ext/>

Natural Resources Conservation Service
907-761-7700 (<http://www.ak.nrcs.usda.gov/>)

Alaska Soil and Water Conservation Districts
907-271-2424 (<http://www.alaskaswcds.org/alaska/>)

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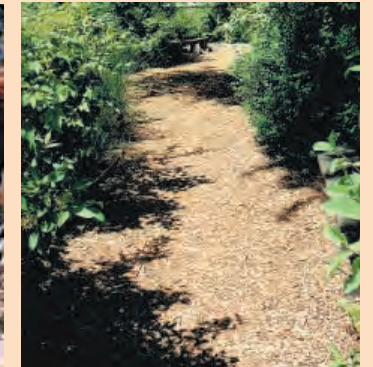
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Attachment J: Kennel BMPs and Kennels and Water Quality Fact Sheet

**Kennel BMPs and Kennels and Water Quality Fact Sheet
Sent Directly to Kennel Applicants in Benton County**

**State of Oregon
Department of Environmental Quality**



Best Management Practices for Animal Kennel

On-Site Sewage Disposal Systems



If you take care of your kennel's septic system, you can expect it to perform for you. The following are best management practices (BMPs) for protecting the system against harm. Following these practices can help assure that your on-site disposal system will work properly for many years. Maintaining and operating your system as intended can prevent water pollution and contribute to good health for your family and community. A failing system is a nuisance no one wants and is a public health hazard to you and your neighbors.

1. **Exclude rainwater from the system.** Cover the runs. Be sure that roof drains are directed away from the system. Rainwater will flood your drainfield causing premature failure.

2. **Use sanitizers/ disinfectants correctly.** Follow the labeled instructions, using the minimum amount needed. As an example, use one ounce of household bleach per gallon of water. We recommend using products such as bleach that degrade over time to harmless byproducts. The septic system, after all, depends on bacterial digestion of sewage. The overuse or improper use of sanitizers will kill beneficial bacteria within your septic system.

3. **Don't turn solid waste into liquid waste.** The following practices are necessary to maintain your system in a proper operating manner and not burden it with "high strength" waste.
 - a. When they poop--you scoop. Feces must be dry-removed, placed in a plastic bag, and placed in a dumpster or other solid waste container. If garbage service is impractical or unavailable, contact DEQ regarding other options. Burial of fecal material onsite is not an option.

 - b. If you groom--vacuum. Hair and other materials from washing, grooming, etc., must be collected and disposed of as solid waste.

 - c. If you medicate--anticipate--medicines kill disease organisms, and they can also kill septic tank bacteria. Discard old medicines to the trash.

 - d. Food waste---is solid waste. Put it into the dumpster.

BMPs for Animal Kennel On-Site Sewage Disposal Systems, cont'd**4. Maintenance Chores:**

The following schedule is essential to give the system a long life:

Daily:

- a. Floor drains, grates: check and clean as needed.
- b. Hair screen(s): check and clean as needed.

Monthly:

- a. Effluent Filter: check and clean as needed.

Every six months:

- a. Septic tank: check and pump when floating solids and sediment exceed 35% of tank volume.
- b. If your system uses an effluent pump, check the screened vault, clean as necessary.
- c. If you have a pressurized drainfield, flush the laterals every six months.

6. Final Don'ts.

- ◆ Don't waste water. (Minimize the amount of water usage during spray down of run surfaces.)
- ◆ Don't install or use a garbage grinder sink disposal.
- ◆ Don't damage your tank or drainfield by building or driving on them, etc.
- ◆ Septic Tank additives are not recommended.

Remember...

You are limited to the number of animals or runs that is noted on your construction-installation permit. Any increase beyond that number requires authorization from the DEQ and may require an alteration to the system. Contact your local DEQ representative before adding animals.

These practices are necessary for the best and continued operation of your kennel wastewater system without being on an ongoing operational (WPCF) permit. If you don't take care of it, the system may fail prematurely, resulting in the possibility of an expensive repair, and a WPCF permit.

THESE BMPs ARE CONDITIONS OF YOUR PERMIT AND REMAIN AS REQUIREMENTS FOR AS LONG AS YOUR SYSTEM IS IN USE, (OAR 340-71-160 (9)).

For further information or questions please contact Benton County Environmental Health, 541-766-6841.

Kennels and Protecting Water Quality

Kennel wastewater and water quality

Wastewater from kennels can contain bacteria, disinfectants, detergents and nutrients. The bacteria found in animal waste can increase the risk of waterborne disease, and nutrients can deplete dissolved oxygen in streams, leaving less oxygen for fish. Without careful planning, this wastewater has the potential to leave the property and create a water quality problem.

Kennel Wastewater Regulation

Permits may be required for any discharge of wastewater generated in the daily operation of a kennel, including wastewater that may be relatively clean. Wastewater may be managed in a variety of ways including land irrigation, evaporative ponds or holding tank. Discharge to surface water or groundwater is not allowed.



Who to contact

The Oregon Department of Agriculture is responsible for regulating wastewater from kennel operations. Contact ODA to learn about permit requirements and options for managing kennel wastewater. ODA allows the reuse of certain wastewater for irrigation purposes under a Confined Animal Feeding Operation permit.

Wastewater Management Plan

ODA will work with a kennel owner to develop an animal waste management plan for proper management and land application of wastewater. An animal waste management plan will include some basic information such as the amount of wastewater produced, and also include management practices to minimize the amount of wastewater generated.

Septic

Septic systems designed for bathroom and sink wastes from homes and businesses (e.g. domestic sewage) require a separate Department of Environmental Quality permit.

A kennel owner currently using an approved on-site septic system for disposal of kennel wastewater may continue using the installed on-

site system as long as it continues to function properly. If the onsite septic system fails by surfacing or discharging to surface water, a kennel owner must work with ODA to properly manage wastewater generated from their kennel operation.

Store wastewater in a holding tank and either use the wastewater to

- irrigate if there is enough land or
- use a hauler to remove the wastewater.

Kennel owners may also hire a hauler to remove kennel wastewater for irrigation off-site or to take it to licensed sewage disposal facility.

A licensed septage hauler may transport kennel wastewater but the hauler must first receive approval from DEQ to pump non-septage waste.

Cost of a permit

The cost of registering under a CAFO general permit is \$50 for the application fee, plus an annual \$100 compliance fee.

More information is available

For more information, contact the ODA livestock water quality specialist in your area. Use the map on the next page to determine the ODA contact in your area.

Alternative formats

Alternative formats of this document can be made available. For more information call 503-229-5696, Portland, or call toll-free in Oregon at 1-800-452-4011, ext. 5696. Hearing-impaired persons may call 711.



Natural Resources and Pesticides Division

635 Capitol St. NE
Salem, OR 97301-2532
Phone: (503) 986-4792
Fax: (503) 986-4730
Contact: Wym Matthews
www.oregon.gov/ODA



State of Oregon
Department of
Environmental
Quality

Water Quality Permitting and Program Development

811 SW 6th Avenue
Portland, OR 97204
Phone: 503-229-6402
800-452-4011
Fax: 503-229-6037
Contact: Beth Moore
www.oregon.gov/DEQ

Onsite Wastewater Management Program

165 East 7th Avenue,
Suite 100
Eugene, OR 97401
Contact: Randy Trox
541-687-7338

CAFO Geographic Boundaries


CAFO Program Manager
 Wym Matthews
 (503) 986-4792
 wmatthews@oda.state.or.us

Livestock Water Quality Specialists


Area I
 Armando Macias
 (503) 842-6278
 cell: (503) 801-1630
 amacias@oda.state.or.us

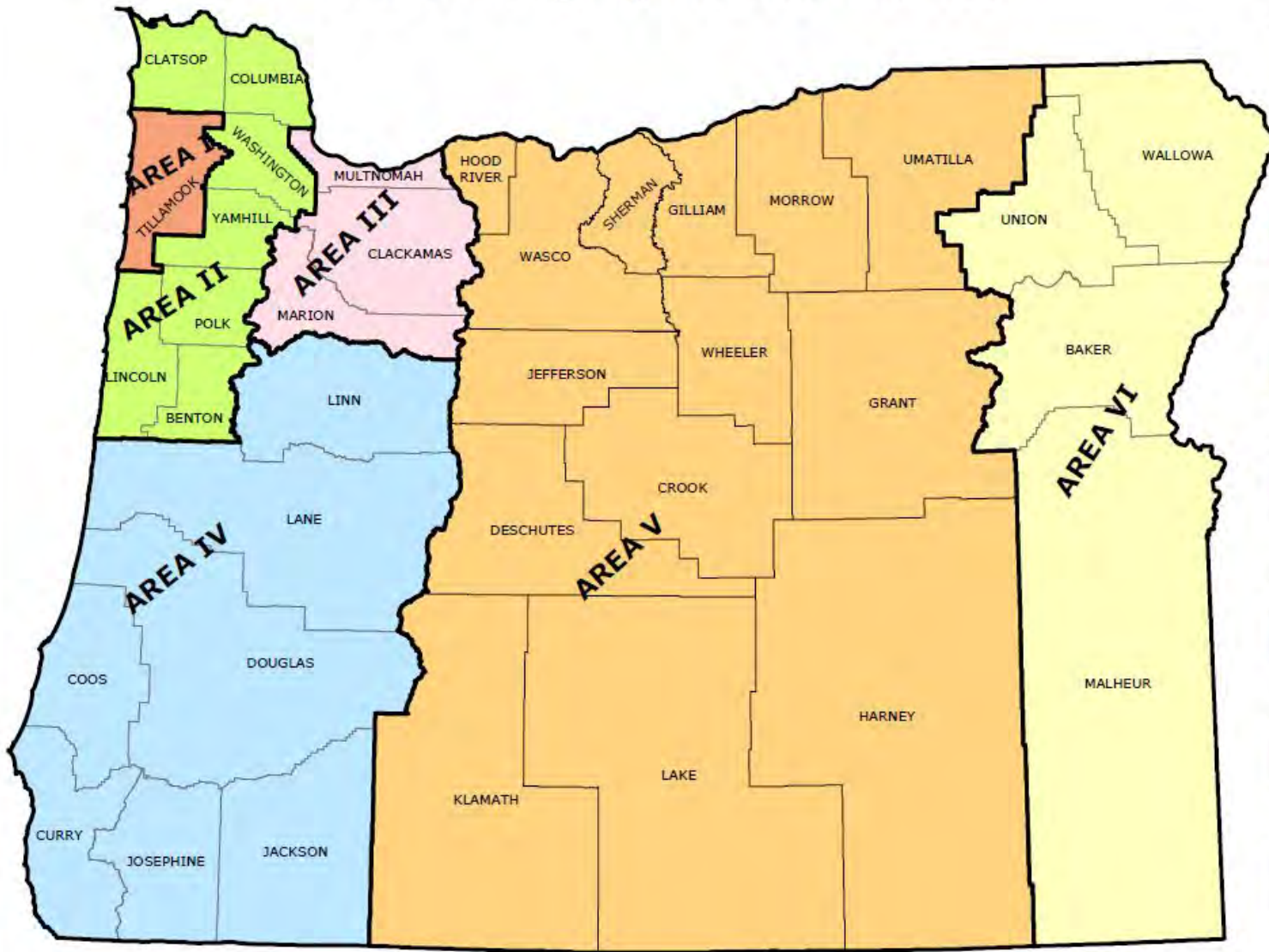
Area II
 Charlene Troost
 (503) 986-4780
 cell: (503) 931-7778
 ctroost@oda.state.or.us

Area III
 Ben Krahn
 (503) 986-6468
 cell: (503) 510-8213
 bkrahn@oda.state.or.us

Area IV
 Chris Anderson
 (541) 673-0805
 cell: (541) 660-9611
 canderson@oda.state.or.us

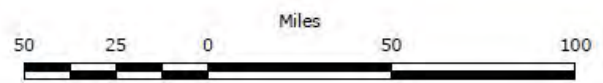
Area V
 Kevin Coughlin
 cell: (541) 969-6679
 kcoughlin@oda.state.or.us

Area VI
 Hilary Collinworth
 cell: (541) 881-6020
 hcollinworth@oda.state.or.us



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Prepared by: dwilkie
 Date Saved: 2/25/2016
 Date Printed: 2/25/2016
 Scale: 1:3,000,000
 Projection: CGIC 96NAD83
 Path: V:\RPA\CAFO\BoundaryMap.mxd



[Attachment K: Pet Waste Brochure](#)

Pet Waste Brochure

Sent Directly to Owners of Licensed Dogs and Cats in Benton County

PET WASTE AND WATER QUALITY

How you can help protect our drinking water and streams

Did you know that leaving dog waste or cat waste on the ground can cause pollution and health problems? As rainwater washes off roads, sidewalks, gardens, and lawns, it picks up harmful things such as pet waste, oil, pesticides, fertilizers, and sediment. The rain carries these pollutants into ditches and storm drains. Most of this polluted water then flows directly into our streams, not into a water treatment plant.



- Pet waste carries diseases that can sicken people. It is important to keep pet waste away from wells, ditches, storm drains, and streams.



- Pet waste hurts animals that live in streams. Pet waste that gets washed into streams uses up oxygen when it decays. The lack of oxygen harms the animals and hurts stream health.

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Simple things you can do to protect drinking water and keep streams clean

Cleaning up after your pet can be as simple as taking a plastic bag on your walk. What should you do with the waste you pick up? No solution is perfect, but here are choices:

Put it in the trash. Pet waste can cause health problems for garbage handlers and problems at the landfill. Securely wrap the waste before putting it in the trash. Don't put it in the yard debris container.

Keep it away from water. If you leave pet waste in your yard, prevent water pollution by cleaning up areas within 50 feet of wells, ditches, streams, and storm drains.

Bury it in the yard. Dig a hole away from vegetable gardens, play areas, and at least 50 feet from streams, ditches, and wells. Microorganisms in the soil will break down the waste and release nutrients to the soil. (Don't add pet waste to your compost pile. The compost won't get hot enough to kill disease-causing organisms.)

Flush it down the toilet. The water from your toilet goes to your septic tank or to the wastewater treatment plant. Make sure your septic system can handle the increased load. Don't flush clay cat litter, rocks, or sticks. Cat feces may be scooped out and flushed, but used *clay* litter should be put in the garbage.



Thank you for doing your part to keep our water clean and safe!

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Attachment L: Benton County, Oregon TMDL Bacteria Pollution Reduction Strategy

Benton County, Oregon TMDL Bacteria Pollution Reduction Strategy
Regulatory Authority and Referral Process for
Agricultural Related Water Quality Complaints

Summary

The Benton County Total Maximum Daily Load (TMDL) Implementation Plan, approved by Oregon Department of Environmental Quality (ODEQ), calls for “coordination with Oregon Department of Agriculture (ODA) regarding small CAFOs/livestock in residential zoned lands” (Benton County TMDL Implementation Matrix pg. A-4, 2017). Benton County residents and property owners use rural residential property for raising livestock, poultry and fur-bearing animals which are major sources of bacteria pollution and have associated management practices that can result in negative impacts to water quality, riparian areas and public health without proper oversight. **This document should be used by all applicable Benton County staff for understanding, identifying, and working directly with ODA on agricultural water quality issues. Benton County staff coordinated with ODA Water Quality Program staff in 2009 & 2010 to complete this document/strategy.**

Background

Farms and other animal-related facilities require an ODA permit if they meet the definition of a confined animal feeding operation (CAFO).³ Many smaller-scale animal operations do not require an ODA permit due to limited size, lack of confinement, and other factors. Many of the roughly 7,000 rural households throughout unincorporated Benton County have a small number of animals such as horses, llamas, goats, sheep cows rabbits and/or chickens. While many of these operations do not require a permit, they are still prohibited from polluting waterways. Under Senate Bill 1010, local Agriculture Water Quality Management Area rules (see rule **Mid-Willamette Valley Agriculture Water Quality Rules Summary attached**) prohibit landowners from discharging agricultural pollution to surface or groundwater. Oversight is complaint-driven. **The largest number of complaints received by the ODA relate to waste from a few animals on small acreages. The complaints are often related to uncovered manure. The following section identifies the procedure Benton County staff will take to deal with complaints of animals impacting water quality.**

Procedure for Resolving Water Quality Issues

Benton County staff from all departments will adhere to the following for understanding, identifying, and working directly with ODA on resolving issues for landowners/properties raising or housing livestock, poultry and fur-bearing animals:

³ To determine whether a particular operation requires a CAFO permits, contact ODA’s Livestock Water Quality Specialist for the region at 503-986-4780 or www.oregon.gov/ODA/NRD/cafomapfront

1. Properties that raise or house animals without a state permit are nonetheless required to follow the State of Oregon Agriculture Water Quality Rules which prohibits water pollution and activities that degrade or can lead to impaired water quality. Kennels as currently⁴ defined by the County Development Code are not part of the State Agricultural Water Quality Rules or Program. Currently, there are no kennels in Benton County that have CAFO permits and associated water quality pollution prevention requirements.
2. "Feed lot" is defined by Benton County Development Code as "a premise where six or more cattle or pigs are kept within a confined area of less than five (5) acres such that a nuisance from noise, sound, or odor occurs." Feed lots are allowed wherever "farm use" is allowed, except in the Urban Residential zone and the Philomath Heavy Industrial zone. Such occurrences are a code violation, and the Community Development Department is responsible for enforcement.
3. If an animal-related water quality issue or complaint is brought to the attention of County Staff, County Staff will contact ODA at 503-986-4700. Additionally, County Staff will give the complainant this phone number, the ODA complaint form, as well as the ODA weblink. ODA will investigate to determine if there is a violation of the Agricultural Water Quality Rules. ODA may work in coordination with Benton Soil and Water Conservation District (SWCD) on the causes of the complaint and work with the landowner to resolve water quality contamination issues resulting from animals.
4. **Benton County departments receiving complaints or otherwise discovering agricultural water quality issues will fill out and submit an ODA Water Quality Complaint Form to ODA.**

⁴ As of March 1, 2010.

[Attachment M: Agricultural Water Quality Complaint Form](#)

Agricultural Water Quality Complaint Form (to be filled out by department contacted with/forming complaint & Agricultural Water Quality Rules summary)

Agricultural Water Quality Complaint Form

Agricultural Water Quality Program
503.986.4700

Form date 6/21



Oregon Department of Agriculture will evaluate or investigate a complaint if: it is in writing, is signed and dated by the complainant, indicates the location and description of the surface or ground water being impacted, and identifies the property allegedly being managed under conditions violating water quality regulations. The Department may not be able to investigate if the form is not complete.

Send the completed form to the Oregon Department of Agriculture, Natural Resources Program Area, Water Quality Program, 635 Capitol St NE, Salem, OR 97301. Fax 503.986.4730. You may also email the form to: **naturalresource-complaints@oda.oregon.gov**.

Oregon Administrative Rules 603-095-0000 to 3960 describe ODA's procedures for receiving and investigating complaints.

Date filed: _____

Complainant Information (person filing complaint)

Name: _____ Signature: _____

Address: _____

Home phone: _____ Cell phone: _____ Work phone: _____

Email: _____

Please provide information about the property where the violation is happening.

Landowner's name: _____ Phone: _____

Property location (address, tax lot, GPS coordinates, or detailed description so we can locate the property):

Waterbodies allegedly being damaged or impacted:

Nature of complaint (check those that apply)

- Soil erosion Animal waste management Nutrient management
- Other (describe in space below) Damage to near-stream areas

Observations and evidence there is water pollution from an agricultural activity:

Attachment N: Middle Willamette Agricultural Water Quality Management Area Plan and Regulations

MIDDLE WILLAMETTE AGRICULTURAL WATER QUALITY MANAGEMENT AREA PLAN AND REGULATIONS

What is the plan?

In 2002, the Oregon Department of Agriculture (Department) developed the Middle Willamette Agricultural Water Quality Management Area and Rules in accordance with the Agricultural Water Quality Management Act of 1993. The Polk and Benton Soil and Water Conservation Districts (Districts) and a panel of local landowners helped the Department craft the area plan and rules.

Summary of regulations that apply in the Middle Willamette Area:

1. Riparian vegetation along perennial streams must provide the water quality functions of shade, streambank stability, and filtration of pollutants. A diverse structure and species mix should provide these functions.
2. Landowner actions may not cause pollution to any waters of the state or place any wastes in a location where such wastes are likely to escape or be carried into the waters of the state by any means.

Do the plan and regulations apply to me?

The area plan and associated regulations apply to all lands, regardless of size, in current agricultural use and those lying idle or on which management has been deferred. It also applies to agricultural operations within incorporated city boundaries within the designated management area boundary. Yes, all of Benton County is covered by this plan.

More information?

If you would like further information, you can contact the Polk Soil and Water Conservation District at (503) 623-9680 or the Benton Soil and Water Conservation District at (541) 753-7208.

Contact the Oregon Department of Agriculture Natural Resources Division at (503) 986-4700 or visit their website at www.oregon.gov/oda/nrd/water_quality_front.shtml



2022 Annual Report

Oregon Cascades West Council of Governments
1400 Queen Avenue SE, Suite 201
Albany, OR 97322

A Year In Review

I am proud and excited to provide you with the 2022 Oregon Cascades West Council of Governments (OCWCOG) annual report. This report gives a snapshot of the work that is done throughout the communities we serve in the Linn, Benton, and Lincoln County region.



Over the next few pages, you will see highlights of the services we provide and how they have impacted the region in the past year, whether it has been delivering hot meals to those in need, providing small business loans, or orchestrating multi-million dollar transportation initiatives. OCWCOG has 25 member governments throughout the region who provide financial and directional support to the OCWCOG on the region's priorities. This year, we are providing each member agency with an annual report which shows some of the impact of our services, directly in their community. Individual member reports can be found on our website at OCWCOG.org/AnnualReports.

The work that is captured in this report is carried out by approximately 200 staff, 400 volunteers, and local contractors in every corner of the region. These dedicated individuals care deeply about the region and everyone in it, and are committed to promoting a thriving region through service, connectivity and innovation; making it a prosperous area for generations to come. It is an honor to serve alongside them each and every day.

I am grateful for the support of our staff and volunteers, our many community partners, and our active Board of Directors for the support and hard work it takes to provide these services to you.

Ryan Vogt
Executive Director



As Chair of the Board of Directors for the Cascade West Council of Governments (OCWCOG) it is my pleasure to offer a few opening remarks to this annual report.

OCWCOG is governed by elected officials from its member jurisdictions in Lincoln, Linn, and Benton Counties: this includes city and county governments, port districts and tribes. It is our job to provide fiscal and program oversight to the diverse portfolio of the business managed and carried out by this council. I consider it our responsibility and our privilege and honor to provide the foundation on which the council's dedicated staff and volunteers carry out their important work on behalf of the people of our region.

From building a stronger economy by helping businesses start and grow, to providing and overseeing care and services for our disabled and senior populations; from developing stronger road and public transportation systems to helping the veterans of our U.S. Military access the benefits they have earned; the people of OCWCOG are making a positive difference every day.

The area we serve encompasses a beautiful swath of Oregon, from the majestic Cascade Mountains to our rugged Pacific Ocean. We are all united in our dedication in developing stronger communities and improving the lives of all the citizens we serve.

Claire Hall
Lincoln County Commissioner

About Oregon Cascades West

MISSION & VISION

Mission

To promote a thriving region through service, connectivity, and innovation.

Vision

We are a regional leader and partner who provides inclusive services to meet individual and community needs.

We commit to:

- Measure ourselves by staff developed agency values
- Align our daily work with our strategic priorities
- Identify and respond to service gaps in the region
- Use data and consumer input to continually improve

VALUES

Compassion Actively caring for others

Collaboration Working together to achieve common goals

Diversity, Equity & Inclusion Creating an environment where everyone is welcomed, supported, and given the resources to thrive

Integrity Always doing the right thing

Respect Honoring one another

SERVICES

Senior and Disability Services

OCWCOG's Senior and Disability Services department serves as both the Area Agency on Aging (AAA), and the Medicaid long-term care agency for our region of Linn, Benton, and Lincoln Counties.

Community Service Programs

The Community Services Program department serves the region's older adult population, adults with long-term physical disabilities, and Veterans through a variety of programs.

Community and Economic Development

The Community and Economic Development Department provides the Region's economic development strategy, works on priority efforts under a regional action plan, provides comprehensive transportation and implementation work, and promotes coordinated economic development efforts.

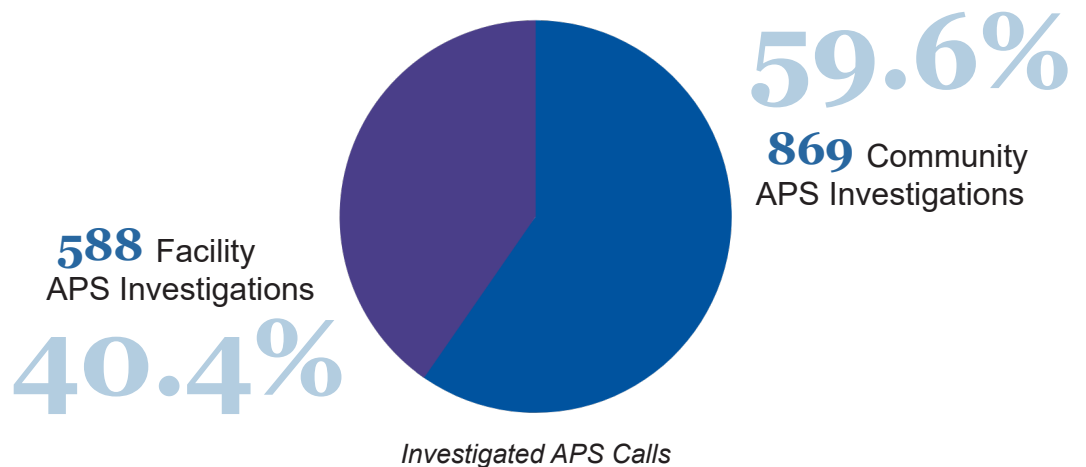
Senior & Disability Services

The Senior and Disability Services (SDS) department is committed to providing services and support to keep older adults and people with disabilities independent, safe, secure, and healthy in our communities. SDS staff provide case management and authorize and coordinate supportive services such as assistance with dressing, bathing, toileting, and grooming.

ADULT PROTECTIVE SERVICES

Adult Protective Services (APS) workers within the Senior and Disability Services department investigate allegations of abuse and/or neglect of seniors and adults with disabilities.

APS received **3,657** calls regarding elderly citizens throughout Linn, Benton and Lincoln Counties. Of those calls, **1,457** resulted in investigations by APS staff.



HOUSING SYMPOSIUM JOINS LOCAL LEADERS

OCWCOG brought together local leaders and decision makers for a Housing Symposium in October of 2022. This work session brought together those dedicated to improving services and support for medically fragile, care dependent, older adults and people with disabilities who are experiencing homelessness. Through a collaborative discussion, the attendees identified gaps and barriers to service and explored our current systems. Moving forward, input and data from the symposium will be compiled and work groups will be formed to begin work on the identified top priorities. There will also be discussion and planning related to future housing symposiums, with the goal of expanding the discussion and bringing more parties to the table.

AGING AND DISABILITY RESOURCE CONNECTION

The Aging and Disability Resource Connection (ADRC) is a free service that offers the public a single point of entry to access resources, information, and assistance on issues affecting older adults and people with disabilities regardless of their income.



7,943
TOTAL NUMBER
OF CALLS RECEIVED

3 Call Center Agents answered a total of 7,943 calls from residents across the region requesting information and assistance.



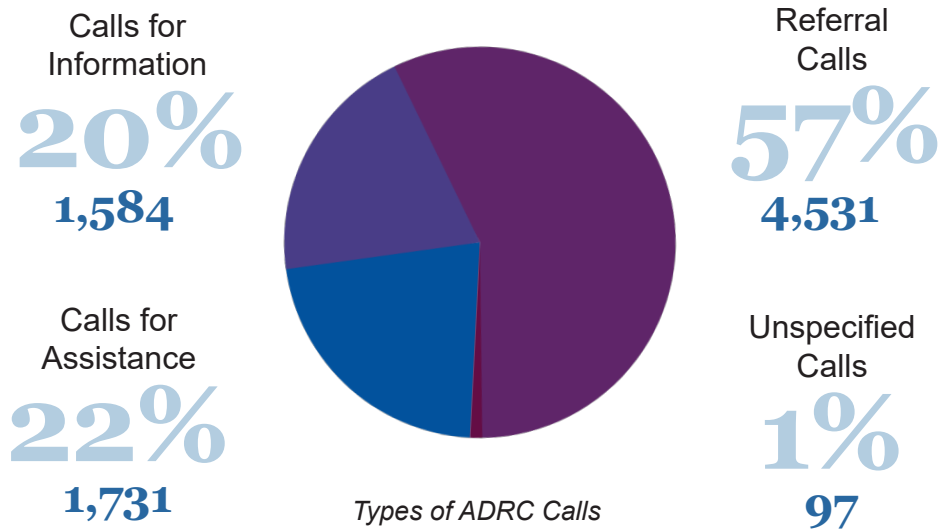
7,845
TOTAL CASES
COMPLETED

Of the 7,943 calls received, 7,845 of them resulted in access to resources and assistance. This is a 99% completion rate.



5,529
TOTAL
CONSUMERS

5,529 unduplicated customers reached out regarding services and assistance throughout the region.



ELIGIBILITY

Eligibility workers processed **18,401** applicants for food and medical benefits in Linn, Benton, and Lincoln Counties. Of those applicants, **10,901** were eligible to receive services.

Staff processed **9,074** Medicaid Renewal applications in 2022.

OCWCOG has **30,889** active medical cases across the region. This accounts for **31%** of all active medical cases in the district. There are **12,568** non-medical cases active in the region, which accounts for **24%** of all non-medical cases in the district.



111 INDIVIDUALS
REFERRED
for utility assistance

OCWCOG Eligibility Services and Community Services Consortium (CSC) created a partnership to streamline referrals between the two units. 2022 was the first successful year of this partnership and resulted in 111 individuals being referred.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

OCWCOG’s Senior and Disability Services administers the Supplemental Nutrition Assistance Program (SNAP), formerly known as the Food Stamp Program, for Linn, Benton, and Lincoln Counties on behalf of the State of Oregon to eligible, low-income individuals and families. SNAP assists those who are eligible to receive “Oregon Trail Cards” to use at grocery stores to purchase food.



28,739
TOTAL SNAP
CASES

TOTAL SNAP ISSUANCES

7,428
LINN & BENTON
COUNTY

2,441
LINCOLN
COUNTY

ADULT FOSTER HOMES

Adult Foster Homes (AFH) are single-family residents that offer 24 hour care for the elderly and adults with intellectual or developmental disabilities. These unique homes provide individuals with necessary care in a home-like setting, allowing residents to function at the highest level of independence possible.



50 ADULT FOSTER HOMES
provided up to 230 residents
safe housing in 2022.

There are **2** OCWCOG staff members that license all Adult Foster Homes in the county that house older adults and people with disabilities.

CARE SERVICES AND SUPPORT

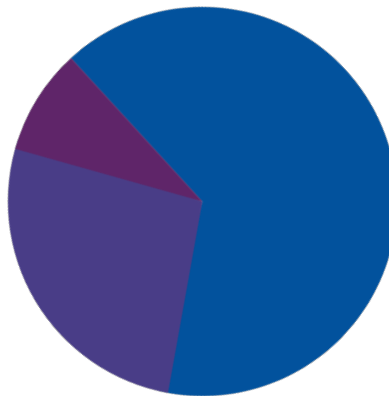
OCWCOG assisted a total of **2,536** residents in Linn, Benton, and Lincoln Counties with care services in 2022. Of these services, there were **1,636** that received in-home care, **671** that received community based care, and **229** were nursing facility consumers.

8.9%

Nursing Facilities

26.5%

Community Care



64.6%

In-Home Care

Types of Care Services

ACTIVE HOME CARE WORKFORCE

440 PROVIDERS
in Lincoln County

1,340 PROVIDERS
in Linn & Benton Counties

Community Service Programs

MEALS ON WHEELS



Meals on Wheels (MOW) serves fresh, hot, nutritionally balanced meals to older adults, adults with disabilities, and spouses/ life partners who often live alone and have limited resources or ability to care for themselves. Along with a nutritionally balanced meal, MOW provides a daily safety check and social connection, assisting limited-income, low mobility clients to remain safe and independent in their own home for as long as possible.

240,103 TOTAL MEALS SERVED

228,841 HOME DELIVERED MEALS

11,262 CONGREGATE DINING MEALS

4,361 BLIZZARD BOXES



\$172,974
COMMUNITY
DONATIONS



2,082
CLIENTS
SERVED

STAND BY ME

Stand By Me - Oregon (\$BM) is a financial empowerment program with a proven coaching model that helps provide financial stability to individuals and families. There are four primary outcomes: budgeting, reducing debt, improving credit scores, and building savings.



\$125,000
AMERICORPS
SENIOR FUNDS

AmeriCorps Senior Demonstration Funds received in 2022 were specifically used to hire administrative staff to help coordinate and train \$BM coaches.



\$41,920
SAVINGS BY
PARTICIPANTS

Clients work to build savings for various life events such as college, retirement, the purchase of a home, a safety net and more.



\$12,102
TOTAL DEBT
REDUCED

Coaches work with clients to reduce their overall debt and increase their credit score, improving their financial health and wellbeing.



**\$32,400
GRANT FUNDS
RECEIVED**

Stand By Me received a \$32,400 grant from the Oregon Community Foundation to train bilingual coaches on financial issues specifically impacting Latinos and ensure that all coaching materials were translated in a culturally sound way with Latino-based Spanish.

MONEY MANAGEMENT

The Money Management program provides free assistance with personal money management tasks through specially trained volunteers. Service is personalized, confidential, and safe. It is offered free of charge to eligible individuals.

78 residents across the region were served in 2022.

**27 BILL PAY PROGRAM
CLIENTS**

Bill Pay clients receive assistance with their finances in the areas of budgeting and check writing.

**51 REPRESENTED PAYEE
PROGRAM CLIENTS**

A Representative Payee is someone appointed by the Federal Benefit payers to manage benefit payments on behalf of an incapable beneficiary.

OREGON PROJECT INDEPENDENCE

Oregon Project Independence (OPI) is a program providing assistance that supports daily activities of living which can be provided by home care workers or in-home care agencies. Examples of in-home assistance includes help with dressing, meal preparations, bathing, shopping, and housekeeping. OPI is an alternative to Medicaid and offers up to 20 hours a month of in-home assistance.

**152 CASE MANAGED CLIENTS
IN OREGON PROJECT INDEPENDENCE**

**OCWCOG Community Service Programs are supported
by over 400 volunteers across the region.**



AmeriCorps Seniors Programs

FOSTER GRANDPARENT PROGRAM

Foster Grandparent volunteers, sponsored by OCWCOG, tutor and mentor local youth ages 3-18 in public schools, after school, and through various literacy programs.



18,651
VOLUNTEER
HOURS

24 Foster Grandparent volunteers served in 2022, making a significant difference in the lives of youth across the region.



\$251,788
WORTH OF
SERVICE

The hours served by Foster Grandparents in 2022 provided over \$250,000 worth of service to the region.

SENIOR HEALTH INSURANCE BENEFIT ASSISTANCE PROGRAM

The Senior Health Insurance Benefit Assistance Program (SHIBA) is administered by OCWCOG on behalf of the State of Oregon. This program educates local residents on Medicare benefit elections. SHIBA counselors provide free one-on-one counseling services and are certified by the State.

1,598 residents in the region were served by SHIBA volunteers in 2022.

A total of **10** free “New to Medicare” seminars were held in-person or virtually to assist those new to the program in understanding their benefits.

SENIOR COMPANION PROGRAM

Senior Companion volunteers provide assistance and friendship to older adults who have difficulty with daily living tasks, such as shopping or paying bills. Through this program, volunteers keep seniors independent longer and provide respite to family caregivers. 2022 saw a spike in requests for Companionship Plans due to social isolation during Covid.

26 volunteers provided **8,152** hours of direct one-to-one service to older adults.

36 COMPANIONSHIP
CARE PLANS

Total Companionship Care Plans provide respite care, phone chats, and socialization for older adults across the region.

9 TRANSPORTATION
CARE PLANS

Total Transportation Care Plans provide rides to homebound seniors to assist them in completing important tasks such as grocery shopping and doctor appointments.

Community & Economic Development

Economic Development

CASCADES WEST ECONOMIC DEVELOPMENT DISTRICT

OCWCOG provides staffing for the Cascades West Economic Development District (CWEDD), which creates, adopts, and works to implement the priorities of the Region's Comprehensive Economic Development Strategy (CEDS).



\$171,616
CARES FUNDS
DISPERSED

CWEDD dispersed \$171,616 of Coronavirus Aid, Relief, and Economic Security (CARES) funding to assist with 23 projects in various cities and economic development offices.



\$300,000
BROADBAND
STUDY

In 2022, CWEDD began managing the Broadband Feasibility Study grant, which was formerly with Lincoln County.



\$86,045
RURAL CAPACITY
FUND

An \$86,045 Rural Capacity Fund was received to assist communities throughout the region with identifying projects and grant opportunities.

CASCADES WEST BUSINESS LENDING

Cascades West Business Lending (CWBL) efforts aim to encourage new employment opportunities and promote a stable and diversified economy in the region. In 2022, loan administration was transferred to CCD, freeing up time for outreach and activities leading to more lending.

In 2022, **7** businesses successfully paid off their loans from CWBL.

4 new Small Business Loans totaling **\$759,000** were funded in 2022.



Seventeen
ACTIVE SMALL
BUSINESS LOANS



\$2.5 Million
OF LOAN FUNDS IN
THE COMMUNITY

Community Development

ALBANY AREA METROPOLITAN PLANNING ORGANIZATION

The Albany Area Metropolitan Planning Organization (AAMPO) represents the cities of Albany, Millersburg, Tangent and Jefferson, Linn and Benton Counties, and the Oregon Department of Transportation.



AAMPO facilitated conversations about changes in the State Fund exchange program and drafted a letter of support to maintain the program.



AAMPO began development of the FY2024-27 Metropolitan Transportation Improvement Program and coordinated with Oregon Department of Transportation (ODOT) Statewide Transportation Improvement Program.

CORVALLIS AREA METROPOLITAN PLANNING ORGANIZATION

The Corvallis Area Metropolitan Planning Organization (CAMPO) represents the cities of Corvallis, Adair Village, and Philomath, Benton County and the Oregon Department of Transportation.



CAMPO submitted a letter to the Oregon Transportation Commission regarding flexible funds from the Infrastructure Investment and Jobs act and wrote a letter of support to continue Mobility Hub design at Oregon State University and Linn Benton Community College.



Began development of the FY2024-27 Metropolitan Transportation Improvement Program and coordinated with Oregon Department of Transportation (ODOT) Statewide Transportation Improvement Program.



Adopted the 2043 Regional Transportation Plan (RTP), which is a 20 year plan to guide transportation investments. This work was completed entirely in house, resulting in an estimated savings of over \$150,000.

PLANNING AND ECONOMIC DEVELOPMENT



OCWCOG developed an Environmental Protection Agency (EPA) Brownfield workplan for the region. Staff assisted The Confederated Tribes of the Siletz Indians with a Brownfield Request for Proposal (RFP) and began assisting Lincoln City with a Brownfield RFP.



Cascades West Regional Consortium (CWRC) completed phase one of the work with ECONorthwest on the Wetland Mitigation Bank Feasibility Study. Findings were presented in October of 2022.

Transportation

CASCADES WEST RIDE LINE

Cascades West Ride Line is the region’s Non-Emergent Medical Transportation (NEMT) for physical, dental, drug and alcohol, and mental health treatment. In 2022, Ride Line was able to expand to Medicare consumers through benefits with the Samaritan Advantage Health Plan. Ride Line made an incredible impact on the residents of the region in 2022 by:



Answering **84,500** calls for service with a **95%** answer rate.

Providing **168,780** trips for a total of **3,868,739** miles. This is an average of **14,000** trips per month.

 **28** CONTRACTED PROVIDERS

 **95** CONTRACTED VEHICLES

 **600** AVERAGE WEEKDAY TRIPS

CASCADES WEST TRANSPORTATION OPTIONS

OCWCOG coordinates the regional Transportation Options Program, which supports people who commute to work via means other than driving alone in a vehicle and encourages more trips taken by foot, bike or bus. In 2022, the program assisted 4 large employers in setting up employee commute options. They also completed travel training, educating members of the public on how to safely navigate public transportation options.

 **684** Trips DURING MAY BIKE MONTH

 **402** New GET THERE CONNECT ACCOUNTS

 **3,700** Trips DURING THE GET THERE CHALLENGE

CASCADES WEST TRAINING CENTER

Cascades West Training Center offers nationally certified training to OCWCOG’s Regional transportation providers, including non-emergent medical transport, public transportation, human services transport, and volunteer drivers. Classes include Red Cross Adult CPR/First Aid and Blood Borne Pathogen Certification, National Safety Council Defensive Driving Certification, and Community Transportation Association of America (CTAA) Passenger Assistance Safety and Sensitivity (PASS) Certification.

43 FIRST AID/CPR CERTIFICATIONS

43 DEFENSIVE DRIVING CERTIFICATIONS

55 CTAA PASS CERTIFICATIONS

NATIONAL SAFETY COUNCIL DEFENSIVE DRIVING CERTIFICATIONS

14 SENIOR COMPANIONS

19 FOSTER GRANDPARENTS

CASCADES WEST AREA COMMISSION ON TRANSPORTATION

The Cascades West Area Commission on Transportation (CWACT) provides a forum for local governments to collaborate on local, regional, and State transportation issues in the Linn, Benton, and Lincoln, County region. The CWACT is chartered by the Oregon Transportation Commission (OTC) and provides input, advice, and recommendations to the OTC and the Oregon Department of Transportation (ODOT) on State transportation plans and policies.



OREGON DEPARTMENT OF TRANSPORTATION

Staff coordinated closely with the Oregon Department of Transportation (ODOT) regional staff on statewide plans and programs and made sure local input was provided to the Oregon Transportation Commission.



DEVELOPED IMPROVEMENT PROGRAM

Began development of the FY2024-27 Metropolitan Transportation Improvement Program and coordinated with Oregon Department of Transportation (ODOT) Statewide Transportation Improvement Program.

TRANSPORTATION PROJECTS



MOBILITY HUB DESIGN

This project aims to design two mobility hubs for regional/local transit connections at both Oregon State University and Linn Benton Community College. Conceptual plans (30%) were completed for both sites and reviewed. Site and utility surveys were conducted and a pre-application meetings were held with both cities.



HUMAN SERVICES COORDINATED PLANS

Human Services Coordinated Plans are long range plans that address the transit needs of seniors and people with disabilities in rural areas. They are required by counties in order to access rural transit funding. Provider surveys were distributed to transit providers, human service providers, volunteer programs, and private citizens regarding transportation services and gaps in the region.



SEAMLESS TRANSIT/ CASCADES WEST RIDE

The Seamless Transit and Cascades West Ride program implemented in 2022 saved transit partners hundreds of hours of staff time with real-time bus information via the Transit App and Cascades West Ride website.



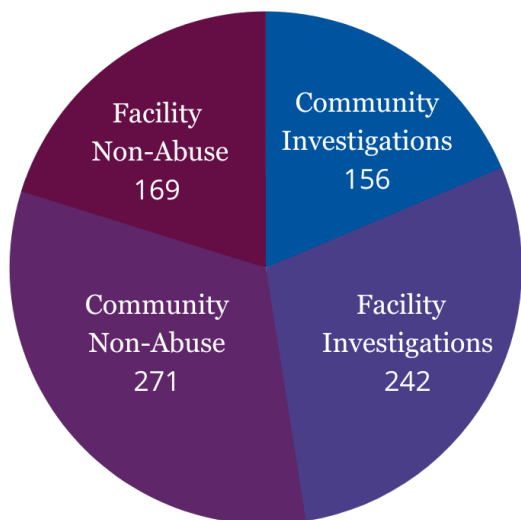


2022 Benton County Annual Report

Senior & Disability Services

ADULT PROTECTIVE SERVICES

838 total Adult Protective Services complaints were received concerning the citizens of Benton County. Of those calls, **393** were assigned to be investigated.



MULTI-DISCIPLINARY TEAM PARTNERSHIP

Adult Protective Services (APS) increased outreach to local law enforcement agencies and District Attorney's office in Benton County with the The Multi-Disciplinary Team (MDT). The MDT brings together local law enforcement, community partners, and the DA's office to staff high level cases that are either moving toward criminal charges or have high volume touch points with multiple agencies within the county. Through this partnership, APS was able to further grow their relationship with many agencies.

OCWCOG has **128** Senior and Disability staff members that support Benton County

OCWCOG LICENSES ADULT FOSTER HOMES THAT HOUSE OLDER ADULTS AND PEOPLE WITH DISABILITIES IN THE COUNTY.



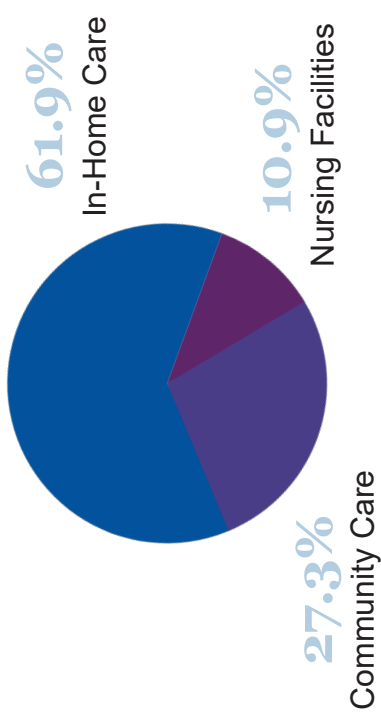
ADULT FOSTER HOMES

Provided up to 45 residents safe housing in 2022.

CARE SERVICES AND SUPPORT

1,340 **132 Assisted**
ACTIVE HOME **BY FAMILY CAREGIVER**
CARE PROVIDERS **SUPPORT PROGRAM**

OCWCOG assisted a total of **1,885** Linn & Benton County residents with care services. **1166** received in-home care, **514** received community based care, and **205** were nursing facility consumers in 2022.



PANEL FOR HOMELESS SUPPORT GRANTS

Senior and Disability Services staff sat on a Request for Proposal panel for Homeless Support Grants with Community Services Consortium.

5th ANNUAL AGING SUMMIT

Hosted by OCWCOG Senior and Disability Services

In October, Oregon Cascades West Council of Governments hosted the 5th Annual Aging Summit which provided important information to resources across the county.

ELIGIBILITY SERVICES

Eligibility cases in Linn and Benton Counties

9,563 ACTIVE NON- MEDICAL CASES

23,697 ACTIVE MEDICAL CASES

7,428 TOTAL SNAP ISSUANCES

HOUSING SYMPOSIUM JOINED LOCAL LEADERS

OCWCOG brought together local leaders and decision makers for a Housing Symposium in October of 2022. This work session brought together those dedicated to improving services and support for medically fragile, care dependent, older adults and people with disabilities who are experiencing homelessness. Through a collaborative discussion, the attendees identified gaps and barriers to service and explored our current systems.





Community Service Programs

SENIOR HEALTH INSURANCE BENEFITS ASSISTANCE

592 Benton County residents received one on one counseling on their Medicare benefits through the Senior Health Insurance Benefits Assistance (SHIBA) program. This counseling was **100%** provided by certified volunteer counselors.



4 MEDICARE 101 PRESENTATIONS

Held virtual and in-person benefited Benton County residents in 2022.

SENIOR COMPANION PROGRAM

2 Benton County Residents serve as Senior Companion volunteers for elderly adults.

In 2022, they provided

1,391 one-way trips

to the residents of Benton County. These trips provided transportation for errands, grocery shopping, Rx pick up, and more.

MEALS ON WHEELS

The Benton County Meals on Wheels program served residents in Corvallis, Adair Village, Monroe, and Philomath.

41,119 TOTAL MEALS SERVED

39,556 HOME DELIVERED MEALS

626 CONGREGATE DINING MEALS

918 BLIZZARD BOXES

328
BENTON COUNTY RESIDENTS SERVED



FOSTER GRANDPARENT PROGRAM

3 Benton County residents serve as Foster Grandparents for Benton County youth at the following locations:

College Hill High School

Lincoln Elementary

Philomath Elementary School



199
CLIENTS IN OREGON
PROJECT INDEPENDENCE

Oregon Project Independence provides assistance that supports daily activities of living which can be provided by home care workers or in-home care agencies.



20
CLIENTS IN MONEY
MANAGEMENT

The Money Management program provides free assistance with personal money management tasks through specially trained volunteers.



Benton County Veteran Service Office

610 **APPOINTMENTS**
Held by Benton County Veterans
Service Officers

Benton County Veteran Service Officers (VSO) had 610 appointments in 2022. In these appointments VSOs were able to assist local veterans with claims and provide them with a variety of resources. Appointments were held virtually and in person.



\$155,787
**NEW MONETARY
AWARDS**



\$826,272
**RETROACTIVE
FUNDS AWARDED**

Benton County Veteran Service Officers were able to help veterans receive funds from the date their claim was filed, not just the effective date of the claim. This resulted in \$826,272 in retroactive funds awarded.

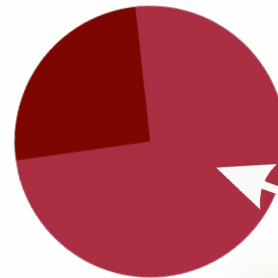
**OCWCOG has 2 Veteran Service Officers
that support Benton County.**



157 **CLAIMS FILED IN 2022**
By the Benton County Veterans
Service Office



117 **CLAIMS AWARDED**
To veterans and their
surviving spouses



74.5%
**OF 2022 CLAIMS
AWARDED**

COMMUNITY OUTREACH EVENTS

MEMORY CARE VISIT

Regent Court Memory Care

STAND DOWN EVENT

Linn/Benton Stand Down

OREGON STATE UNIVERSITY

Veteran Services and Resources Day

COFFEE WITH VETERANS

event at the VFW in Monroe

COLD WEATHER GEAR

event for unhoused veterans

WALK OUT DARKNESS

suicide prevention event at OSU





Community & Economic Development

CASCADES WEST ECONOMIC DEVELOPMENT DISTRICT



COMPLETED ENVIRONMENTAL PROTECTION AGENCY COALITION GRANT APPLICATION



CHILDCARE WORK GROUP

facilitated in Linn, Benton & Lincoln Counties



CORVALLIS CARES FUNDING PROJECTS COMPLETED IN 2022

City Business App & Chamber Conference Room Update

CASCADES WEST BUSINESS LENDING

1 ACTIVE LOAN
in Benton County

EATS & TREATS CAFE

which created 15 jobs



LINN BENTON LOOP



Linn Benton Loop provided a forum for discussion between all the funding and transit partners that intersect with their service, was promoted at local community events, and assisted people throughout the county with trip planning.

CASCADES WEST RIDE LINE

19 staff members of Cascades West Ride Line provided scheduling services and reimbursements to eligible residents.

20,642 RIDE LINE ELIGIBILITY
25,760 TOTAL TRIPS
1,317 TOTAL CLIENTS
\$22,531 TOTAL REIMBURSEMENTS

CORVALLIS AREA METROPOLITAN PLANNING ORGANIZATION



BIKE AND PEDESTRIAN MONITORING

Monitored bicycle and pedestrian count numbers using automated counting equipment as part of the Multi-modal Count Program



SURFACE TRANSPORTATION BLOCK GRANT

The Corvallis area receives approximately \$1 million per year to fund local projects. In 2022, staff received five project proposals requesting more than \$4 million in funds and held a comment period, allowing members of the public to provide feedback and comments.



1400 Queen Ave SE • Suite 201 • Albany, OR 97322
(541) 967-8551 • FAX (541) 967-4651

MEMORANDUM

DATE: May 16, 2023
TO: Benton County Board of Commissioners
FROM: Ryan Vogt, Executive Director
RE: OCWCOG Benton County Updates

Community and Economic Development Updates

Transportation

Corvallis Area Metropolitan Planning Organization (CAMPO)

- A new CAMPO Planner has been hired.
- A Policy Board meeting was held in March to discuss legislative priorities and ongoing planning related to Philomath Boulevard between Philomath and Corvallis.

Projects

Linn, Benton, and Lincoln Coordinated Plans

- Linn, Benton, and Lincoln Human Services Coordinated Plans were completed in March of 2023.
- These long-range plans address the transit needs of seniors and people with disabilities in rural areas and are required by counties in order to access rural transit funding.

Mobility Hubs

- The consultant is developing 60% plans, specifications, and estimates, which are scheduled to be completed by July 2023.
- Staff is working with Oregon Department of Transportation (ODOT) to support applications for funding as needed.

Seamless Transit

- New area transit agency and CWRide flyer was created and shared with stakeholders.

Ride Line Software Upgrade

- A contract has been officially signed with HBSS to provide cloud-based brokerage software for OCWCOG's Ride Line. Q-Ryde is a leading brokerage software used around the country.

Cascades West Transportation Options

- The Emergency Ride Home (ERH) program was updated for 2023 and communications were sent out through Get There Oregon.
- A Vanpool information meeting was held with one large area employer in partnership with Commute by Enterprise.

- Informational meetings were held with area non-profit organizations for Innovative Mobility Program Grants.
- Hosted Transportation Options Group of Oregon (ToGo) board meeting and Statewide Transportation Options Meeting.

Cascades West Training Center

- There were 2 driver training weekends held in Albany for drivers across the region.
- 14 Non-Emergent Medical Transportation (NEMT) and/or transit providers received certification in American Red Cross First Aid/CPR and Community Transportation Association of America’s Passenger Assistance, Safety, and Sensitivity with Wheelchair Securement. 12 providers received National Safety Council Defensive Driving Certification.

Cascades West Ride Line

From January 1, 2023 – March 31, 2023, Cascades West Ride Line provided 6,957 trips to residents of Benton County.

Type	Number of Trips	Unduplicated Clients
Sedan	6,131	504
Wheelchair	807	122
Stretcher	19	13
Total	6,957	639

Planning

Cascades West Economic Development District (CWEDD)

- Staff submitted the three-year Economic Development Administration (EDA) grant update in January. The update includes the development of a three-year scope of work, a staffing plan, and other supplemental documents.
- Staff applied to be part of the Governors’ Housing Production Advisory Council but were not selected.

Lending

Cascade West Business Lending

- We have submitted a response to a Request for Proposal (RFP) from Business Oregon to apply for up to \$1 million in funding from the Community Lender Loan Loss Reserve Account Program. We have received notice that our proposal was approved and will meet with Business Oregon at the end of May to discuss the remaining steps and the funding amount. This money will supply extra insurance against debt default and will allow us to expand our lending program.

Senior, Disability, and Community Services Updates

Senior and Disability Services

Housing Support Positions

Senior and Disability Services is currently recruiting for two new limited duration positions connected to housing support services for the region.

- The Housing Navigator Position is a Medicaid contracted position to support consumers who meet Service Priority Level (SPL) eligibility in Linn, Benton, and Lincoln Counties. The goals of the program are to work with consumers who are at risk of becoming homeless and develop person centered housing support plans to mitigate identified housing gaps.
- The Housing Coordinator Position is funded through a contract established with Intercommunity Health Network to support Albany service-connected consumers facing homelessness risks. The Housing Coordinator will also work to develop and increase community partnerships with housing resources and act as a Community Partner Liaison to support unhoused individuals within the city of Albany.

Community Services Programs

Meals on Wheels

From January 1, 2023 – March 31, 2023, Meals on Wheels (MOW) served Benton County residents a total of 10,991 home delivered meals. These home delivered meals help homebound seniors and people with disabilities continue living independently in their own homes and communities by providing a nutritious meal, friendly visit, and important safety check. 185 meals were provided to the community through congregate dining, giving residents the opportunity for important social connections. To date, 194 unduplicated clients have been served by MOW in Benton County.

Summary – Benton County	January 2023	February 2023	March 2023	Total
Home Delivered Meals	3,633	3,387	3,972	10,991
Dining Room Meals	55	62	68	185
Unduplicated Clients Served YTD	177	180	194	194

Bias Response Initiative

The Bias Response Feasibility Research Project has produced a final report that can be viewed at [OCWCOG.org/Community-Development/Bias-Response-Initiative](https://ocwco.org/Community-Development/Bias-Response-Initiative). OCWCOG has extended the contract with Zilo International Group to June of 2023 to help pilot the creation of localized toolkits for community leaders. These toolkits will highlight the stories and experiences of local residents and will provide recommendations on leveraging the State Bias Reporting Hotline and association media campaigns.

Stand By Me

The Stand By Me (\$BM) program continues to grow the capacity for its financial coaching program around budget creation, debt reduction, increased savings, and credit improvement in Linn, Benton, and Lincoln Counties. To date, the program has provided free coaching to a total of 78 unduplicated clients, with 89% taking action on budget creation, 79% taking action to increase savings, and 64% taking action to improve credit.

To date:

- A total of \$202,932 has been saved by 51 unique clients
- A total of \$48,077 of debt has been reduced by 39 unique clients

From January 1 – March 31, 2023, Stand By Me has also accomplished the following:

- Hosted its second three-day \$BM Training at OCWCOG, training five new coaches from Corvallis, Albany, and Lincoln City (January - February).
- Hosted a Financial Workshop with SBM Coach and Casa Latinos Unidos contractor Gabriella Orellana at Garfield Elementary School for seven Spanish-speaking residents, with follow-up coaching offered (March).
- Participated in a variety of outreach events, including:
 - Foster Grandparent training (January)
 - Non-Profit Fair Linn/Benton (January)
 - OSU Business Winter Career Fair (February)
 - OSU Science Pub Corvallis (March)
 - YMCA Living Your Best Life Seminar (March)
 - Linn-Benton Housing Authority Staff presentation (March)

Benton County Veteran Service Office

Claims Filed and Appointments Filled

From January 1 – March 31, 2023, a total of 57 claims were filed. These claims included new claims issued, reopening of previously denied issues, applying for VA healthcare, and appealing claims to the Board of Veterans Appeals. VSOs conducted 215 appointments with veterans and their dependents during the reporting period. This included both in-person and phone appointments.

Outreach and Presentations

- 2/8/2023 - Oregon State University
- 3/4/2023 - Junction City Veteran Event
- 3/13/2023 - Oregon State University
- 3/21/2023 - Linn-Benton Community College



Training and Networking

- VSO Administrative Assistant Melissa Wright completed ODVA Administrative training (March 2023).
- VA Work Study and Staff participated in Behavioral Activation Training, an evidence-based depression intervention strategy, taught by the Benton County Older Adult Behavioral Health Initiative staff. Plans are in place to pilot this training with local Veterans in the next quarter.

- VSOs attend bi-weekly OACVSO meetings to connect with VSOs from across the state and receive updates from ODVA.
- VSOs continue to attend monthly Vet Net meetings.

Staffing Updates

A VA Work Study was approved and joined the Benton VSO team in January 2023. Welcome, Anthony! Anthony is a Navy Veteran who currently studies Construction Engineering at OSU. The Benton County VSO is coordinating Outreach Wednesdays after a hiatus due to the pandemic. Regular and rolling VSO appointments at the Monroe VFW, at Oregon State University, and at COI are scheduled to commence April/May 2023.

Success Stories

PACT Act Success

The Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022, known as the Honoring our PACT Act of 2022, is an Act of Congress intended to significantly improve healthcare access and funding for veterans who were exposed to toxic substances during military service. This Act was signed into law on August 10, 2022, and the VA began to process the PACT ACT disability claims as of January 2023. From August 10, 2022, to March 18, 2023, the cumulative PACT ACT claims that have been submitted nationwide to the VA numbers at 403,338.

Benton County VSOs have been assisting many veterans in filing claims for the PACT ACT. One involved a WW II veteran who was stationed overseas and wound up becoming ill and landing in the hospital. Many years later, a claim was filed upon coming to the Benton County Veteran Service Office. When requesting service records of the veteran, the VA was informed that the service records had most likely been lost in a fire that occurred in a section of the storage facility. With no records available for review the claim was ultimately denied. However, the Benton County VSOs did not give up! Any evidence that could be obtained was submitted, and a higher-level review of the claim was requested. Within a short time, notification of a full 100% rating was awarded to the veteran. This award allows the veteran and their family to be able to meet medical financial obligations and concentrate on what matters most: family. This is truly a PACT ACT claim success!

Thailand is included on the PACT ACT list as a location for presumptive conditions due to herbicide exposure during specified time frames. A surviving spouse applied for benefits, Dependent Indemnity Compensation, as the husband served in Thailand and passed away in January of 2010. Benton County VSOs received word that on January 25, 2023, an approval was made. The surviving spouse was awarded over \$131,000 retro compensation to the date of passing and a monthly compensation amount.

CONSENT CALENDAR

**MINUTES OF THE MEETING
BENTON COUNTY BOARD OF COMMISSIONERS**

Zoom link: <https://us06web.zoom.us/j/85256941050?pwd=OE1rdEZwYm1OektNT3dwRTdGeUFyUT09>

Livestream: <http://facebook.com/BentonCoGov>

Tuesday, May 2, 2023

9:00 a.m.

Present: **Pat Malone**, Chair; **Xanthippe Augerot**, Commissioner; **Nancy Wyse**, Commissioner; **Vance Croney**, County Counsel; **Suzanne Hoffman**, Interim County Administrator

Staff: **Jenn Ambuehl**, **Rick Crager**, Finance; **Amanda Makepeace**, BOC Staff; **Tracy Martineau**, Human Resources; **Erika Milo**, BOC Recorder; **Darren Nichols**, **Webster Slater**, **Inga Williams**, Community Development; **Jef Van Arsdall**, Sheriff; **Paul Wallsinger**, Public Works

Guests: **Kayla Armstrong**, Community Services Consortium; **Michael Curran**, **Brent Griffiths**, **Jake Ruhl**, **Leo Williamson**, Oregon Department of Forestry; **Adrienne Fritze**, Historic Resources Commission; **Heather Gantz**, Raftelis Recruitment; **John Graves**, **Galeeb Kachra**, Federal Emergency Management Agency; **John Harris**, Horsepower Productions; **Ben James**, Corvallis Fire Department; **Alex Powers**, Mid-Valley Media

1. Opening:

1. Call to Order

Chair Malone called the meeting to order at 9:01 a.m.

2. Introductions

3. Announcements

No announcements were made.

2. Review and Approve Agenda

The following item was added to the agenda:

8.1 Approval of Letter Supporting Funding for Behavioral Health – Xanthippe Augerot, Commissioner

3. Comments from the Public

No comments were offered.

4. Work Session

4.1 County Administrator Recruitment Update – Tracy Martineau, Human Resources; Heather Gantz, Raftelis

Martineau explained that Gantz will perform the first review of applications on May 22, 2023 and do an initial interview with selected candidates. County staff (possibly Crager, Hoffman, and Martineau) will do an internal screening around May 30, 2023, then Gantz and Martineau will make recommendations to the Board on June 6, 2023.

Gantz would prefer to give recommendations in Executive Session to honor candidates' confidentiality; a decision will not be made at that time.

Martineau shared that June 14, 2023 will be the first round of interviews; Martineau recommended an internal panel, screening for candidates' qualifications, experience, and background. Finalists will return on June 28-29, 2023.

Gantz added this will be an in-person, multi-stage process where internal and external stakeholders can provide feedback to the Board.

Martineau noted there is typically a rotational schedule and a public reception. Martineau to firm up timing.

Gantz will continue to evaluate candidates at each phase.

Malone asked if the recruitment will still be open after the initial sort.

Gantz confirmed. There is no formal close date. If a well-qualified candidate applies later, that person can be added to the process.

Martineau stated that updates to the Board will be weekly/as needed. Staff will work with Grogan on a public invitation.

The Board approved the schedule as described.

4.2 Annual Update from Oregon Department of Forestry (ODF) – Leo Williamson, Michael Curran, Jake Ruhl, ODF; Brent Griffiths, Mobilization Coordinator, Oregon State Fire Marshal

Curran reported that in the last 14 months, ODF had over 50% turnover in permanent staff due to retirements or promotions. There was not much turnover in the Philomath unit, except in the State Forester unit, now supervised by Cody Valencia. Offices reopened to the public on May 1, 2023. Curran thanked Deputy Jerry Williams and the Benton County Woods Patrol, which helps ODF and forestland owners. County communications staff are partnering with ODF on fire prevention messaging. In the 2022 fire season, about 47 acres burned, well below the 10-year average of 306 acres. Fire season was slightly longer than average despite a late start, lasting 110 days, into late October. The top fire causes were equipment use, debris burning, and recreation.

Williamson reported that for the 2022 fire season in Benton County (BC), the initial attack was light. The Luckiamute Fire on July 4, 2022 burned one acre. The Norton East Fire on August 17, 2022 burned 18 acres. Both were controlled by the next day. Williamson praised the mutual aid from BC.

Curran stated that most areas of the State currently have above average snowpack, but total rainfall is below average, especially on the Willamette Valley side. The drought index map shows Benton, Polk, and parts of Lincoln County as abnormally dry. There is the potential for a busy fire season; May and June weather will determine. Above average temperatures and below average moisture are predicted for that period.

Ruhl started work on the Community Wildfire Prevention Program in January 2023, meeting with FireWise communities and leaders. BC currently has grants in the Community of Wren and

the City of Monroe; in the last two years, there were 232 acres of fuel reduction work and 9,000 hours of landowner contributions. Staff hope to establish a new grant area in the Communities of Alsea and Hoskins/King Valley. Through Senate Bill (SB) 762 funding, over 75 acres of fuel reduction were completed.

Williamson reported that the BC Forestland Classification Committee met in March 2023. No major changes were needed; the next five-year review will be due in 2025.

Curran explained that ODF manages the following State forest land in BC: 8,300 acres of Board Forestry lands, where two-thirds of timber sale revenue goes back to the County and local taxing districts, and 553 acres of Common School Fund (CSF) lands, where most revenue goes into the CSF. ODF has updated the current Implementation Plan (IP) and the State Forester has approved it. This plan will bridge the next two to three years as ODF determines whether to proceed with a Habitat Conservation Plan (HCP). In the new IP, harvest will decrease from 11-12 million board feet to 9-10 million board feet. BC revenue to date in Fiscal Year 2023 is over \$467,000. Last fiscal year, BC received \$799,000. The Fiscal Year 2024 Annual Operations Plan calls for two sales in BC, estimated to generate \$1.1 million.

Through the Private Forest Accord (PFA), the Philomath unit gained an additional Stewardship Forester. Under the PFA, small forestland owners (5,000 acres or fewer) must follow different rules; the new position will ensure dedicated capacity for those owners. This work upholds the Forest Practices Act.

Williamson shared that in 2021, 467 notifications of timber harvest, road obstruction, or stream crossing replacements were filed in BC, and 476 were filed in 2022, which is average for operations on private land. Through the Farm Services Agency, ODF helps small private landowners perform restoration projects on their land.

Curran explained that all PFA rules have been placed in Oregon Administrative Rules. ODF is holding trainings for internal staff and external owner-operators through fall 2023 or early 2024. There is misinformation circulating that small landowners will not be able to harvest any timber under the PFA; that is not true. Owners will simply have a different set of rules. ODF is working on better messaging with the Oregon Forest Industries Council and others.

The Board of Forestry (BOF) decision on whether to proceed with the HCP will probably be pushed back to November 2023, due to needing the best modeling possible to determine the true impacts of HCP protection measures. The State Forester decided not to continue the large fire insurance policy at a cost of \$78 million, which is higher than ODF's average annual large fire costs. The policy will be reconsidered next year. Longtime Northwest Oregon Area Director Andy White is retiring this month, to be succeeded by Don Everingham.

Malone stressed the importance of partnering to communicate fire conditions to homeowners, especially rural. Posting fire information on the County's mobile reader boards worked well. Malone noted that ODF's communications position was vacant for several years due to lack of funding, and asked if temporary or longer term funding had been secured.

Williamson replied that staff continue to secure grants for staffing.

Curran added that ODF tries to ensure dedicated grant position funding for at least two years. Ruhl has helped acquire grants.

Malone asked about funding for homeowners to make improvements to reduce fire danger.

Ruhl explained that some homes are tied closely to the grant areas ODF secured. In the Monroe area, ODF drew a boundary around a group of tax lots. Owners within or close to that boundary received \$100-600 per acre for fuels reduction projects. If a grant area is not applicable, many people call to ask for funding or have Ruhl inspect the property and suggest modifications.

Augerot noted that additional stewardship forester capacity should provide more opportunity for on-site fire season messaging.

Williamson agreed that part of the duty of stewardship foresters is fire prevention on industrial operations, so operators on private land receive robust messaging at the start of fire season and inspections throughout the season.

Curran added that most fires are caused by the general public, not operators.

Griffiths shared that the Community Risk Reduction Program is helping local fire departments purchase fire danger signs. The Oregon State Fire Marshal (OSFM) Emergency Response Unit is a liaison between State and local fire services when additional resources are needed. Under SB 762, OSFM can immediately respond to a large fire with resources from outside the County, without invoking the Conflagration Act. The State pays for these resources. If the Conflagration Act must be invoked, and a fire threatens structures outside of a fire district, OSFM obtains a delegation of authority from the Board. James is also the County Fire Defense Board (FDB) Chief; OSFM would work with James on a large incident. About 645 structures in BC are outside of a fire district. OSFM would also work with BC Emergency Manager Bryan Lee.

James stated that the FDB has taken steps to better protect the Greenberry Gap, the biggest unprotected area in BC. A north/south was designated near Guerber Lane; north of that line, Corvallis will command the incident with two resources, a resource from Philomath, and one from Monroe. South of that line, Monroe is the incident commander, Corvallis would send two resources, and Philomath one. The homeowner's insurance would be billed. Response to those areas will depend on call volume. There is a bill in committee that would force residents within a seven-mile circle from any fire station into a fire district.

Griffiths noted that OSFM recently awarded Monroe and Corvallis Fire Departments with wildland apparatus, to be delivered in late 2023-early 2024.

James noted that many fire departments in BC consist of volunteer firefighters; this equipment enables Corvallis to assist in other areas.

Griffiths shared that OSFM is offering \$35,000 grants to fire departments for seasonal firefighting staff, to be awarded by the end of May 2023. OSFM is prioritizing agencies with \$2 million or less in property tax income. OSFM also offers three-year grants for agencies to hire full-time staff; matching funds start at 10%, increase to 25% in the second year, then to 50% in the third year. The hope is that the agency can then find funding to retain those staff. This grant prioritizes agencies with an operating budget under \$10 million. Most Benton agencies apply. OSFM will become its own State department on July 1, 2023.

James noted that local agencies can now coordinate with Griffiths to bring in air resources. The FDB and OSFM will hold a drill of that process on May 18, 2023.

Griffiths added that OSFM can pre-position fire response resources if data indicates an increased threat of wildfire.

Malone praised Lee for helping the County prepare. These partnerships are critical to response.

Chair Malone recessed the meeting at 10:08 a.m. and reconvened at 10:16 a.m.

5. Consent Calendar

5.1 In the Matter of an Appointment to the Environment and Natural Resources Advisory Committee, Order #D2023-047; Kanchan Ojha

5.2 In the Matter of an Appointment to the Food Service Advisory Committee, Order #D2023-04; Jacob Oliver

5.3 In the Matter of Approving the Minutes of the April 25, 2023 Board Meeting

5.4 In the Matter of Approving the Minutes of the April 18, 2023 Board Meeting

MOTION: Augerot moved to approve the Consent Calendar of May 2, 2023. Wyse seconded the motion, which **carried 3-0.**

6. Proclamations

6.1 In the Matter of Proclaiming May 21-27, 2023 as National Public Works Week, Proclamation #P2023-005 – Paul Wallsinger, Public Works

Wallsinger read the Proclamation aloud.

MOTION: Augerot moved to proclaim May 21-27, 2023 as Public Works Week in Benton County, Proclamation #P2023-005. Wyse seconded the motion, which **carried 3-0.**

6.2 In the Matter of Proclaiming May as Community Action Month in Benton County, Proclamation #P2023-006 – Kayla Armstrong, Community Services Consortium (CSC)

Armstrong read the Proclamation aloud. For 43 years, CSC has been the designated Community Action Agency for Benton, Lincoln, and Linn Counties, serving about 75,000 people per year.

MOTION: Augerot moved to proclaim May as Community Action Month in Benton County, Proclamation #P2023-006. Wyse seconded the motion, which **carried 3-0.**

6.3 In the Matter of Proclaiming May 2023 as Mental Health Awareness Month in Benton County, Proclamation #P2023-007 – Damien Sands, Health

Sands read the Proclamation aloud.

MOTION: Wyse moved to proclaim May 2023 as Mental Health Awareness Month in Benton County, Proclamation #P2023-007. Augerot seconded the motion, which **carried 3-0.**

6.4 In the Matter of Proclaiming May 2023 as Historic Preservation Month, Proclamation #P2023-008 – Inga Williams, Community Development

Williams read the Proclamation aloud.

MOTION: Wyse moved to proclaim May 2023 as Historic Preservation Month in Benton County, Proclamation #P2023-008. Augerot seconded the motion, which **carried 3-0.**

Williams shared that Fritze created the poster for Historic Preservation Month events (Exhibit 1). The Historic Resources Committee (HRC) received a \$5,000 grant from the National Trust for Historic Preservation for the “History Mystery” game, which educates the public about historic resources. HRC also partnered with the City of Albany this year. The County will celebrate its volunteers at an awards ceremony on May 25, 2023.

{Exhibit 1: Historic Preservation Month Events Poster}

7. Departmental Reports and Requests

7.1 Floodplain Program Updates – Darren Nichols, Toby Lewis; Community Development

Lewis explained that staff have worked with the Army Corps of Engineers (ACE) to make flood hazard mapping of the Luckiamute Watershed Area more accurate. Results show the mapped flood hazard area (FHA) as much narrower than previously mapped. There were 234 buildings in the FHA; new mapping will change that to 17 buildings plus two additions.

ACE has offered to start scoping logistics and seeking funding to improve flood hazard mapping for the Alsea watershed. The Federal Emergency Management Agency (FEMA) Risk Map Project will cover the Upper Willamette Watershed, which covers the rest of the County. To begin looking for funding, ACE requested that Benton County (BC) submit a letter requesting ACE’s technical assistance.

Augerot asked if this process would also apply to the Alsea River in Lincoln and Linn Counties.

Lewis replied that staff will look into partnering with Lincoln. Lincoln’s recent floodplain mapping may already have covered that area. FEMA’s initial BC maps were effective in 1986; revised topographic maps were issued in 2011, but did not include revised flood hazard data. FEMA used better topographic mapping to adjust boundaries, but was not able to revise the modeling. The Alsea data will probably also shift substantially.

MOTION: Augerot moved to direct staff to sign and submit the attached letter requesting technical assistance from the Army Corps of Engineers with flood hazard map revisions in the Alsea watershed. Wyse seconded the motion, which **carried 3-0.**

7.2 *Update on FEMA Draft Implementation Plan for National Flood Insurance Program (NFIP)-Endangered Species Act (ESA) Integration – Toby Lewis, Community Development; John Graves, Galeeb Kachra, FEMA

Nichols noted that Community Development recently asked Federal partners to use the County Administrator and Lewis as joint points of contact, which will cause some terminology changes.

Lewis explained that up to a month ago, staff thought the draft Implementation Plan (IP) would not have much impact on Benton County (BC); since then, FEMA has provided public comment opportunities statewide. The IP seeks to identify regulatory methods so communities can ensure that development in floodplains does not decrease endangered species habitat. The IP describes several options, but does not yet contain specific standards.

In Exhibit 2, Lewis showed that the 100-year floodplain in Benton is the mapped Flood Hazard Area (FHA). That area is about 112,000 acres, or 25% of the County, and includes about 500 miles of waterways. The 170-foot riparian overlay buffer (ROB) is the first step in a graduated implementation of mitigation options. The first 170 feet from a waterway will have higher regulatory standards and more mitigation requirements than areas beyond that. There would also be graduated mitigation options depending on whether one is developing vacant land or expanding a structure. The closer to a waterway, the more potential impact. Building on an undeveloped property will have more impact than expanding a structure. The ROB would cover 9% of the mapped BC FHA, approximately 1,300 structures, including 200 dwellings; 20% of dwellings in the FHA would be in the ROB. The dwellings are located in a mix of residential and resource zones. About 37,000 total acres are affected, 33% of BC's current FHA. There is a range of community responses and concerns.

Augerot asked about restrictions on how resource lands can be used within the ROB.

Lewis replied that most continuing agricultural practices related to farming and forestry will be allowed. The new standards mostly involve significant changes to ground and water flow, such as ditching, diking, and building structures.

Graves explained that the biological opinion and data by National Oceanic and Atmospheric Administration Marine Fisheries clarifies that normal agricultural practices will not be affected. This applies to any activity (such as plowing) that does not currently require a floodplain development permit. The opinion applies to manmade changes to improved or unimproved land, including mining, filling, drilling, and dredging. There is some public consternation about needing a permit for dredging. The main issue is where operators place the silt after dredging. If it is placed within a special FHA, agencies need to determine if that constitutes filling or has adverse effects on habitat. According to community feedback, this piece needs to be clarified.

Augerot could understand operators' frustration with needing another permit for a routine matter such as clearing ditches. Augerot asked if this would bar new construction in residential areas.

Graves replied that FEMA's program does not bar any construction; instead, certain performance standards must be met. The dredging permit has been required all along. Standards include building a floor at a certain height so as not to increase base flood elevation. The added requirement is that development close to a waterway will probably require more mitigation. Mitigation is required for adverse effects to water quality, vegetation, and any flow of water (equated with fill).

Augerot asked if BC's current regulations would address many of those issues.

Lewis replied that on a vacant piece of land in BC, a dwelling must be sited outside of the floodplain if there is enough space to do so. If there is not, the dwelling would still be allowed inside the floodplain with certain performance criteria.

Wyse observed the need for a balance between impacts on property owners and effects on the environment/habitat. Wyse favors protecting significant habitat, but did not feel ready to formulate an opinion without hearing from potentially affected community members.

Augerot opined that this is not a large change in BC's current regulatory effect, which is already tighter than in some counties. Augerot generally supported the intent of the biological opinion, but agreed with Wyse about needing to know more about possible friction points.

Lewis noted it is difficult to provide adequate feedback without a full outreach process. FEMA will provide more comment opportunities later. Friction points include specifics of the increased mitigation requirements.

Augerot asked if greenhouses were considered accessory structures; Augerot had heard public consternation about that.

Lewis replied the term 'structure' is difficult to define. For current floodplain definitions, a hoop house with no rigid walls or not more than one rigid wall is not considered a structure. The draft IP looks at ground disturbance in a way similar to the stormwater requirements implemented in March 2022. A hoop house would be considered disturbance under the IP.

Nichols shared that adding habitat considerations is a substantial change in how planners approach floodplains. This will directly impact property owners and staff, who must learn to review and evaluate impacts to habitat. Nichols asked what level of engagement staff should take with the community, Federal agencies, and other counties.

Augerot noted that packet page 83 discusses ways communities can meet the 'no net loss' standard, each of which requires increasing amounts of expertise. Not all counties have that expertise. Staffing aspects are a concern. Some counties want to oppose the plan. Augerot would like to be at the table to determine what is reasonable and possible within an educational and incentive-oriented approach, rather than a hardline regulatory approach.

Nichols has tracked this issue through meetings of the Association of Oregon County Planning Directors. Over the last month or so, more counties have raised shared concerns. Nichols asked if FEMA could help with community outreach or some of BC's evaluation needs.

Graves could not offer funding, but FEMA staff could offer technical assistance and work with the community as BC develops its approach. Community comments suggest several approaches. Pathway A would prioritize clear and objective standards. Pathway B (described in the packet) would allow more flexibility to tailor to each community. Pathway C would ask communities where they want to sit on this spectrum. FEMA wants to use BC's extant standards and add elements as needed. There is not much community direction on Pathway C yet; details will be based on comments from the Environmental Impact Statement (EIS) process.

Wyse asked if communities could have two possible paths, allowing applicants to choose between one that is rigid, and one that is more flexible.

Graves confirmed that a hybrid approach (Pathway C) could be designed.

Augerot commented that since BC does not have any listed species currently, perhaps BC could tailor the approach more, taking local resources into account. However, that requires a level of expertise that BC does not have internally/locally.

Wyse requested more outreach to land owners who would be impacted.

Malone asked if it was too early to engage the public because details are not firmed up.

Lewis was not sure. The challenge is obtaining feedback about the impact without inciting panic.

Malone opined that the table (Exhibit 2) seemed theoretical and did not want to proceed on an effort that is not fully thought out. Flexibility is probably a good idea. All comments for this round must be postmarked by May 5, 2023.

Wyse stated that the environment is a priority for many BC community members.

Augerot opined that reactions will be mixed; some landowners will face initial challenges. Augerot agreed with having a set of clear standards or a menu of options. For now, staff should stay engaged; as soon as FEMA has more definitive options, BC needs to engage the community.

Responding to a question from Wyse, Nichols replied that this had not been discussed with the Planning Commission (PC) yet. Nichols summarized that BC should not take an immediate oppositional approach; BC needs to hear from community members and incorporate environmental values, but also be mindful of impacts on property owners or agricultural and forest operators. If BC submits comment by May 5, it should say that this issue is important, and that BC needs more specifics and wants to partner with FEMA to determine the right policy for BC. As that becomes more clear, staff could take the matter to the PC or joint BOC/PC quarterly meetings.

MOTION: Augerot moved to authorize staff to put together Benton County-specific comments based on today’s discussion, and that Commissioner Malone have authority to work with Nichols to finalize that in order to get it out by the May 5, 2023 deadline. Wyse seconded the motion, which **carried 3-0.**

{Exhibit 2: Benton County Floodplains Chart}

7.3 Discussion and Decision Regarding Supplemental Budget 23111, Resolution #R2023-007 – Jenn Ambuehl, Financial Services

Ambuehl presented two funds in the 2021-23 biennium budget requiring amendment:

- General Fund: the Sheriff’s Office received additional revenue from the Department of Homeland Security for Emergency Operations Center position-specific training, an increase of \$32,091 to Public Safety Operations.
- Trust Fund: Natural Areas, Parks & Events received higher than anticipated logging funds. Staff request to increase appropriations to repair the logging roads and the Beazell Barn concrete floor.

MOTION: Wyse moved to forward this item to the May 16, 2023 Board Meeting for a Public Hearing. Augerot seconded the motion, which **carried 3-0.**

8. Other

8.1 Approval of Letter Supporting Funding for Behavioral Health – Xanthippe Augerot, Commissioner

Augerot shared a letter from the Association of Oregon Counties (AOC) requesting that Benton add its logo to a letter requesting behavioral health funds; the letter summarizes all the behavioral health funds from this legislative session that the Association of Oregon Community Mental Health Programs (AOCMHP) and AOC are supporting.

MOTION: Augerot moved to approve the use of the Benton County logo on the AOCMHP letter to Senator Kate Lieber and Representative Rob Nosse about funds from this legislative session for behavioral health. Wyse seconded the motion, which **carried 3-0.**

Augerot to follow up.

10. Adjournment

Chair Malone adjourned the meeting at 11:26 a.m.

Pat Malone, Chair

Erika Milo, Recorder

** NOTE: Items denoted with an asterisk do NOT have accompanying written materials in the meeting packet.*

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MINUTES OF THE MEETING
BENTON COUNTY BOARD OF COMMISSIONERS
Tuesday, September 27, 2022

Zoom link: <https://us06web.zoom.us/j/84175474711?pwd=VHZhYkU0ZDNzOUZqdTRvREFpVG1aOT09>

Livestream: <http://facebook.com/BentonCoGov>

9:00 a.m.

Present: Nancy Wyse, Chair; **Pat Malone**, Commissioner; **Xanthippe Augerot**, Commissioner; **Matt Wetherell**, Acting County Administrator; **Vance Cronney**, County Counsel

Excused: **Joe Kerby**, County Administrator

Staff: **Marriah De La Vega**, **Amanda Makepeace**, BOC staff; **Cory Grogan**, Public Information Officer; **Sean McGuire**, Sustainability; **Erika Milo**, BOC Recorder; **Darren Nichols**, Community Development; **Jef Van Arsdall**, Sheriff's Office

Guests: **John Harris**, Horsepower Productions; **Sam Imperati**, Oregon Consensus; **Liz Irish**, **Ann Kreager**, **Arlene Merems**, **Joann Phillips**, **Eileen Stark**, **Nettie Schwager**, **Richard Weber**, residents

Chair Wyse called the meeting to order at 9:00 a.m.

I. Opening:
A. Introductions
B. Announcements

There were no announcements.

II. Comments from the Public

Arlene Merems, resident: Merems expressed frustration and disappointment at having to defend the 2018 Exotic Animal Ordinance (EAO), which was well-informed by scientific evidence. Merems was a lead advocate who provided a body of information to the Board and worked with Counsel on the EAO, which is intended to stop the suffering of wild and exotic animals in traveling animal acts. Merems did not know the Fair Board (FB) was working to repeal the EAO until reading about it in the *Gazette-Times*. The FB previously declared a conflict of interest and referred the matter to the Board of Commissioners (BOC), yet has been working on this repeal for two years. As lead, Merems should have been notified and included in any process to change the EAO. Merems stated the FB has misled the BOC with false and flawed information. The proposed permit program will not address the animal welfare issues in this industry, which subjects animals to constant travel and severe confinement. There are similar bans in 137 local jurisdictions. Merems asked the BOC to stop the EAO repeal effort and to meet with her to discuss the matter.

{Exhibit 1: Merems Letter 9/24/22}

{Exhibit 2: Merems Letter 9/26/22}

{Exhibit 3: Merems ADI in Support of the Traveling Exotic Animal & Public Safety Protection Act (TEAPSPA)}

{Exhibit 4: Merems One Pager in Support of TEAPSPA}

Nettie Schwager, resident: Schwager stated that any kind of traveling act using wild animals is cruel; there is no way to meet the needs of these animals and make this situation humane. The original EAO should stay in place. There is a consensus among animal welfare experts, veterinarians, behaviorists, and biologists that life for animals in the circus is not worth living. Many nations have banned animal circuses due to cruelty. The EAO was a mark of progress; a repeal would be backsliding.

Ann Kreager, resident: Kreager ceded her speaking time to Merems.

Merems continued: the EAO is about animal welfare, not conservation (as mentioned in the January 2021 Fair Board letter). There is almost no State or Federal oversight for animal shows. This issue cannot be handled with a permit. The County cannot provide oversight. There is no one locally with the expertise to understand all the related issues. EAO supporters want to prevent bringing these animals here in the first place. The species list brought up in the FB appeal is finite, focused on mammals and some species of shark that suffer most in this industry; it does not include birds, amphibians, most reptiles, and domestic animals. An edit removed horses, but that was not corrected in the approved EAO.

Eileen Stark, resident: Stark stated that when she heard about the stingray exhibit, she felt the EAO was doing its job, which is to ban all wild and exotic species from traveling acts, excluding farmed or companion animals like horses and dogs. A circus performance is entertainment, not education. It does not teach children to respect animals and does not help conservation of wild animals. Captive breeding does not address loss of habitat, poaching, or hunting. More than two-thirds of Americans say they are concerned about use of animals in circuses and shows. 49 countries ban or limit use of animals in traveling acts, and 111 United States jurisdictions have passed partial or full bans. Some popular and profitable shows are animal-free. Please keep the EAO.

Richard Weber, resident: The proposed permit system in place of the EAO is what the County used previously, and does not address the animal welfare issues in the industry. There is little Federal oversight in this industry. Oversight by local animal control and wildlife agencies is expensive and wastes local resources. Permits do not address public health and safety. Keeping wild, distressed animals in temporary enclosures in close proximity to the public can be dangerous. 12% of Asian and 2% of African elephants in North America have tuberculosis, which is communicable to humans. The Fair Board has misinformed the BOC in its interpretation of the EAO and its rationale for appeal. Please leave the well-researched EAO in place.

Wyse thanked the commenters and stated that the Board will discuss this in future.

Augerot agreed the issues are complex. The Board has not taken any action yet to change the Ordinance, and will discuss the matter further.

III. Review and Approve Agenda

The following items were added to the agenda under V. New Business:

- 5.1 **State Transportation Improvement Fund (STIF) appointment** -- Nancy Wyse, Commissioner
- 5.2 **Donation to Vietnam War Memorial Fund** -- Xanthippe Augerot, Commissioner

IV. New Business

4.1 Benton County Talks Trash Work Group (WG) Member Vacancy Replacement – *Darren Nichols, Community Development Director*

Nichols explained that the Board appointed the WG in August 2022, but one member resigned due to a conflict. Nichols provided several documents (see packet) including a list of people who joined the first two WG meetings remotely, a list of people who formally applied to be WG members, and a list of people who requested email updates on the project. The WG has held two of eight meetings, so it is important to find an individual who is already up to speed on the issues and process, and to consider the need for a balanced WG.

Wyse suggested Catherine Biscoe or Ken Kenniston.

Malone stated Catherine Biscoe was on his short list.

Augerot suggested someone who lives closer to the landfill and can advocate for the neighborhood. Kevin Kenaga and Ken Eklund have spoken to the Board multiple times on landfill issues. Kenniston lives in Corvallis.

Wyse noted Kenniston has been involved in the issue for years.

MOTION: Malone moved to appoint Catherine Biscoe to replace the vacancy on the Benton County Talks Trash Work Group with a community member consistent with the Board's adopted charter. Wyse seconded the motion, which **carried 2-1** (Augerot opposed).

Counsel suggested that the Board recommend an alternative in case Biscoe declines.

Augerot noted that Biscoe is currently alternate for Christopher McMorran, who would need another alternate.

Wyse invited a nomination for second choice.

Augerot would also support Jeffrey Morell, a landfill neighbor who previously served on the Solid Waste Advisory Council. Morell has been out of the country for a few years, but is returning and has tried to stay involved.

MOTION: Augerot moved to appoint Jeffrey Morell to fill the vacancy on the Benton County Talks Trash Work Group in the event that Biscoe cannot fill the position. Malone seconded the motion, which **carried 3-0.**

V. Other

5.1 State Transportation Improvement Fund (STIF) Advisory Committee Appointment – *Nancy Wyse, Commissioner*

Wyse asked whether the Board should appoint Bob Keith to the STIF Advisory Committee, and what area of representation Keith would hold. In the Ordinance, four categories of representation must be filled, and others are optional. Wyse asked if the Board should appoint Keith now even if that doubles up some areas of representation, or hold off in hopes of finding someone in an optional category.

Augerot felt the Board should hold the position open; the four mandatory seats are covered, so the Committee can begin work. But STIF's mandate includes special transportation for people with disabilities, and people of lower income, who are typically under-represented in this context. Augerot would like to find a member who represents the broader disability community or is low-income. There is already one bicycle advocate.

Wyse felt Keith would do well, but was willing to do more recruitment if time allowed.

Augerot preferred to hold Keith's application and do a little more searching.

Malone felt that taking more time made sense.

Counsel noted that the Board cannot hold Keith's application. To generate a different applicant pool, Counsel recommended targeting the position advertisement to a different audience and promoting through different means.

Wyse asked Wetherell to pass that message to communications staff.

5.2 Donation to Vietnam War Memorial Fund — *Xanthippe Augerot, Commissioner*

Augerot noted that many veterans in Benton County do not use services or are affiliated with other resources, so are not counted in demographics. Augerot is married to a Vietnam veteran. Augerot proposed donating \$500-\$1,000 towards the Vietnam War Memorial at the State Capitol.

Malone noted this is a one-time donation.

Augerot and Wyse concurred.

MOTION: Augerot moved to make a \$1,000 commitment to the Vietnam War Memorial Fund to make sure the Vietnam War Memorial becomes a reality at the Oregon State Capitol grounds. Malone seconded the motion, which **carried 3-0.**

VI. Adjournment

Chair Wyse adjourned the meeting at 9:38 a.m.

Nancy Wyse, Chair

Erika Milo, Recorder

** NOTE: Items denoted with an asterisk do NOT have accompanying written materials in the meeting packet.*

MINUTES OF THE MEETING
BENTON COUNTY BOARD OF COMMISSIONERS

Zoom link: <https://zoom.us/j/98392634639?pwd=blhlWjBLMXhJN1ZLM2xuWFRDMVIRQT09>

Livestream: <http://facebook.com/BentonCoGov>

Tuesday, August 23, 2022

9:00 a.m.

Present: Nancy Wyse, Chair; Xanthippe Augerot, Commissioner; Pat Malone, Commissioner; Vance Croney, County Counsel; Joe Kerby, County Administrator

Staff: Jen Brown, Sean McGuire, Sustainability; Marriah De La Vega, Amanda Makepeace, BOC Staff; Cory Grogan, Public Information Officer; Erika Milo, BOC Recorder; Darren Nichols, Greg Verret, Community Development; Rebecca Taylor, HOPE Coordinator; Jef Van Arsdall, Sheriff's Office

Guests: Nate Conroy, Robert Killen, Raina Waltz, Regional Accelerator & Innovation Network; Ken Eklund, Chuck Gilbert, Kevin Kenaga, Bill Kuhn, Bob Larkin, Peggy Lynch, Jim Marshal, Ginger Rough, residents; John Harris, Horsepower Productions; Sam Imperati, ICM Resolutions; Julie Jackson, Republic Services; Cody Mann, Mid-Valley Media; Kate Porsche, Corvallis-Benton Economic Development Office; Marissa Schwartz, Small Business Development Center

Chair Wyse called the meeting to order at 9:02 a.m.

I. Opening:

A. Introductions

B. Announcements

No announcements were made.

II. Comments from the Public

Chuck Gilbert, resident: Gilbert discussed a possible resolution of paper and plastics still being disposed of in Oregon landfills. Not all types are recyclable under current collection guidelines. This waste could be converted to a sustainable energy resource through technologies such as thermo-catalytic depolarization and thermoplastic gasification. Gilbert recommended a cooperative approach with the Solid Waste Advisory Committee, Community Development staff, and the Sustainability Coordinators to explore these technologies, which could be beneficial to the Benton County Solid Waste Management Plan. Waste-to-energy conversion reduces landfill distension and reduces solid waste.

Debbie Palmer, resident: Palmer noted that today the Board will adopt the Solid Waste Workgroup Charter put forward by Imperati. Palmer emphasized the importance of developing a foundation of factual common understandings in order to make decisions about Coffin Butte Landfill and solid waste management. Instead of relying on Republic Services' estimates, the County should hire an independent scientific third party to gather landfill facts.

Kevin Kenaga, resident: Kenaga asked the Board to consider his application for the Workgroup.

III. Review and Approve Agenda

The following item was removed from the agenda:

- 4.1 **Linn-Benton Housing Authority Update** – *Donna Holt, Linn-Benton Housing Authority*

IV. Work Session

- 4.1 **Linn-Benton Housing Authority Update** – *Donna Holt, Linn-Benton Housing Authority*

This item was removed from the agenda.

- 4.2 ***Annual Report from the Corvallis-Benton County Economic Development Office (EDO) with the Small Business Development Center (SBDC) and the Regional Accelerator & Innovation Network (RAIN)** – *Kate Porsche, EDO; Marissa Schwartz, SBDC; Nate Conroy, RAIN*

Porsche shared that EDO has continued to support businesses, which are experiencing staffing and supply chain challenges. EDO distributes Benton County pass-through funding to SBDC.

Conroy reported that RAIN received funding to hire Rayna Waltz, a City of Monroe business owner. During the pandemic, RAIN provided online accelerator programs on digital marketing and financial literacy, helping entrepreneurs apply for Paycheck Protection Program assistance. Both sessions had record-breaking participation. Now RAIN is holding more in-person events and highlighting small business success stories. RAIN works with partners including SBDC, Rural Economic Alliance, and Business Oregon.

Malone praised RAIN for supporting businesses outside of Corvallis.

Augerot noted that when the County asked Porsche to work on its behalf, part of the focus was on work outside of Corvallis as well as inside.

Schwartz reported that Linn-Benton Community College SBDC has had many staff changes and has increased efficiency. SBDC is working with Spanish-speaking businesses and offered a workshop in Spanish on business taxes. More than half of SBDC classes are bilingual. Benton County Health and Human Services helped SBDC find ways to be more inclusive. Advisors attend community events and celebrations. More businesses are opening this fall.

Porsche emphasized the importance of partners in EDO's work. RAIN focuses on entrepreneurship, especially rural, and emerging businesses; SBDC supports existing businesses; EDO takes the lead role, managing tools for business and working with trade sector businesses. The trade sector has been very busy; people are ready to start a new business or expand existing ones. EDO continues to focus on downtown Corvallis and passed funds to the Corvallis Chamber of Commerce for downtown cleanup. EDO is working to bring a bank of electric vehicle (EV) charging stations to downtown. The Business Right-of-Way pilot program will be extended for another year. The Food Hub received funding from the Oregon Legislature; EDO's Kathryn Duvall held an initial meeting; next EDO will issue a Request For Proposals for a consultant to study the food ecosystem. EDO continues work on the airport annexation but has been short one staff person since February 2022. EDO also handles the Corvallis Urban Renewal District (URD), Climate Action for Corvallis, and 2040 Vision work for the County. A new hire will start soon to work on many of these projects. A new company is looking at building a manufacturing facility in the Airport area. EDO's Jerry Sorte worked with Philomath City Manager Chris Workman to help create an Enterprise Zone. Adair Village is exploring an Urban Renewal

District; EDO will work on an American Rescue Plan Act funding plan and return to the Board for review. A spring Made/Built in Benton tour is planned for the Board and others.

Wyse was excited about the Airport Annexation and Corvallis URD, and asked for details.

Porsche explained that Corvallis passed an URD in south town along Highway 99. The City is working with the Oregon Department of Transportation on a transportation plan, and EDO is talking to an affordable housing developer. EDO purchased a small parcel to create a safety crossing at the intersection of Southeast Goodnight Avenue and Highway 99. EDO is working on bi-lingual outreach to area businesses to create a grant or loan program for expansion.

Augerot noted that most businesses in south Corvallis do not own their own buildings. Augerot was concerned that as the value of the community increases, those businesses would be pushed out by rising rents. Augerot praised EDO's conversations with business and property owners on how to develop but maintain the character of the community. Augerot asked about the Creating Helpful Incentives to Produce Semiconductors (CHIPS) ACT and Federal investment in high-technology infrastructure in the United States. Augerot recently toured Intel and Hewlett-Packard facilities. Manufacturers are very excited about the potential for expansion. Augerot asked Porsche about local discussions of increased investment in manufacturing or research and development.

Porsche replied that conversations are happening. Corvallis does not have much industrial zoned land; if technology sector industries cannot find sites for expansion, they may locate elsewhere. This ties into the Airport Industrial Park and considering other areas in Corvallis and the County that could be zoned industrial while being cognizant of wetlands.

Malone would support a tour of local businesses and praised the diversity of projects and people and offering services in Spanish. The County is also discussing EV charging stations; the projects should coordinate. A Congressional bill in progress includes \$1.5 million for electric and hybrid buses for Benton Area Transit, and some funds for charging stations; Malone asked how that fit with Corvallis plans and Sustainability Coordinator Sean McGuire's work.

Porsche replied EDO works closely with McGuire. Other partners on EV charging include Oregon State University and the Mayor of the City of Newport.

{Exhibit 1: EDO Quarterly Report}
{Exhibit 2: EDO Strategic Work Plan}
{Exhibit 3: RAIN Quarterly Report}

Chair Wyse recessed the meeting at 9:58 a.m. and reconvened the meeting at 10:03 a.m.

4.3 2040 Organization Goals/Board Priorities – *Sean McGuire; Sustainability Coordinator*

McGuire discussed organization goals for the upcoming biennial budget in relation to Board priorities, core values, and focus areas. Budget priorities must be finalized by mid-September 2022. Then McGuire, Chief Financial Officer Rick Crager, and Kerby will work with department directors to embed the priorities in the budget by late November-early December 2022 so Crager can finalize the budget by January 15, 2023. McGuire is working with Information Technology (IT) to develop this information on the Bee internal website. There has been much progress on

the current biennium's goals, except ones related to the pandemic and staffing/capacity issues. McGuire met with communications staff yesterday to start sharing successes with constituents.

Augerot noted many goals appear in more than one priority, which makes it hard to read. Augerot suggested putting each goal in one category, then listing the relationship.

McGuire noted the intent was to show synergy and collaboration, but staff will refine these details. McGuire to discuss with IT.

Augerot asked if there would be a similar document in the next biennial budget to indicate success on the goals.

McGuire confirmed. Crager and staff are working on priority-based budgeting. The purpose of today's discussion is to confirm the priorities. McGuire created the list working with Kerby, EDI Coordinator JoeHahn, Jen Brown (Finance), Rebecca Taylor and Julie Arena (Home, Opportunity, Planning & Equity (HOPE)), and Justice Systems Improvement Coordinator Nick Kurth, as well as each Commissioner. Once priorities are more final, McGuire will get department directors' input. Goals that Kerby felt are too specific are marked.

McGuire reviewed the Community Resiliency category, which includes Climate Crisis Mitigation, Climate Crisis Adaptation, Social & Community Resiliency, and Current Policies, Initiatives and/or Goals.

Kerby noted the current order of categories is not prioritized.

McGuire reviewed Equity, Diversity, & Inclusion (EDI). The organization has an equity checklist, resource efficiency checklist, and health checklist for meetings. McGuire will talk to Human Resources about workforce training on interacting with communities, and approaching recruitment so that staff composition mirrors the community. All staff to receive training on EDI and public engagement.

The Homelessness and Housing Insecurity category relates to the 12 HOPE recommendations. Taylor and Arena would like to add potential inter-departmental collaboration. Capacity issues are tied to budget.

Augerot noted that the Board's role in the Housing category is one of capacity and facilitation more than end products.

Malone concurred. In that area, the Board mainly defines problems, sets policy, and looks for partners to implement projects. Benton staffing is more limited than in larger counties.

Augerot commented that Social and Community Resiliency addresses some root causes of homelessness.

The Board confirmed the categories.

Augerot noted that in some cases, County investment in actual infrastructure might be needed to leverage a project. The Board has discussed funding a permanent supportive housing initiative, and previously helped fund unexpected repairs at Third Street Commons.

McGuire suggested 'Infrastructure, Investments, and Opportunities,' instead of 'Initiatives.'

The Board affirmed.

Wyse noted it is not a firm goal to support infrastructure, just a potential in the future.

The Board deliberated on other elements of the list:

- The Board affirmed changes in the JSIP title to indicate that the goal includes a broader spectrum of prevention and community justice, not just facilities.
- Augerot noted that ‘Social Determinants of Health’ might be redundant with ‘Community Safety and Resiliency.’
- ‘Restorative Justice’ was added; staff will determine specifics.
- McGuire to contact department leadership to identify a coordinator for ‘Responsible Governance.’ ‘Fiscal Responsibility’ was added under ‘Responsible Governance.’
- Augerot noted that the priorities in no way supersede the Board’s statutory responsibilities and County core functions. McGuire to include core responsibilities/functions in the 2040 section of the budget preamble.

McGuire described a pyramid structure to convey the five priorities and the two high priorities. McGuire added ‘Health in All Actions’ from the 2040 Vision, because health is fundamental.

The Board confirmed the addition.

Kerby asked about priorities within these priorities, which make it easier for staff to allocate resources.

Augerot stated the two community priorities are higher because they are more time-bound in terms of State and Federal resources. But the Fundamental Tenets will always be important.

Malone concurred. Under Fundamental Tenets, Community resiliency should be near the top.

Wyse asked why Criminal Justice was under Community Priorities rather than Fundamental Tenets.

Augerot replied the project is a huge leap to better facilities, which will enable improvement in programs. Some language may need to address that, although some could be captured in Health in All Actions and EDI.

McGuire added that the placement of items can be adjusted. These are all priorities the organization needs to ensure.

Augerot added that in a future biennium, other community priorities may rise up. The dichotomy between ‘Fundamental Tenets’ and ‘Community Priorities’ reflects where the Board wants to focus General Fund resources.

McGuire summarized that Fundamental Tenets are what the County should always invest in, while Community Priorities are the focus for this biennium.

The Board concurred.

McGuire to work with Crager to embed the priorities in the budget and return the list for adoption at the September 13, 2022 Goal Setting Meeting.

V. Consent Calendar

5.1 In the Matter of Approving the December 17, 2019 Tuesday Board Meeting Minutes

MOTION: Malone moved to approve the Consent Calendar of August 23, 2022. Augerot seconded the motion, which **carried 3-0.**

VI. New Business

6.1 Benton County Talks Trash: Adoption of the Solid Waste Work Group (WG) Charter – Darren Nichols, Community Development

Nichols asked the Board to address adoption of the formal WG and appointment of WG members. The Board and staff have weighed in on the Charter, which offers guidelines and guiding principles and lays out the scope and charge of the WG.

MOTION: Malone moved to adopt the proposed Charter for the "Benton County Talks Trash" Work Group, to be appointed by the Board separately, and direct County staff, the County's professional neutral facilitator, and the Workgroup to proceed with implementing the tasks outlined in the Charter. Augerot seconded the motion, which **carried 3-0.**

6.2 Benton County Talks Trash: Appointments to the Benton County Solid Waste Work Group (WG) – Darren Nichols, Community Development

Nichols explained this work will be conducted primarily by a group of community members, some appointed by organizations, and others who expressed interest. The Charter suggests perspectives that could help develop a balanced, credible WG. Four organizations each appointed two members for voting positions:

- Solid Waste Advisory Committee (SWAC)/Disposal Site Advisory Committee: Marge Popp and Joel Geier; Chuck Gilbert as alternate.
- Planning Commission: Nancy Whitcombe and Elizabeth Irish; no alternate at this time.
- Republic Services (RS): first choices are Russ Knocke and Sean Edmonds; RS offered alternates.
- Benton County staff: Solid Waste Coordinator Daniel Redick and Acting Environmental Health Director Scott Kruger; Public Health Director April Holland as a backup. These are ex officio positions. An expanded list of staff will include Nichols and Kerby.

Nichols explained that other ex officio positions could include Brian Fuller (Oregon Department of Environmental Quality), and two neighboring jurisdictions for outside perspectives, such as Marion and Linn Counties, which have dedicated staff and generate some of the largest amounts of waste in Coffin Butte Landfill (CBL). About 35 community members applied, including Kevin Kenaga and Cathy Brewer this morning.

Wyse noted there was already a long list, and the WG will be open to public participation.

Nichols concurred. All processes will be available in person and remotely. Staff developed this list of community members after discussions with Commissioners and other leadership. All names are color-coded. Names in purple are staff's best guess at a balanced WG, people whose

names came up the most often and who brought considerable expertise, geographic representation, or other diversity. Names in blue could also be a good fit but came up less often.

Imperati emphasized having members from all parts of the County, including CBL neighbors. Candidates have discussed their priority topic. Three high school students applied.

In a chat comment, Lynch noted having an interest in serving, but too many other obligations.

Wyse stated that the Board received the list at 8:03 a.m. today, which did not allow enough time to make a balanced decision. Wyse suggested taking a recess to review the list, or moving the item to the September 6, 2022 Board Meeting.

Augerot preferred to decide today in order to start the process on schedule.

Nichols noted that staff are already rushing to meet the schedule. WG members will need time to prepare.

Imperati discussed the tentative meeting schedule. The first WG meetings are September 6 and 15, 2022. It would be possible to appoint members on September 6 and do orientation and initial work on September 15.

Nichols suggested that the Board appoint the top eight names today, then continue dialogue, or appoint the last few names on September 6. Some perspectives might be missing from the list.

Augerot favored this suggestion.

The Board deliberated on narrowing the 10 names in purple (minus Lynch) down to eight.

Augerot emphasized candidates' breadth of residence, professions relative to landfill proximity, skills and knowledge, connections to community, diversity of age, gender balance, ethnicity representation, availability, length of residence in the area, and subject knowledge. Augerot favored appointing:

- John Deuel, Oregon State University: has been on SWAC, strong environmental perspective.
- Christopher McMorran: energetic, diverse, broad perspective.
- Ryan McCallister, a construction industry representative.
- Mary Parmigiani, a high school student who developed a community air quality monitoring tool.
- Louisa Shelby, a public health nurse.
- Glenn Zinkus and Ed Pitera are both chemical engineers, either could be good.
- Either small business owner Catherine Holdorf or landfill neighbor Lynn Powell.

Wyse stated there was some overlap with her preferred list. Wyse favored appointing Kathryn Duvall, a Corvallis economic development climate specialist.

Augerot strongly supported Duvall, but did not know Duvall's availability.

Nichols stated that everyone on the list submitted an expression of interest, and everyone except Kenaga and Brewer reviewed the schedule and indicated ability to participate.

Wyse recessed the meeting at 11:37 a.m. and reconvened the meeting at 12:06 p.m.

Wyse compared all top applicants using the criteria in Imperati's documents, considering representation from different business groups, diversity of thought and opinion, focus, and geographic diversity. Wyse favored appointing McMorran, McCallister, Duvall, and Parmigiani. Shelby and Brandon Bates could be good, but both are from Samaritan Health Services (SHS).

Augerot noted Shelby and Bates have different roles with SHS. Having an SHS representative on the WG might help SHS move towards a more advanced materials policy.

Wyse aligned with Shelby, Bates, Pitera, and Deuel. Adair Village City Manager Pat Hare expressed interest in being involved, but is also very busy.

Augerot noted that anyone is welcome to attend the meetings.

Nichols shared that there is interest from Polk and Lincoln Counties and Hare; it makes sense to set aside part of the agenda to invite officials from across the mid-Willamette Valley.

Malone favored Bates, Deuel, McMorran, McCallister, Jeffrey Morrell, Parmigiani, Pitera, and Curtis Wright.

Wyse summarized that the Board aligned on Bates, Deuel, McMorran, McCallister, Parmigiani, and Pitera.

Augerot wanted to add two more women.

Wyse suggested Duvall instead of Wright.

Augerot concurred. Duvall does climate work in the EDO. Augerot also favored appointing Shelby. Morell has served on SWAC, but there is strong SWAC representation, and Morrell is currently out of the country.

Wyse stressed making sure that all members can attend.

Malone asked if in-person attendance was preferred, but hybrid was an option.

Nichols confirmed that all meetings will be available remotely.

Malone asked if there could be 10 public members.

Imperati recommended no more than 20 total committee members; more than that reduces each person's time to participate. Imperati's goal is representation and balance from the community and an even number of voting members.

Wyse felt that eight community members was enough.

Malone expressed concern about all members attending every meeting. It might take 10 members to ensure that eight attend.

Augerot commented this process works best with consistency. If a member cannot attend, the Board should consider appointing someone else, not adding two.

Wyse shared that too big a group can make some members feel their voice is not important. Make sure the members feel able to be heard.

Augerot agreed that eight members would be preferable.

MOTION: Augerot moved to appoint the following members to the Benton County Talks Trash Workgroup, consistent with the terms and the spirit of the adopted Workgroup Charter: Christopher McMorran, Brian McCallister, Mary Parmigiani, Ed Pitera, Louisa Shelby, Kathryn Duvall, Brandon Bates, John Deuel; and we further encourage all interested members of the community to participate in the Work Group's proceedings through the open, public process outlined in the Board's approved Work Group Charter. Malone seconded the motion, which **carried 3-0.**

Nichols to return twice monthly with updates. It would be helpful to have one or more Commissioners at the first WG meeting to welcome the group and underscore the importance of the work.

VII. Other

No other business was discussed.

IX. Adjournment

Chair Wyse adjourned the meeting at 12:30 p.m.

Nancy Wyse, Chair

Erika Milo, Recorder

** NOTE: Items denoted with an asterisk do NOT have accompanying written materials in the meeting packet.*

PROCLAMATIONS



**BEFORE THE BOARD OF COMMISSIONERS
FOR THE STATE OF OREGON, FOR THE COUNTY OF BENTON**

**In the Matter of Proclaiming May)
as Older Americans Month) PROCLAMATION #P2020-010
in Benton County)**

Benton County is committed to engaging and supporting older adults, their families, and caregivers. Our County’s older community members have contributed to creating a stronger and better-connected community during the time they have resided within the County. As a County, there are no accomplishments we have made without the historical knowledge, wisdom, and efforts from our senior citizens to continue building a more inclusive and accessible home for all.

Over 17% of Benton County’s residents are sixty-five years of age or older. These community members have and continue to enrich and strengthen our County in countless ways. Whether it is through their participation in our local workforce, their service to the community, the patronage of our small and emerging businesses, or their contributions to building a more resilient and inclusive County, we acknowledge and honor the significant efforts put forth by our elderly community members.

We recognize the importance of taking part in activities that promote physical, mental, and emotional well-being—no matter your age. Our community can enrich the lives of individuals of every age by:

- promoting home- and community-based services that support independent living;
- involving older adults in community planning, events, and other activities; and
- providing opportunities for older adults to work, volunteer, learn, lead, and mentor.

THEREFORE, BE IT HEREBY PROCLAIMED that May 2023 is Older Americans Month in Benton County and all community members are encouraged to take time this month to recognize older adults and the people who serve and support them as vital parts of our community.

Adopted this 16th day of May, 2023.

Signed this 16th day of May, 2023.

BENTON COUNTY BOARD OF COMMISSIONERS

Pat Malone, Chair

Xanthippe Augerot, Vice Chair

Nancy Wyse, Commissioner



**BEFORE THE BOARD OF COMMISSIONERS
FOR THE STATE OF OREGON, FOR THE COUNTY OF BENTON**

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BENTON COUNTY BOARD OF COMMISSIONERS

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Pat Malone

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Pat Malone, Chair

DocuSigned by:
Xanthippe Augerot

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Xanthippe Augerot, Vice Chair

DocuSigned by:
Nancy Wyse

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Nancy Wyse, Commissioner



**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR THE STATE OF OREGON, FOR THE COUNTY OF BENTON**

In the Matter of Proclaiming May as)
Wildfire Preparedness Month) **Proclamation No. P2023-011**
in Benton County)

The threat of wildfires greatly impacts our entire region including the residents of Benton County, Oregon and the impact of climate change has greatly increased the risk of wildfires in Oregon.

When individuals take responsibility for preparing their families and their communities, the chance of survival and return to normalcy following a disaster is greatly increased.

Wildfire Preparedness Month was designed to bring awareness of the threat of wildfires to our communities.

The Benton County Sheriff’s Office – Emergency Management Division partners with federal, state, local, tribal, territorial, private, and volunteer agencies to inform individuals on how to take action, through our public education campaigns and community exercises.

Residents, businesses, and visitors of Benton County are urged to plan ahead for all disasters and encourage their family and friends to also do so, by participating in annual readiness events and drills.

Benton County Emergency Management and Benton County Emergency Operations Center staff will continue to participate in monthly training and exercises and planning activities.

THEREFORE, BE IT PROCLAIMED that May is Wildfire Preparedness Month in Benton County, and all community members, businesses, and visitors are encouraged to develop their own emergency preparedness plans, practice evacuation drills, and join in this observance.

Adopted this 16th day of May, 2023.

Signed this 16th day of May, 2023.

BENTON COUNTY BOARD OF COMMISSIONERS

Pat Malone, Chair

Xanthippe Augerot, Vice Chair

Nancy Wyse, Commissioner



BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR THE STATE OF OREGON, FOR THE COUNTY OF BENTON

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BENTON COUNTY BOARD OF COMMISSIONERS

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Xanthippe Augerot, Vice Chair

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Nancy Wyse
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Nancy Wyse, Commissioner



**BEFORE THE BOARD OF COMMISSIONERS
FOR THE STATE OF OREGON, FOR THE COUNTY OF BENTON**

**In the Matter of Proclaiming May as
Asian Americans and Pacific Islanders
Heritage Month in Benton County**

PROCLAMATION P2023-009

The month of May brings a national celebration of Asian American and Pacific Islander (AAPI) Heritage. The month of May was chosen to honor two specific dates: May 7th, 1843 when the first Japanese immigrants arrived in the United States and May 10, 1869, the anniversary of the completion of the transcontinental railroad which was laid primarily by Chinese immigrants.

The Asian and Pacific Islands diaspora includes 48 different countries, and covers a wide variety of people, cultures, languages, religions, and experiences. Benton County has been home to many Asian American and Pacific Islander people and communities. In 1880 Chinese immigrants established a small Corvallis Chinatown within the Avery-Helm Historic District that was unfortunately lost in a fire in the 1920s. In the early 1800s Hawaiians came to what is now Oregon to participate in the fur trade. And today, we have over 50 individual cultural groups from throughout Asia and the Pacific Islands living in Oregon. We celebrate centuries of cultural connections between Asian Americans and Pacific Islanders. We also celebrate our visitors from other countries who are studying, working, and living in our communities.

Acknowledging the heritage of Asian Americans and Pacific Islanders includes acknowledging our history of discrimination and exclusion. The Oregon Constitution forbade Chinese refugees and immigrants from settling in Oregon. In 1886 Oregon hosted an anti-Chinese convention in Portland. National and state laws continued to push xenophobia that harmed our AAPI communities. We acknowledge the exclusionary practices and laws within Oregon that have historically harmed Asian Americans and Pacific Islanders, while also acknowledging the resiliency of our Asian American and Pacific Islander communities to persevere despite the barriers they experience.

We must continue our work toward making our communities safe and welcoming for all. Asian Americans and Pacific Islanders still face discrimination, which at times, has led to violence and fatal consequences for members of this expansive community. We show solidarity and support for all Asian American and Pacific Islanders not just during May, but every day.

THEREFORE, BE IT HEREBY PROCLAIMED that May is Asian American and Pacific Islander Heritage Month in Benton County and all community members are encouraged to join in this observance and celebration.

Adopted this 16th of May, 2023.
Signed this 16th of May, 2023.

BENTON COUNTY BOARD OF COMMISSIONERS

Pat Malone, Chair

Xanthippe Augerot, Vice Chair

Nancy Wyse, Commissioner



**BEFORE THE BOARD OF COMMISSIONERS
FOR THE STATE OF OREGON, FOR THE COUNTY OF BENTON**

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Xavier Trerot, Vice Chair

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Nancy Wyse

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Nancy Wyse, Commissioner

PUBLIC HEARINGS

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 05/16/23

View [Agenda Tracker](#)

Suggested Placement * Public Hearing

Department * Finance

Contact Name * Jenn Ambuehl

Phone Extension * 6257

Meeting Attendee Name * Jenn Ambuehl

Agenda Item Details 

Item Title * Supplemental Budget 23111

Item Involves * Check all that apply

- Appointments
- Budget
- Contract/Agreement
- Discussion and Action
- Discussion Only
- Document Recording
- Employment
- Notice of Intent
- Order/Resolution
- Ordinance/Public Hearing 1st Reading
- Ordinance/Public Hearing 2nd Reading
- Proclamation
- Project/Committee Update
- Public Comment
- Special Report
- Other

Estimated Time * 10 minutes

Board/Committee Involvement * Yes
 No

Advertisement*

Yes

No

**Names/Dates of
Publications**

List each publication name and date

Intend to publish notice of public hearing no
less than 5 days prior to meeting in
newspaper of record

Issues and Fiscal Impact

Item Issues and Description

Identified Salient Issues*

Two funds require amendment in the 2021-23 biennium.

Please see attached packet for list of actions

Options*

1. Approve as proposed
2. Modify and approve
3. Hold for further discussion
4. Do not approve

Fiscal Impact*

- Yes
 No

Fiscal Impact Description*

The total of the actions increase appropriations by \$232,901.

Please see attached packet for fiscal impact on each fund.

2040 Thriving Communities Initiative

Mandated Service?* Yes No

2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

To review the initiative, visit the website [HERE](#).

Mandated Service Description* If this agenda checklist describes a mandated service or other function, please describe here.

ORS 294.100: It is unlawful for any public official to spend money in excess of the amounts provided by law, or for any different purpose.

ORS 294.338: It is unlawful to expend money unless authorized by Local Budget Law.

ORS 294.456(6): After the governing body has enacted the resolutions necessary to adopt the budget as required, an expenditure of public money may not be made for any purpose in an amount greater than the amount appropriated, except as provided in ORS 294.338 [exceptions to the budget process], 294.478 [emergency educational expenditures], 294.463 [appropriation transfers], 294.471 and 294.473 [supplemental budgets].

Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

Core Values* Select all that apply.

- Vibrant, Livable Communities
- Supportive People Resources
- High Quality Environment and Access
- Diverse Economy that Fits
- Community Resilience
- Equity for Everyone
- Health in All Actions
- N/A

Explain Core Values Selections* N/A

Focus Areas and Vision* Select all that apply.

- Community Safety
- Emergency Preparedness
- Outdoor Recreation
- Prosperous Economy
- Environment and Natural Resources
- Mobility and Transportation
- Housing and Growth
- Arts, Entertainment, Culture, and History
- Food and Agriculture
- Lifelong Learning and Education
- N/A

**Explain Focus Areas N/A
and Vision
Selection ***

Recommendations and Motions

Item Recommendations and Motions

Staff Recommendations* Financial Services staff recommends approval of Supplemental Budget 23111 as presented.

Work Session Motions* I move to ...
~~...forward this item to the May 16, 2023 board meeting for public hearing.~~

Meeting Motions* I move to ...
...adopt Resolution #R2023-007 in the matter of Supplemental Budget 23111

Attachments, Comments, and Submission

Item Comments and Attachments

Attachments

Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.

Resolution Supplemental Budget - 23111.docx	19.68KB
Supplemental Budget Packet 23111.pdf	164.88KB

Comments (optional)

If you have any questions, please call ext.6800

**Department
Approver**

RICHARD CRAGER

1.

Department Approval

Comments

Signature

Rick Crager

2.

Counsel Approval

Comments

Signature

Vance H. Cooney

2.

County Administrator Approval

Comments

Signature

Suzanne Hoffman

3.

BOC Final Approval

Comments

Signature

Amarda Makepeace

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR THE STATE OF OREGON, FOR THE COUNTY OF BENTON

In the Matter of Supplemental)
Number 23111 Amending) **RESOLUTION R2023-007**
the 2021-23 Biennium Budget.)

The details of the supplemental budget actions summarized below have been examined by staff and the Benton County Board of Commissioners.

These actions require amendments to the current biennium budget due to unforeseeable events and changes in operating conditions.

Notice concerning these actions was provided as required by law and the Board of Commissioners have conducted a public hearing as required by law.

THEREFORE, BE IT RESOLVED, that Fund and Program appropriations of the 2021-23 biennial budget are adjusted as listed below:

In the General Fund (001):

Public Safety (15) Operations is increased \$32,091

Trust Fund (805):

Trust (45) Operations is increased \$200,000

Adopted this 16th day of May, 2023.

Signed this 16th day of May, 2023.

BENTON COUNTY BOARD OF COMMISSIONERS

Pat Malone, Chair

Xanthippe Augerot, Vice Chair

Nancy Wyse, Commissioner

General Fund:

- **Public Safety Operations** – increase \$32,091
 - Funding Source:
 - Federal Homeland Security Grant
 - Increase appropriations for:
 - EOC Position Specific Training

General Fund Summary

Operations – \$32,091

Trust Fund:

- **Trust Operations** – increase \$200,000
 - Funding source:
 - Logging revenue Beazell Memorial Forest
 - Increase appropriations for:
 - Repair of roads logging roads
 - Repair concrete floor Beazell Barn

Trust Fund Summary

Operations – \$200,000

Division	Account Code	Adopted Budget	Supplemental	Revised Budget
18 - Emergency Services				
Federal Homeland Security	001-18-15-385-482410-	96,520	32,091	128,611
Transfer Capital Grant/Contribution Category Totals		96,520	32,091	128,611
Resource Totals		96,520	32,091	128,611
Training & Education	001-18-15-385-608000-	103,720	32,091	135,811
Materials & Services Category Totals		103,720	32,091	135,811
Requirement Totals		103,720	32,091	135,811
Total Division 18 Resources		274,520	32,091	306,611
Total Division 18 Requirements		1,523,735	32,091	1,555,826

Comments:

Emergency Services division received funding for an EOC Position Specific Training to be completed Spring 2023. Increase revenue by grant award amount and materials & services category for cost of training.

805 Trust Fund

Division	Account Code	Adopted Budget	Supplemental	Revised Budget
50 - Natural Areas Parks & Events				
Sales of services/supplies	805-50-45-770-431201-	77,000	200,000	277,000
Charges for Service Category Totals		77,000	200,000	277,000
Resource Totals		77,000	200,000	277,000
Materials & Supplies	805-50-45-770-601000-	18,000	50,000	68,000
Contracted Services	805-50-45-770-606000-	99,000	50,000	149,000
Materials & Services Category Totals		117,000	100,000	217,000
General Capital Outlay	805-50-45-770-780000-	-	100,000	100,000
Capital Outlay Category Totals		-	100,000	100,000
Requirement Totals		117,000	200,000	317,000
Total Division 50 Resources		368,000	200,000	568,000
Total Division 50 Requirements		368,000	200,000	568,000

Comments:

NAPE received higher than anticipated revenues due to the sale of logs. Increase Charges for Services by \$200k. Increase appropriation authority in Materials & Services and Capital Outlay for continued road work and repairs to concrete floors at Beazell Barn.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR THE STATE OF OREGON, FOR THE COUNTY OF BENTON

In the Matter of Supplemental)
Number 23111 Amending) **RESOLUTION R2023-007**
the 2021-23 Biennium Budget.)

WHEREAS, the details of the supplemental budget actions summarized below have been examined by staff and the Benton County Board of Commissioners, and;

WHEREAS, these actions require amendments to the current biennium budget due to unforeseeable events and changes in operating conditions, and;

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Adopted this 16th day of May, 2023.

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BENTON COUNTY BOARD OF COMMISSIONERS

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DEPARTMENTAL REPORTS AND REQUESTS

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 05/16/23

View [Agenda Tracker](#)

Suggested Placement * Work Session

Department * Board of Commissioners

Contact Name * Sean McGuire

Phone Extension * 0152

Meeting Attendee Name * Sean McGuire and Jen Brown

Agenda Item Details 

Item Title * Greenhouse Gas Emissions and Climate Action Plan Update for 2022

Item Involves * Check all that apply

- Appointments
- Budget
- Contract/Agreement
- Discussion and Action
- Discussion Only
- Document Recording
- Employment
- Notice of Intent
- Order/Resolution
- Ordinance/Public Hearing 1st Reading
- Ordinance/Public Hearing 2nd Reading
- Proclamation
- Project/Committee Update
- Public Comment
- Special Report
- Other

Estimated Time * 1 hour

Board/Committee Involvement * Yes No

Advertisement*

Yes

No

Page 178 of 245

Issues and Fiscal Impact

Item Issues and Description

Identified Salient Issues *

This briefing is to provide the Board of Commissioners with an update on Benton County government's 2022 greenhouse gas (GHG) emissions and progress made in the County's Climate Action Plan, in compliance with Resolution #R2018-024. The first half of the briefing will focus on the sources of our GHG emissions, including an update that staff added facilities and meters to form a more complete Inventory. The second half will showcase the County's success stories to reduce carbon emissions. Also, this past year, staff developed a Scenario Builder based on the Inventory that allows a user to input different options to meet our 2030 GHG emissions goal, which will be discussed at the end.

There is one topic that will be addressed that is new and will require discussion, which is including carbon capture as an offset to our Inventory. In 2021, the Natural Areas, Parks, and Events (NAPE) Department released their Forest Resource Stewardship Plan Update (2021-2030) Final Plan Addendum #2 that officially categorized and set aside an old growth reserve of 73 acres of Douglas Fir dominated stands within the Beazell Memorial Forest. An official document stating forests are put aside is a critical step for carbon certification. With those acres secured, NAPE and Sustainability Program (SP) staff worked together to explore opportunities to estimate carbon capture, sequestration, and/or credits to be included in the County's GHG emissions Inventory.

Staff researched and reviewed several certification options, who then shared with NAPE for consideration. In the end, staff was concerned the certification process would be challenging due to time and expenditure capacity limits. SP staff then reached out to King County, WA as they have a protocol to calculate carbon capture, which they shared with us. The calculation begins by using the US Forest Service's Center for Urban Forest Research tree carbon calculation factors to estimate carbon capture. The protocol then reduces that estimate by 40% to account for land area, environment, and land use factors. This is to ensure a very conservative number. Using this established methodology, carbon capture of the 73 acres is 52.2 metric tons of carbon.

Options *

N/A

Fiscal Impact *

- Yes
 No

2040 Thriving Communities Initiative

Mandated Service? * Yes No

2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

To review the initiative, visit the website [HERE](#).

Mandated Service Description * If this agenda checklist describes a mandated service or other function, please describe here.
Pursuant to Board of Commissioners Resolution #R2018-024.

Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

Core Values * Select all that apply.
 Vibrant, Livable Communities
 Supportive People Resources
 High Quality Environment and Access
 Diverse Economy that Fits
 Community Resilience
 Equity for Everyone
 Health in All Actions
 N/A

Explain Core Values Selections * Climate change affects almost all elements of our communities. The County calculates GHG emissions and takes action to reduce impacts from climate change.

Focus Areas and Vision * Select all that apply.
 Community Safety
 Emergency Preparedness
 Outdoor Recreation
 Prosperous Economy
 Environment and Natural Resources
 Mobility and Transportation
 Housing and Growth
 Arts, Entertainment, Culture, and History
 Food and Agriculture
 Lifelong Learning and Education
 N/A

Explain Focus Areas and Vision Selection * Climate change affects almost all elements of our communities. The County calculates GHG emissions and takes action to reduce impacts from climate change.

Recommendations and Motions

Item Recommendations and Motions

Staff N/A
Recommendations*

Work Session I move to ...
Motions* N/A

Attachments, Comments, and Submission

Item Comments and Attachments

Attachments

Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.

BC_Addendum_2_old_forest_Final_Plan_2021_Up... 1.37MB

#BOC-2023-2022GHGCAP-May16-Draft05-04-23-
Final.pdf 2.2MB

Comments (optional) If you have any questions, please call ext.6800

Department Approver SUZANNE HOFFMAN

1.

Department Approval

Comments

Signature

Suzanne Hoffman

2.

Counsel Approval

Comments

Signature

Vance H. Cooney

2.

County Administrator Approval

Comments

Signature

Suzanne Hoffman

3.

BOC Final Approval

Comments

Signature

Amarda Makepeace

Benton County Greenhouse Gas Emissions & Climate Action Plan Update

Sustainability Program
May 16, 2023



Today's Presentation

1. Review Updated Greenhouse Gas (GHG) Emissions Inventory
2. Forecasting GHG Emissions in the Coming Years
3. Showcase Success Stories & Implementing the County's Climate Action Plan (CAP)
4. Roadmap to Achieving Our GHG Emissions Reduction Goal

Benton County's GHG Reductions Goal

Benton County government will reduce its greenhouse gas emissions by 50% of 2010 levels by 2030 and be net-zero by 2050.

Major Inventory Activities from 2022-23

- Added Facility Sources to GHG Inventory
- Continued to Fine-Tune Inventory
- Calculated Carbon Capture at Beazell Forest as an Offset
- Developed Scenario Builder to Identify Options to Achieve County's GHG Emissions Reduction Goal

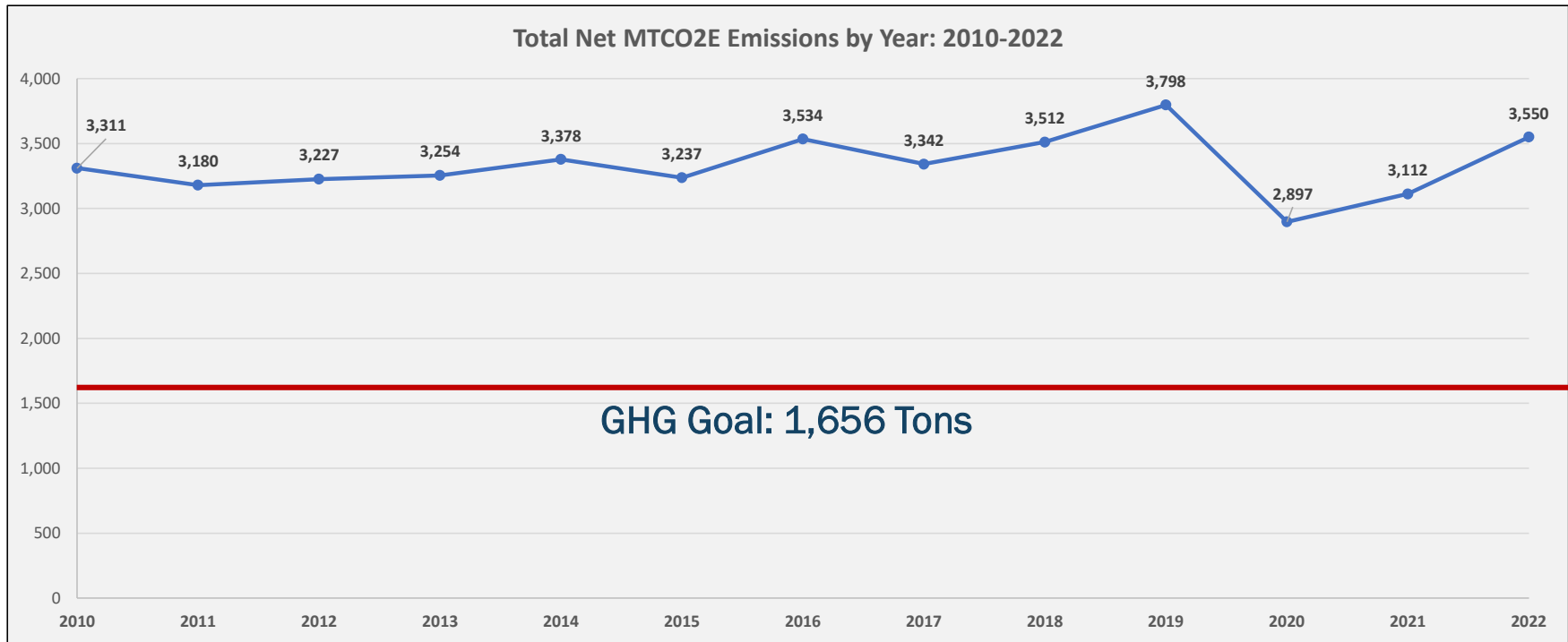
GHG Emissions Inventory – Methodologies

- **Benton County Government**
- **Tracked Annually from 2010**
- **Current Sources**
 - ↳ Utilities: Electricity, Fleet Fuel, Natural Gas, Waste, & Water
 - ↳ Refrigerants
 - ↳ Staff Commuting
- **New Sources & Solar Generation**
 - ↳ Kalapuya (now fully occupied)
 - ↳ Solar Arrays at Five Facilities

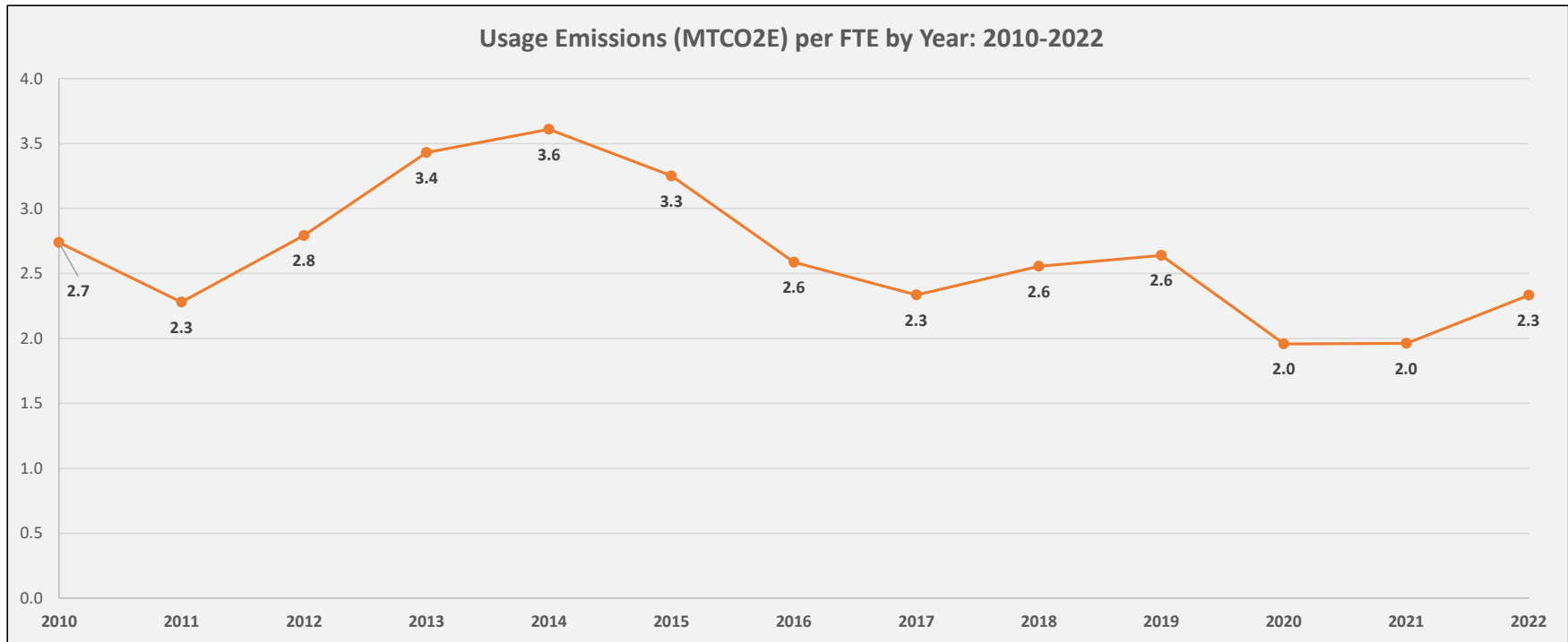
GHG Emissions Inventory – Equation

Total Usage Emissions:	3,906
- Electricity Generation	- 180
- Offsets	- 176
<hr/>	
Total Net Emissions:	3,550

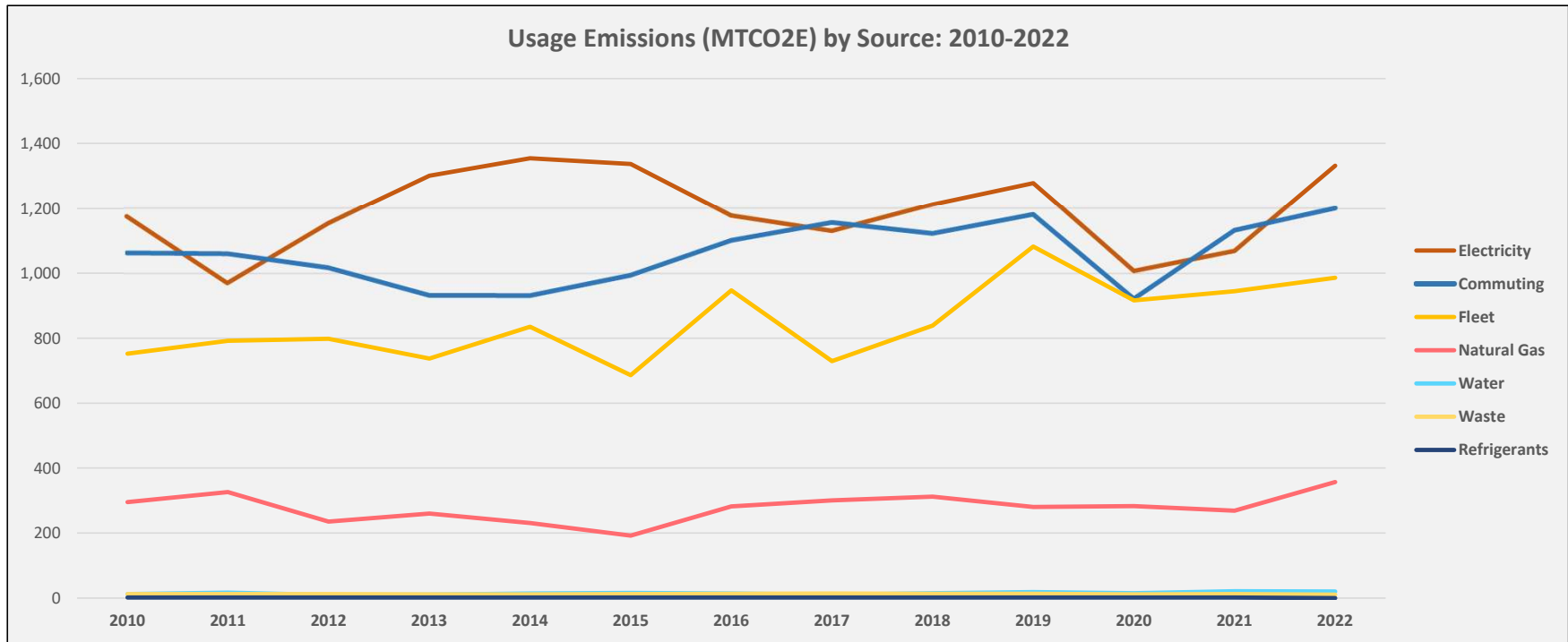
Total Net GHG Emissions from Gov't



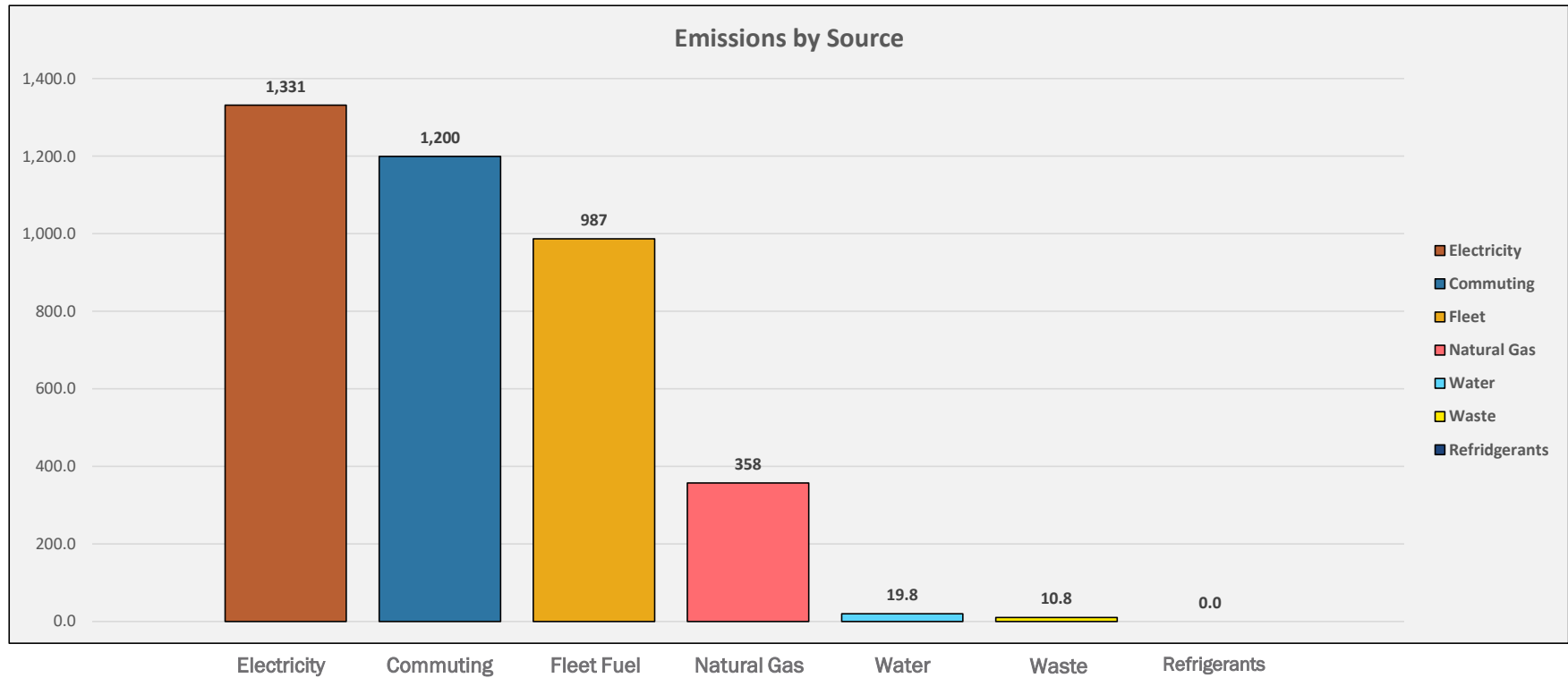
Usage Emissions per FTE



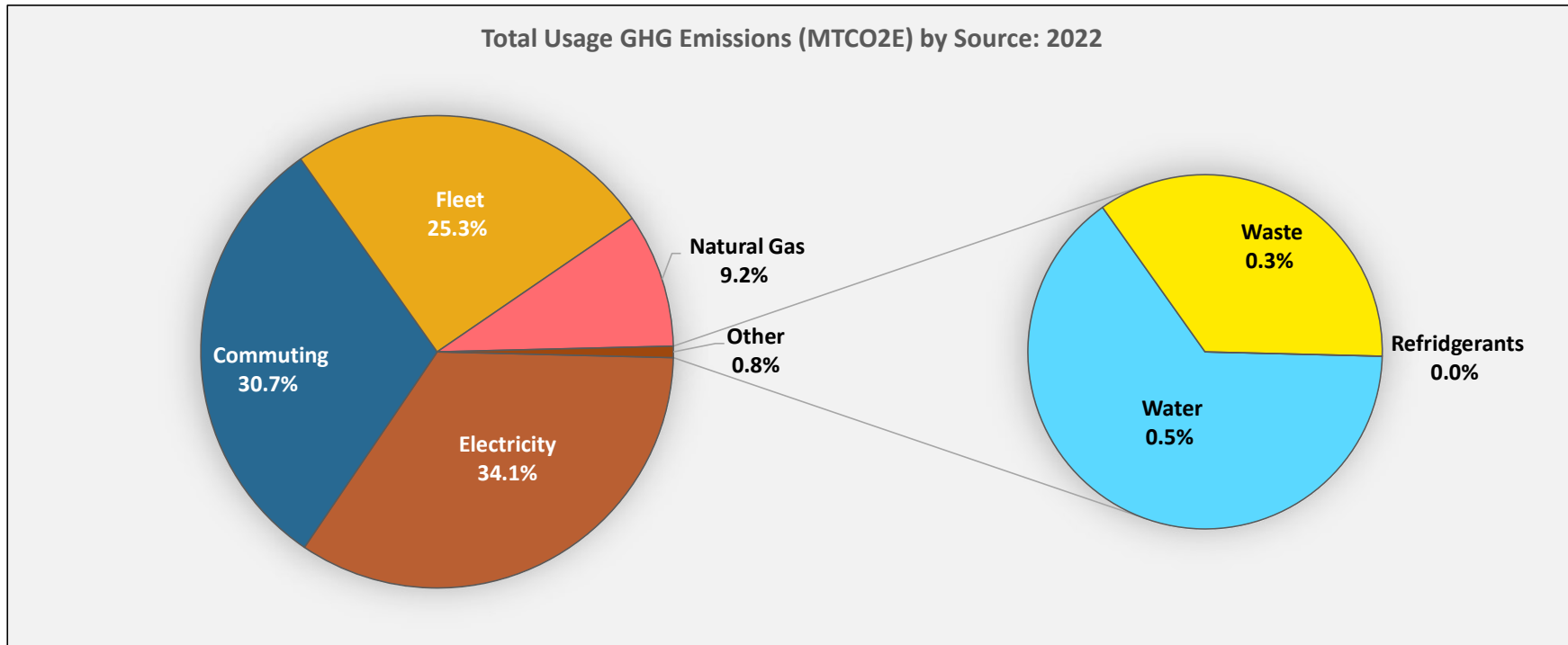
Usage Emissions by Source 2010-2022



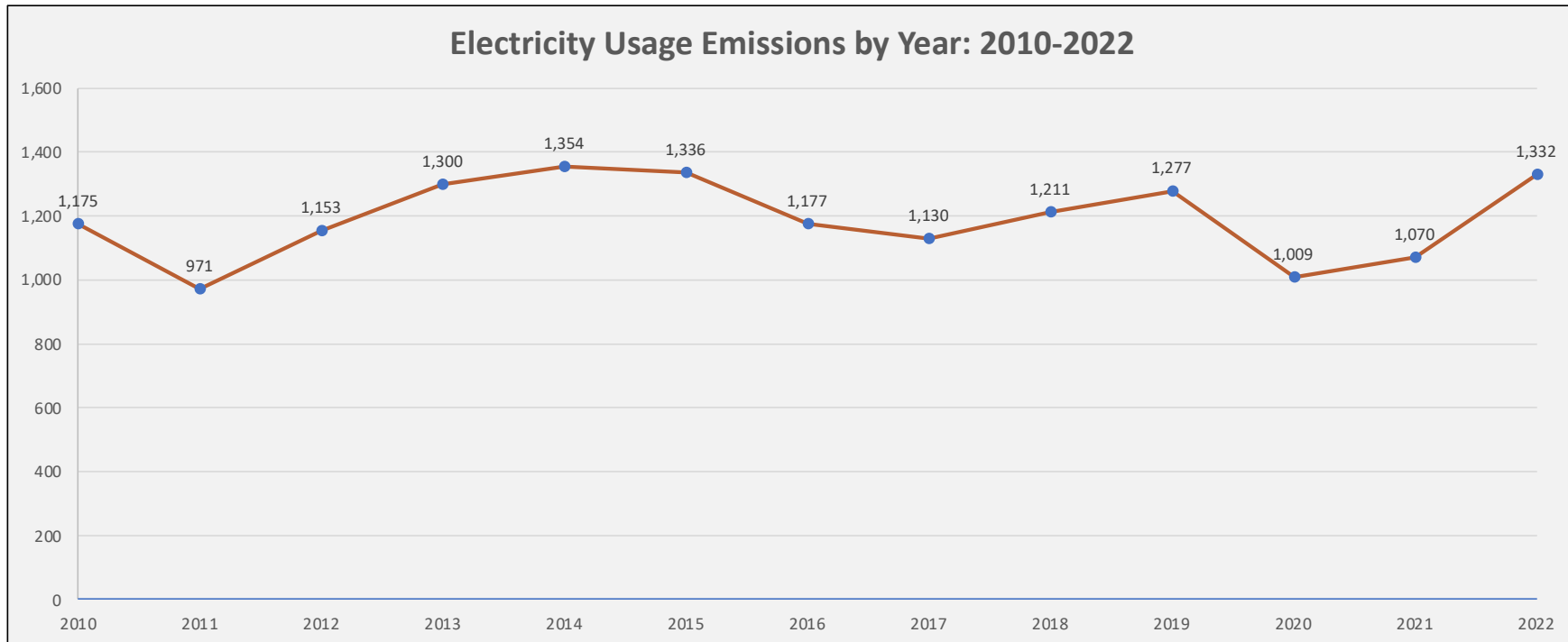
Usage Emissions by Source in 2022



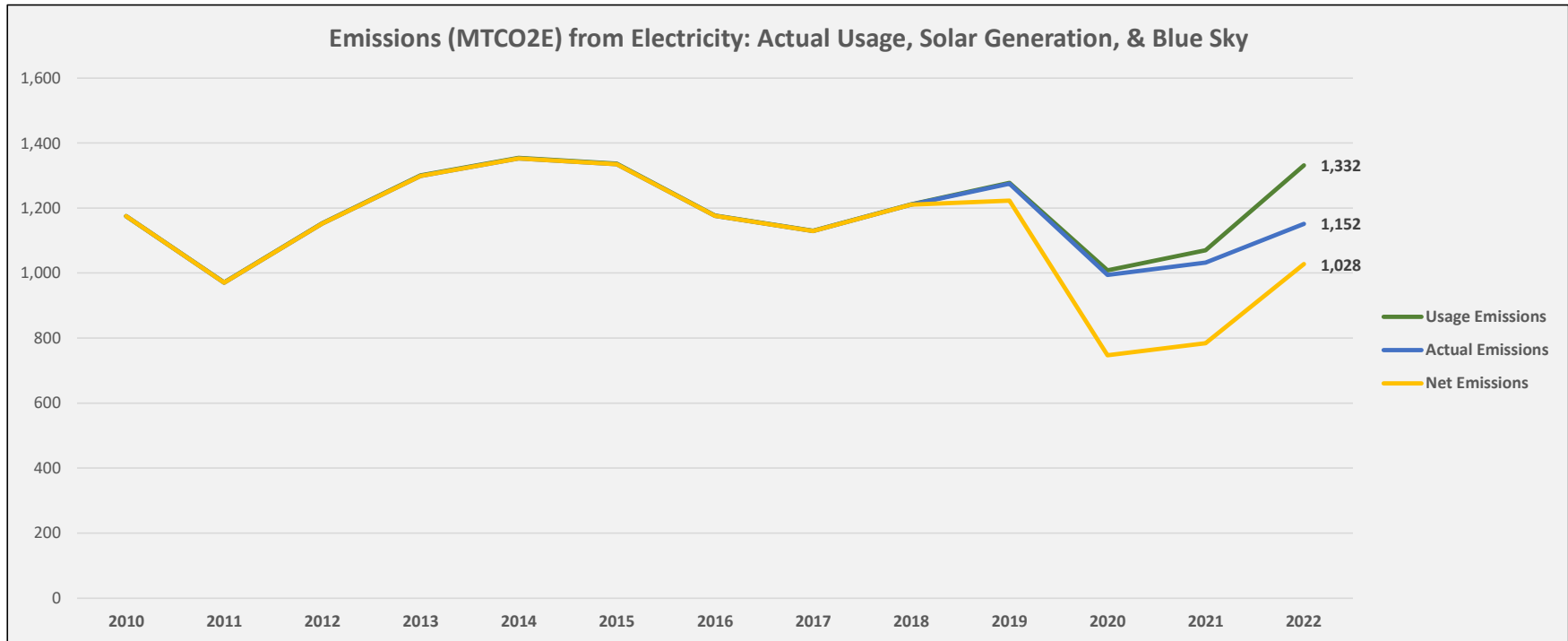
Usage Emissions by Source in 2022



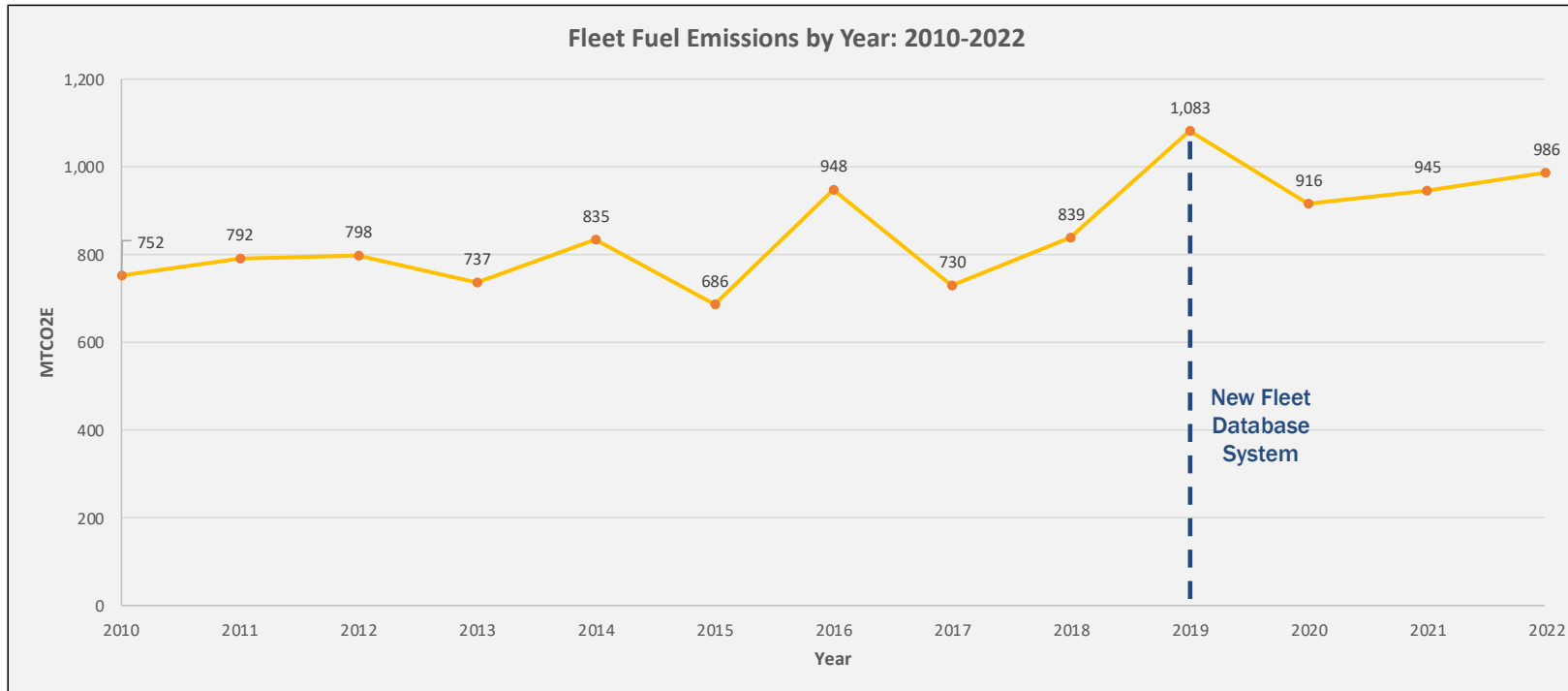
Electricity: Usage



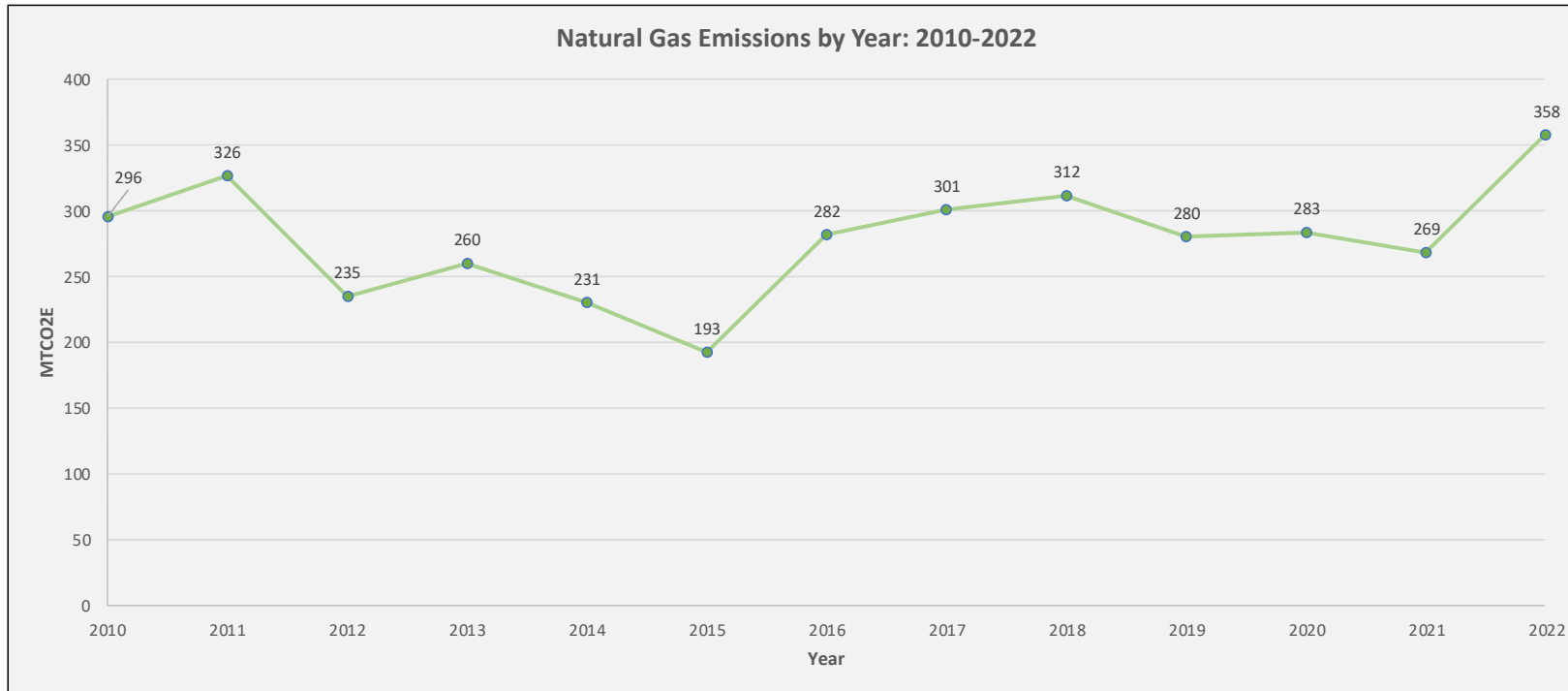
Electricity: Usage vs. Net



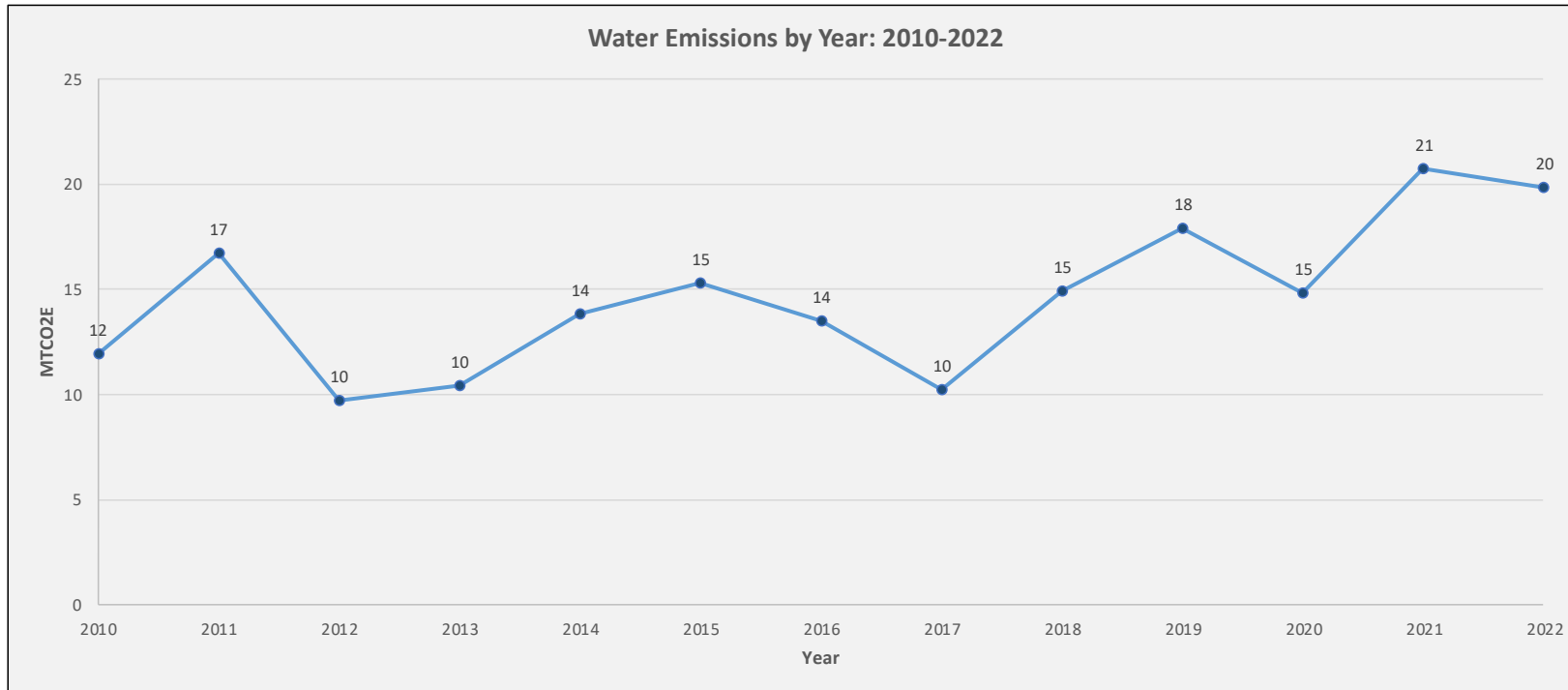
Fleet Fuel



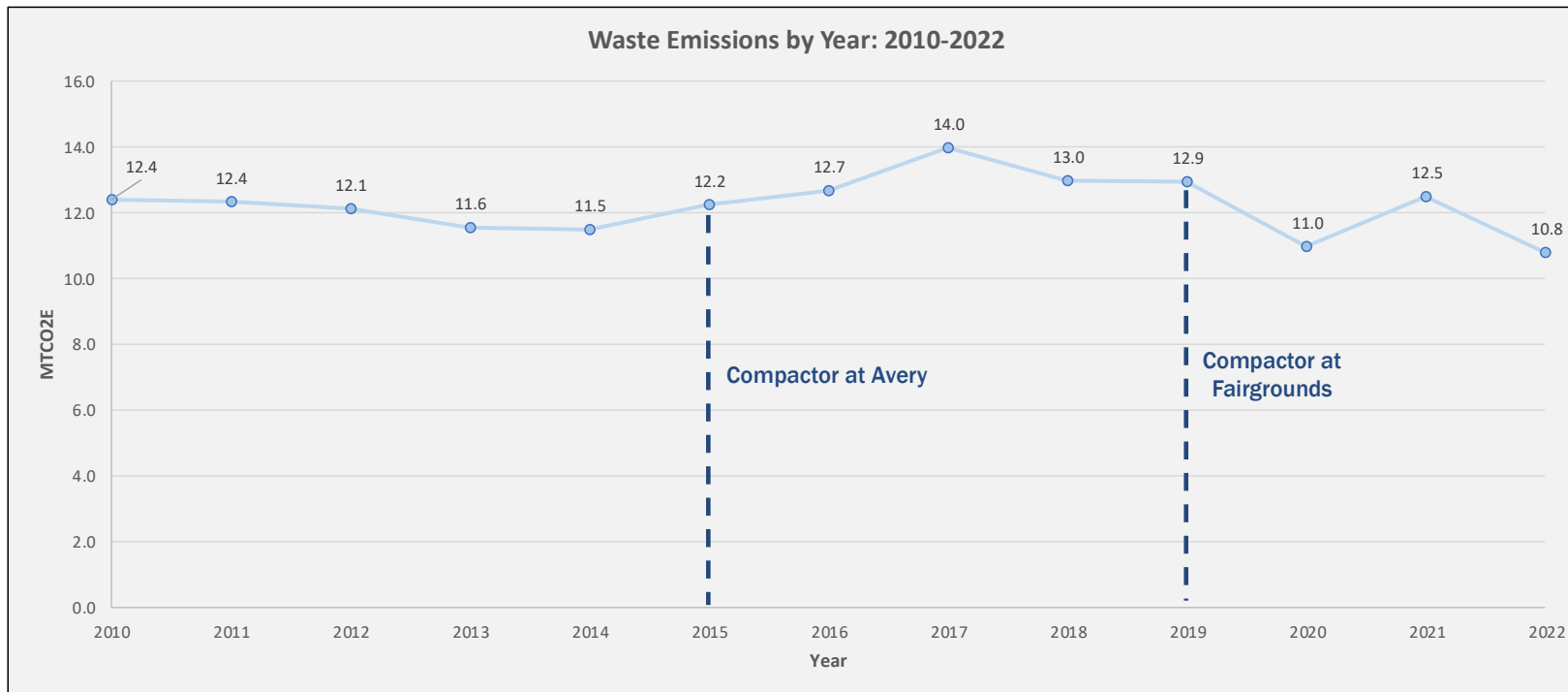
Natural Gas



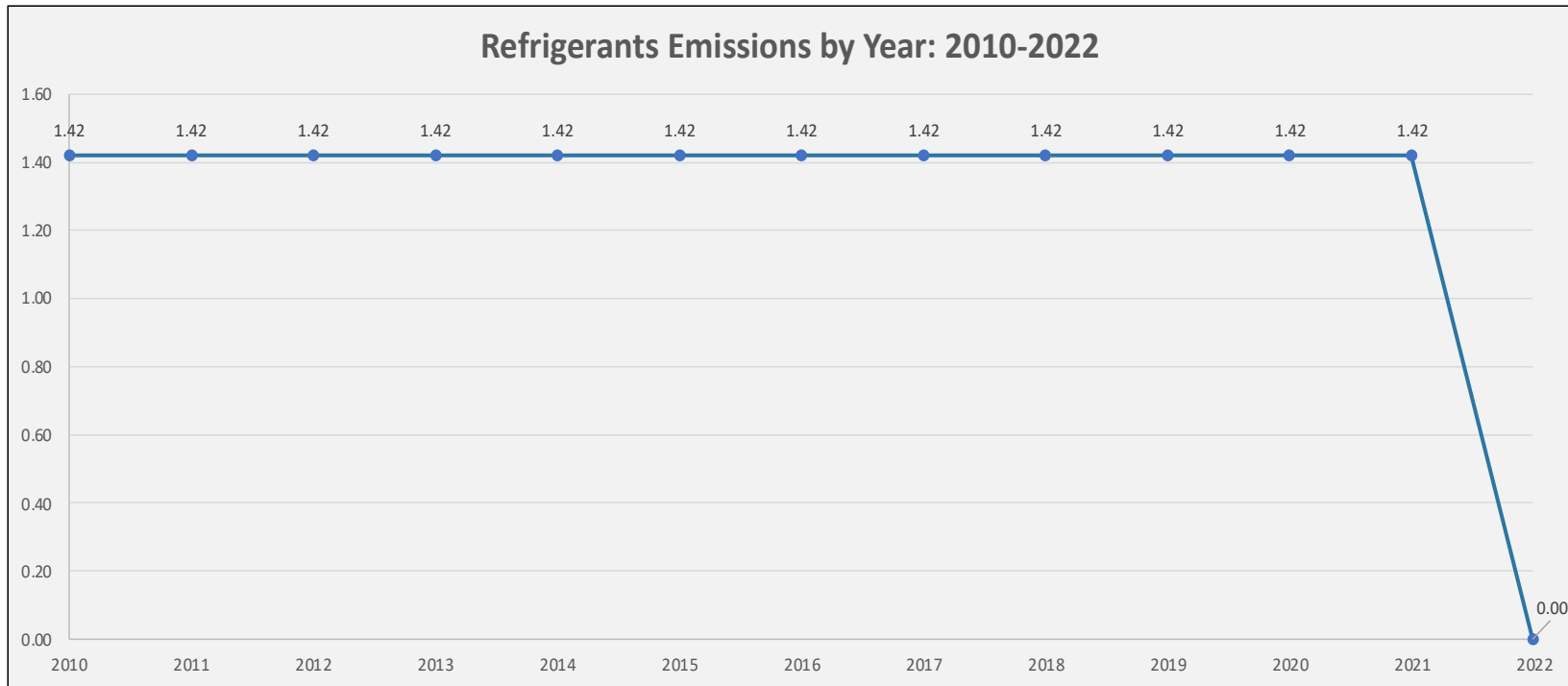
Water



Landfilled Waste



Refrigerants

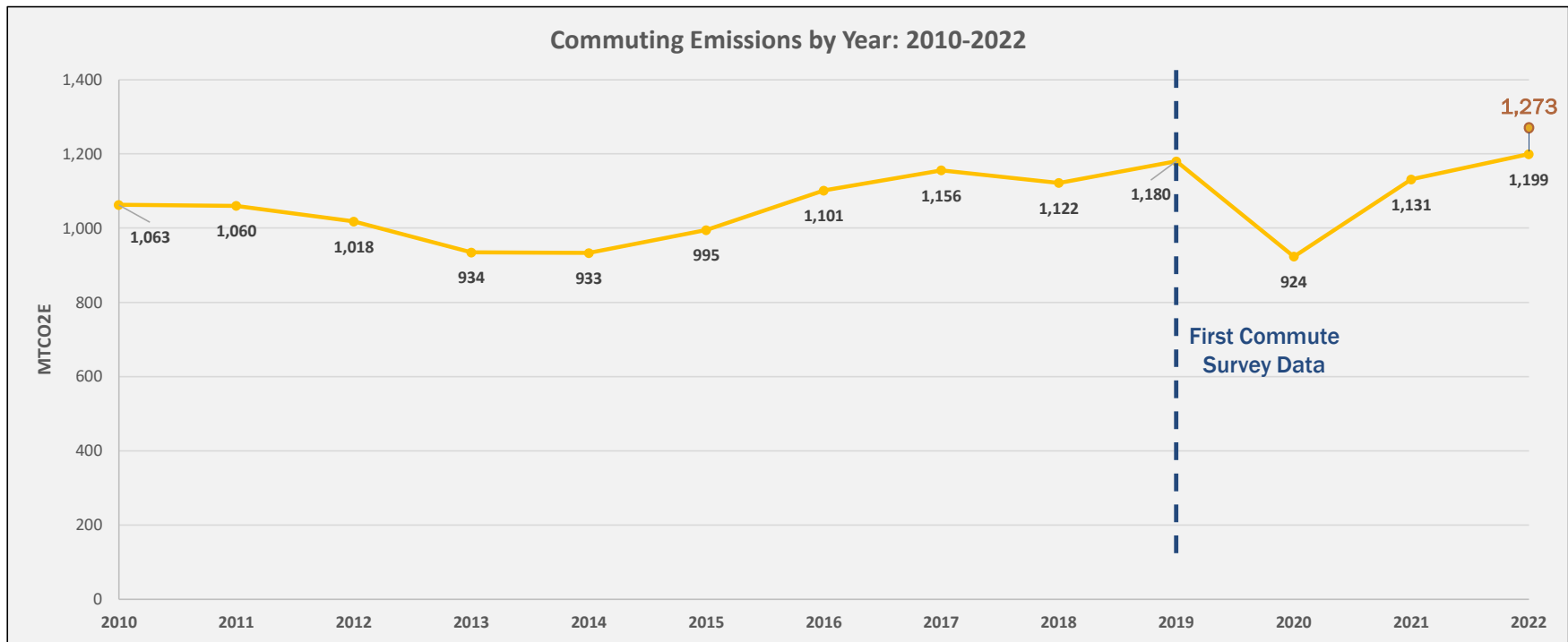


Commuting

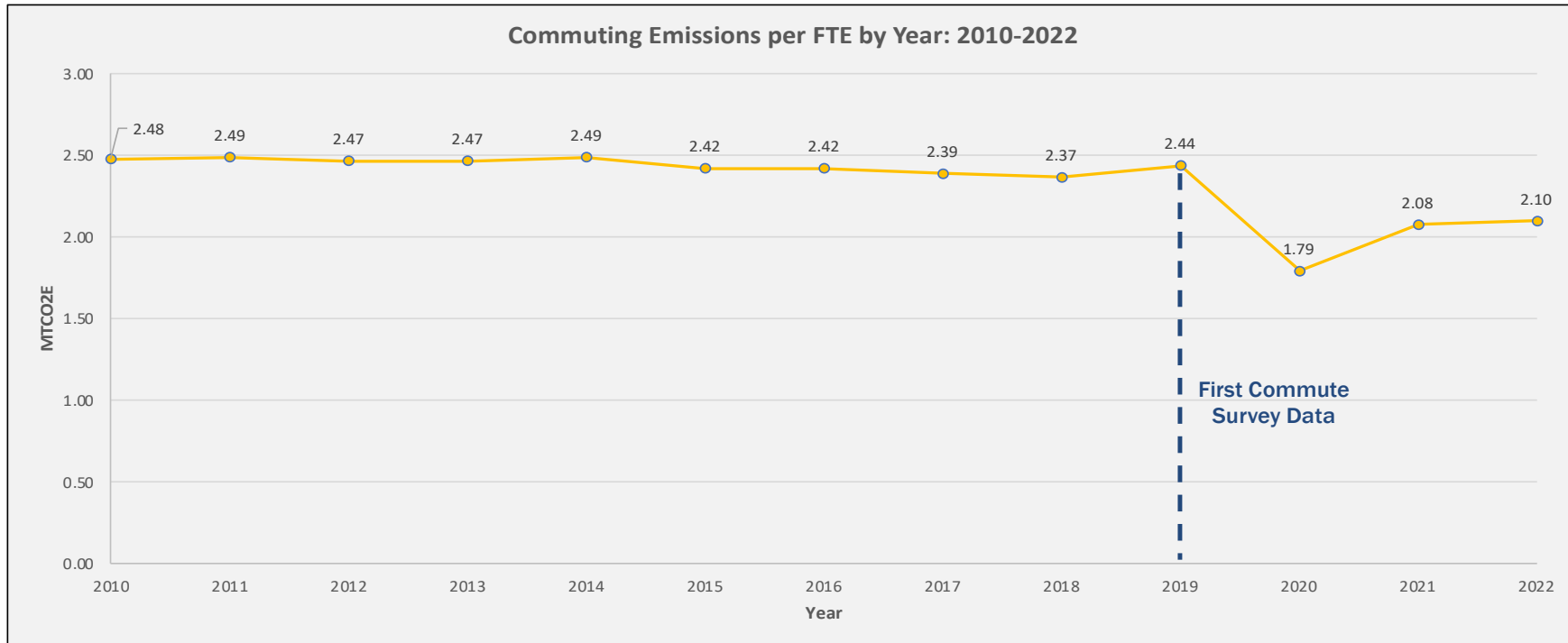
- Methodology

- ↳ Based on staff surveys beginning in January 2021 to gauge typical commuting activities before and during COVID
- ↳ Respondent data of practices pre-COVID backcasted to 2010
- ↳ Assume non-respondents drive average commute mileage for five days a week
- ↳ Began capturing hybrid and electric vehicles for 2021 data

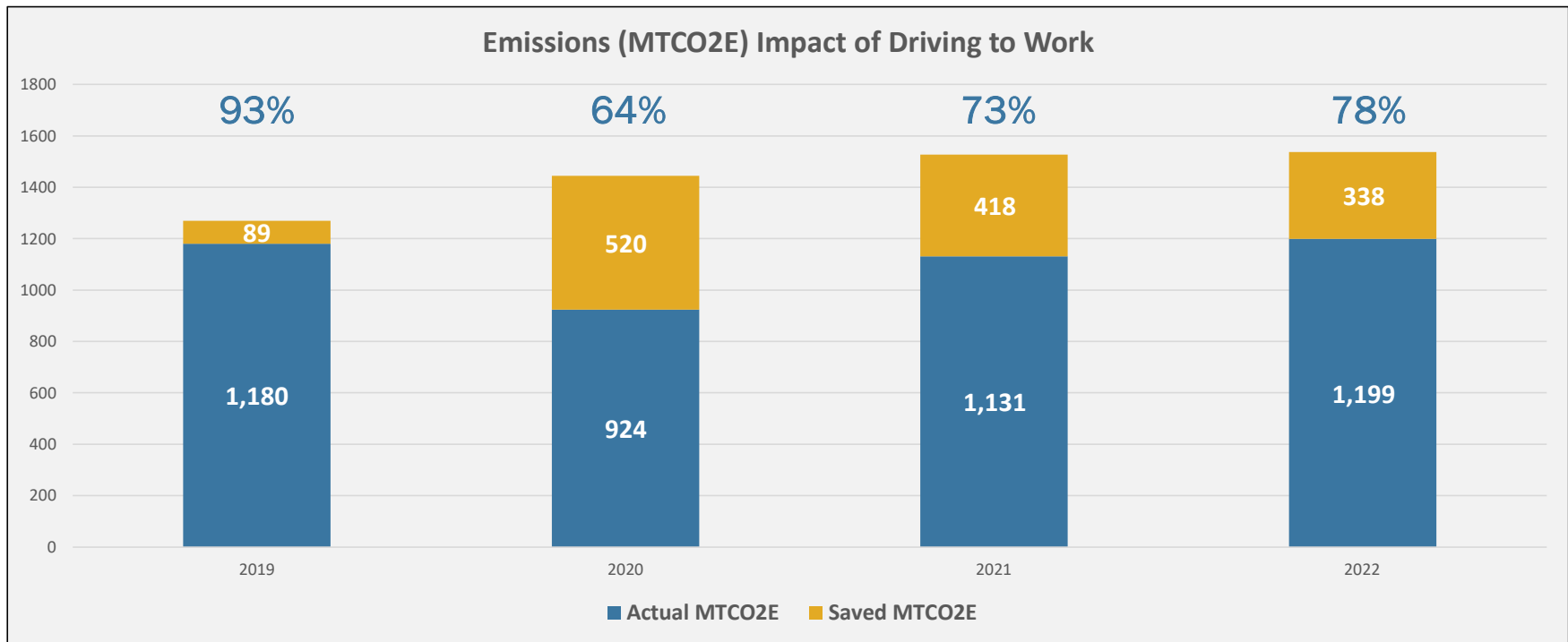
Commuting: Total Emissions



Commuting: Emissions per FTE



Commuting



Percent of Workdays Staff are Driving to Work



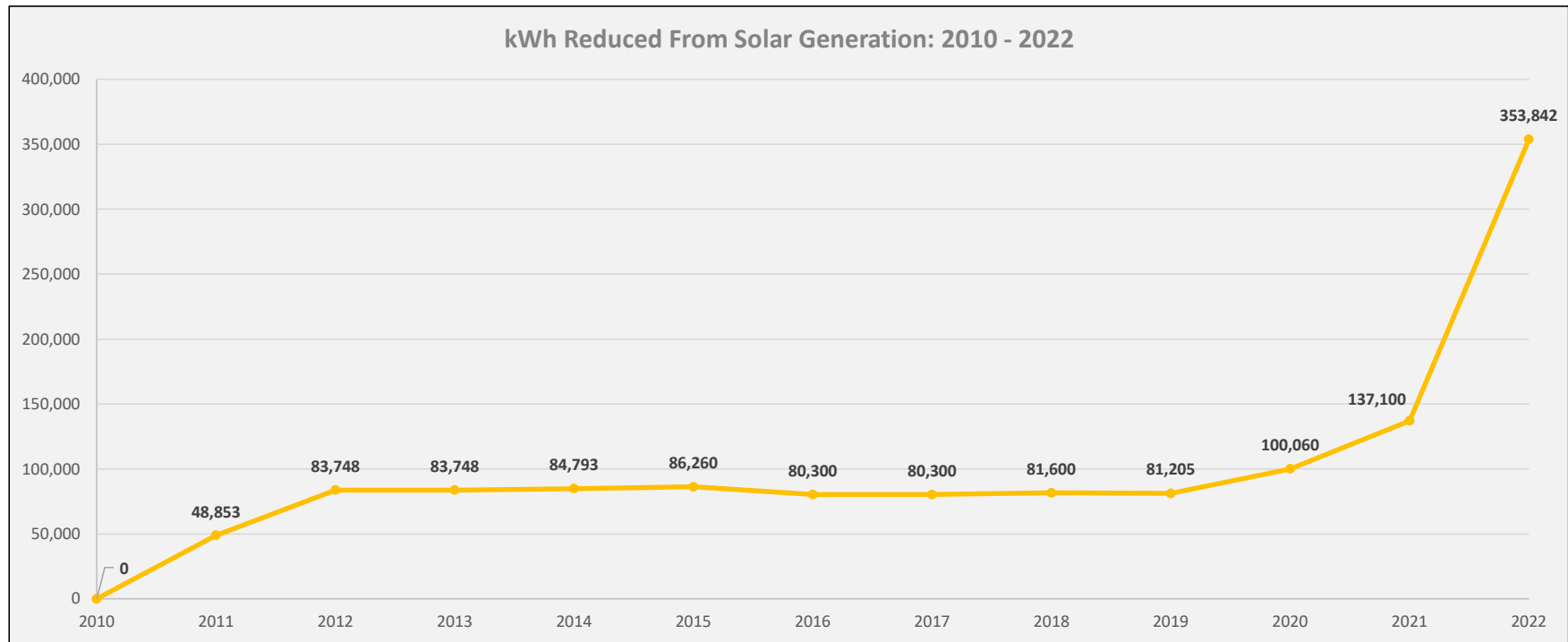
Carbon Capture on County Lands

Methodology

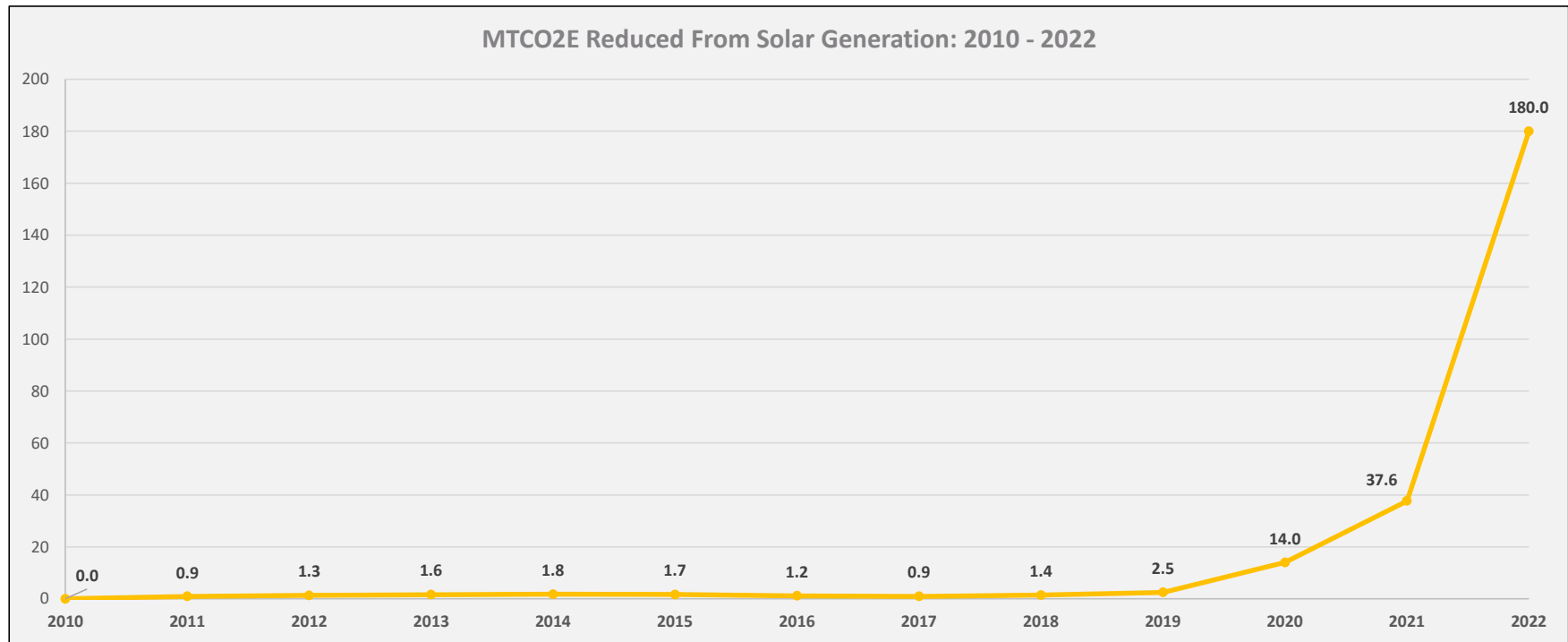
- 73 acres of old growth forests at Beazell Memorial Forest officially set aside by NAPE in 2021
- 3rd party certification is not currently tenable due to staff & cost capacity
- Carbon storage offset calculations based on King County, WA methodology
- Very conservative approach
 - ↳ 40% reduction of initial estimate due to land area, environmental, and land use factors
- Captures 52 tons/year



Achieve Our Goal: Generation



Achieve Our Goal: Generation



Forecasting Facilities' GHG Emissions

- Changing Facilities in the Near Future
 - ↳ Adding: Crisis Center, Courthouse, & District Attorney's Office
 - ↳ Proposed: Correctional Facility, Sheriff's Office, & Emergency Operations Center
 - ↳ To Be Determined: Former BOC Office, Current Law Enforcement Building, & Potentially Others
- Current Solar Generation & Future Purchasing of Clean Energy



What's Next for the GHG Inventory

- Expand Scenario Builder
- Continue Fine-Tuning
- Explore Adding Sources:
 - ↳ Reimbursed Travel Miles
 - ↳ Non-Fleet Travel
 - ↳ Purchasing/Consumption

Taking Action

1. Climate Action Plan
2. CAP Progress
3. Pathways to our Goal
4. Next Steps

Benton County's Climate Action Plan



BENTON COUNTY CLIMATE ACTION PLAN		EMISSIONS IN TONS OF CO ₂ E
		2010
Goal: Reduce emissions from County operations to 50% of 2010 levels by 2030; be net-zero by 2050		2,230
FLEET/FUEL	Potential Actions/ Next Steps	768
Objective 1: REDUCE CARBON EMISSIONS OF FLEET/FUEL		
STRATEGY 1: Use renewable and/or lowest carbon fuels feasible	<ul style="list-style-type: none"> Complete carbon/energy cost accounting prior to purchase of fuel source vehicles and/or new fuel sources Adopt use of most fuel-efficient vehicles first 	
STRATEGY 2: Transition to electric fleet	<ul style="list-style-type: none"> Develop and adopt Fleet Policy that sets electric and hybrid vehicles as default Conduct life-cycle cost accounting prior to purchase of vehicles Purchase alternative-fueled vehicles as equipment comes up for replacement Install electric vehicle charging stations 	
STRATEGY 3: Purchase most fuel efficient vehicles as equipment comes up for replacement	<ul style="list-style-type: none"> Assess fuel efficiency and duty cycle of current fleet 	
STRATEGY 4: Maintain fleet to limit emissions	<ul style="list-style-type: none"> Adopt and implement Preventative Maintenance Program 	
Objective 2: REDUCE MILES DRIVEN		
STRATEGY 1: Set goals/targets for reduction of miles driven	<ul style="list-style-type: none"> Conduct Annual Reviews of Fleet Use by Department Develop process for capturing mileage from personal car use 	
STRATEGY 2: Utilize online meeting platforms in place of in-person meetings	<ul style="list-style-type: none"> Ensure all staff have video-conferencing capability Adopt online format as default for meetings and trainings Develop telework policy 	
STRATEGY 3: Increase access to and use of alternative transportation by County staff	<ul style="list-style-type: none"> Install bike fleets, electric bikes and electric mini-fleets where feasible Add "carpooling with others" to fleet check-out system Develop tool to coordinate with partners to travel to 	
STRATEGY 4: Coordinate meetings to reduce frequency of travel by staff to facilities	<ul style="list-style-type: none"> Develop tool and process for scheduling efficiently, e.g. meeting calendar 	
STRATEGY 5: Implement No Idling Policy	<ul style="list-style-type: none"> Develop No Idling Policy for inclusion in Fleet Policy manual; inform and train departments 	
EMPLOYEE COMMUTE		
Objective: REDUCE COMMUTE MILES DRIVEN		
STRATEGY 1: Set targets for reduction of total commute miles	<ul style="list-style-type: none"> Conduct annual employee commute survey Add commute tracking to annual inventory 	
STRATEGY 2: Develop policies and actions to reduce employee commute miles driven	<ul style="list-style-type: none"> Explore and advance actions to reduce commute miles driven, including: <ul style="list-style-type: none"> Develop Telework policy Increase in teleworking days and/or consider telework minimums Explore carpool matching service for County staff Pick up/drop off service to high density neighborhoods Park-in-Pides for staff Create incentives for alternative commutings transit Increase flexible work scheduling, e.g. 4:10's Develop training for remote supervision best practices Make bikes and electric bikes available to staff 	
ELECTRICITY & NATURAL GAS		
Objective 1: TRANSITION TO RENEWABLE ENERGY		
STRATEGY 1: Install renewable energy on all applicable facilities and grounds	<ul style="list-style-type: none"> Analyze opportunities to install renewable energy and advance renewable energy projects at County facilities Research potential for large-scale community solar or wind; solar on fleet cars; other alternative renewable energy installations 	
STRATEGY 2: Replace gas appliances/furnaces with electric where possible	<ul style="list-style-type: none"> Track gas appliances/furnaces Identify electric replacement options Secure EOC commitment to fund carbon offsets outside of departmental operating budgets 	
STRATEGY 3: Purchase energy offsets (electricity/gas)	<ul style="list-style-type: none"> Track total electricity used compared to renewable energy generated; Make recommendation per biennium Research gas offsets; Make recommendation per biennium Investigate purchase of bulk PFCs with other jurisdictions or Department of Administrative Services 	
Objective 2: REDUCE ENERGY CONSUMPTION		
STRATEGY 1: Establish specific energy reduction goal Countywide (electricity, natural gas, etc.)	<ul style="list-style-type: none"> Conduct resource audits to identify efficiency upgrades & improvements 	
STRATEGY 2: Install energy efficiency upgrades at each facility	<ul style="list-style-type: none"> Develop Action Plan for each facility. Explore: <ul style="list-style-type: none"> Cool roofs Weatherization Motion activated light sensors in meeting rooms and common spaces Photocells with microwave sensors for lights and toilets in parks Install no-heat hand dryers in place of heating units 	
STRATEGY 3: Require all new or renovated facilities to exceed energy code	<ul style="list-style-type: none"> Develop policy/processes to include energy saving requirements early in project development Consider long-term resource savings in budgeting decisions Recommend policy requiring energy commissioning 	
STRATEGY 4: Reduce energy use through settings, technology updates and conservation actions	<ul style="list-style-type: none"> Limit energy use through control of systems to lowest energy use possible, include operations and notifications of staff equipment (Facilities) Research and assess facilities for benefits of: <ul style="list-style-type: none"> Increased tree shading passive solar on windows reduction of impervious surfaces high-albedo roof coating 	
STRATEGY 5: Increase use of passive heating and cooling techniques at facilities.		

WATER		Potential Actions/ Next Steps	g
Objective: REDUCE WATER USE			
STRATEGY 1: Establish specific water reduction goals	<ul style="list-style-type: none"> Conduct water audits to assess water usage of facilities and grounds Develop water conservation action items 		
STRATEGY 2: Minimize outdoor water use (landscaping, etc)	<ul style="list-style-type: none"> Assess current procedures Develop policy/process as needed, eg. consider allowing grass to go brown, mulching practices, etc Use native and drought tolerant species in all landscaping at County facilities Assess landscaping sprinklers; repair/redirect watering as needed Consider rainwater capture and/or brown water for irrigation 		
STRATEGY 3: Minimize indoor water use (restrooms, etc)	<ul style="list-style-type: none"> Assess current procedures Develop policy/process as needed Install low-flow fixtures in restrooms and breakrooms Install aerators on faucets 		
WASTE			
Objective: REDUCE LANDFILL WASTE			
STRATEGY 1: Reduce resource use	<ul style="list-style-type: none"> Assess resource use in departments; develop and implement reduction actions by department and/or function Implement processes that reduce use of single-use disposable items such as water bottles, paper plates, plastic tableware. E.g. install dishwashers where possible Limit purchases of single-use, disposable items Consider policies to reduce resource use, ie. restrict single use items, restrict personal printers from offices Replace print with electronic functions where possible, eg. online personal property tax payments, e-permitting, EHR Set printer defaults to double side Restrict printed copies of forms, brochures, etc on display in physical spaces- print by request only Limit plastic bag use; e.g. use liner-less sanitation cans 		
STRATEGY 2: Reuse, Recycle, Compost waste materials wherever possible	<ul style="list-style-type: none"> Assess waste generated by department and/or function Develop waste reduction action plans for major sources of waste based on waste hierarchy of "reduce, reuse, recycle" Ensure waste and recycling collection bins are co-located and well signed Limit purchases of single-use, disposable items 		
STRATEGY 3: Require County-funded construction projects to enforce a deconstruction/material waste			
PURCHASING/CONSUMPTION			
Objective: REDUCE UPSTREAM IMPACTS FROM PURCHASING			
STRATEGY 1: Establish procurement policy and process that considers the entire life cycle of products	<ul style="list-style-type: none"> Develop sustainable purchasing policy and process Purchase products and services that limit the environmental impacts of County purchases. Consider purchasing used instead of new Start review and internal control will ensure that limited waste of resources will occur that utilize energy (travel, resources, energy) 		
STRATEGY 2: Provide internal financial controls to grant review prior to proposal submission			
MULTI-SOURCE			
Objective: REDUCE UPSTREAM IMPACTS FROM PURCHASING			
STRATEGY 1: Require all new or renovated facilities to meet LEED Silver standard or equivalent	<ul style="list-style-type: none"> Develop policy and checklists Create tools to facilitate staff adoption of policies and procedures Include Sustainability Orientation & Education in onboarding process for new hires & training for staff Develop Sustainability Training modules and training timeline for all staff Prepare communications plan to engage/educate staff Develop guides for Sustainable Purchasing 		
STRATEGY 2: Provide continuous staff education/engagement on goals, policies, procedures and actions			
STRATEGY 3: Incorporate sustainability tasks and/or responsibilities into scopes of work	<ul style="list-style-type: none"> Develop template language for use in annual scope of work, annual review, and goals Develop performance based indicators for staff 		
STRATEGY 4: Establish & maintain resource use tracking process and platform that integrates web and trend data visualization			
CARBON SEQUESTRATION			
Objective: INCREASE CAPTURE AND STORAGE OF CARBON			
STRATEGY 1: Use County lands to capture and store carbon	<ul style="list-style-type: none"> Calculate value of natural areas as carbon sequestration bank Evaluate potential to increase carbon sequestration on County lands Explore landscaping actions to capture, ie, not using gas Identify current carbon markets and ability to utilize within NACAP conservation programs. 		
STRATEGY 2: Explore using County lands for carbon markets			

CAP: Sources and Objectives

BENTON COUNTY CLIMATE ACTION PLAN		EMISSIONS IN MTCO2E	
		CY2010	CY2022
Goal: Reduce emissions from County operations to 50% of 2010 levels by 2030; be net-zero by 2050		3,331	3,550
FLEET/FUEL		752	986.5
Objective 1: REDUCE CARBON EMISSIONS OF FLEET/FUEL			
Objective 2: REDUCE MILES DRIVEN			
EMPLOYEE COMMUTE		1,096	1199.5
Objective: REDUCE COMMUTE MILES DRIVEN			
ELECTRICITY & NATURAL GAS		1,449	1385.7
Objective 1: TRANSITION TO RENEWABLE ENERGY			
Objective 2: REDUCE ENERGY CONSUMPTION			
WATER		12	19.8
Objective: REDUCE WATER USE			
WASTE		12.4	10.8
Objective: REDUCE LANDFILLED WASTE			
PURCHASING/CONSUMPTION			
Objective: REDUCE UPSTREAM IMPACTS FROM PURCHASING			
MULTI-SOURCE			
CARBON SEQUESTRATION			-52.0
Objective: INCREASE CAPTURE AND STORAGE OF CARBON			



CAP: Strategies

BENTON COUNTY CLIMATE ACTION PLAN	EMISSIONS IN MTCO2E	
	CY2010	CY2022
	3,331	3,550
ELECTRICITY & NATURAL GAS	1,449	1,386
Objective 1: TRANSITION TO RENEWABLE ENERGY		
STRATEGY 1: Install renewable energy on all applicable facilities and grounds		
STRATEGY 2: Replace gas appliances/furnaces with electric where possible		
STRATEGY 3: Purchase energy offsets (electric/gas)		
Objective 2: REDUCE ENERGY CONSUMPTION		
STRATEGY 1: Establish specific energy reduction goal Countywide		
STRATEGY 2: Install energy efficiency upgrades at each facility		
STRATEGY 3: Require all new or renovated facilities to exceed energy code		
STRATEGY 4: Reduce energy use through settings, technology updates and conservation actions		
STRATEGY 5: Increase use of passive heating and cooling techniques at facilities		

Climate Actions: Fleet/Fuel

Objective 1: REDUCE EMISSIONS FROM FUEL & FLEET

- Preventative Maintenance and Fleet Replacement Programs
- R99 diesel fuel
- 8 hybrids **+1 hybrid; +1-3 hybrids in 2023**
- 1 electric pick-up (ordered 2022)
- Electric Buses for BAT
- EV Charging Stations
- Fleet Policy & Guidelines Manual

Objective 2: REDUCE MILES DRIVEN

- FASTR Fleet Management Software
- Annual review of fleet use by departments
- Virtual Meetings
- **Capture mileage from personal vehicles used for work travel**
- Virtual property assessments

GREY=Prior Actions
DARK BLUE=2022 Actions
LIGHT BLUE=Planned Actions

Climate Actions: Employee Commute

Objective 1: REDUCE COMMUTE MILES DRIVEN

- Annual Employee Commute Survey
- Emissions from employee commute added to GHG Inventory
- **Official Telework Policy**
- Department goals: Health, Records & Elections

GREY=Prior Actions
DARK BLUE=2022 Actions
LIGHT BLUE=Planned Actions

Climate Actions: Energy

Objective 1: REDUCE ENERGY CONSUMPTION

- **Lighting Upgrades** - Avery, BOC, Fairgrounds, HSB, Humphrey-Hoyer, LEB, Lincoln, Sunset, Parks, **Kalapuya, Courthouse**, complete Countywide transition to LEDs
- **Control Systems Upgrades** - Avery, Courthouse, **LEB, Lincoln Clinic, Sunset**
- **HVAC Replacements** - Avery, HSB, Kalapuya, LEB, Lincoln, Sunset, **Humphrey-Hoyer, Jail**
- **Roof Replacement** - LEB
- **Other**– No Beazell rentals in winter

GREY=Prior Actions
DARK BLUE=2022 Actions
LIGHT BLUE=Planned Actions

Objective 2: TRANSITION TO RENEWABLE ENERGY

- Pacific Power Blue Sky purchases (8% of total usage, 124 MTCO₂e saved)
- Solar arrays on 5 County facilities (14% of total, 180 MTCO₂e saved)
- Oregon Community Solar Program subscription

Solar Arrays on County Buildings



Fairgrounds

70.4 kW

Online June 2011



HSB

20.3 kW

Online Dec 2018



Kalapuya

112 kW

Online Oct 2020



LEB

112 kW

Online Feb 2022



Lincoln

4.8 kW

Online Aug 2022

Oregon Community Solar Program

Overview of OCS

- Created in 2016 (SB 1547), launched in 2020
- Governed by Public Utilities Commission (PUC)
- Oregon Shines is the subscriber manager for OCS

How it Works

- County subscribes specific meters to the program
- Subscription fees support a portion of a solar project in Oregon
- County receives a monthly credit on the bills of the meters subscribed to the program
- Bill credit minus the subscription fee = 5% Savings

Climate Actions: Waste

Objective: REDUCE LANDFILLED WASTE

- Surplus & ReUse
- Reduce Paper Use: paperless hiring (HR), e-filing (Assessment), election envelopes (R&E)
- Battery recycling at all buildings
- Hand dryers replace paper towels at Fairgrounds, Kalapuya
- **Waste collection best practices** at Avery, Sunset, Humphry-Hoyer, **Kalapuya, all other facilities**
- **Composting** at Avery, BOC, Jail, Sunset, **Kalapuya**
- **Recycling of plastic bags/film** at Avery, Sunset, **Kalapuya**
- **Reuse of shredded paper** from Avery, Sunset, **Kalapuya**
- **Water bottle filling stations** at Avery, HSB, Kalapuya, **Sunset**
- **Furniture ReUse** at Kalapuya
- **Dishwashers** at Fairgrounds, **Kalapuya**
- **Thermoplastic Parking Lot Lines**

GREY=Prior Actions
DARK BLUE=2022 Actions
LIGHT BLUE=Planned Actions

Climate Actions: Purchasing

Objective: REDUCE UPSTREAM IMPACTS FROM PURCHASING

- Sustainable Purchasing Subcommittee
- Kalapuya Purchasing Pilot
- Procurement Policy & Practices

GREY=Prior Actions
DARK BLUE=2022 Actions
LIGHT BLUE=Planned Actions

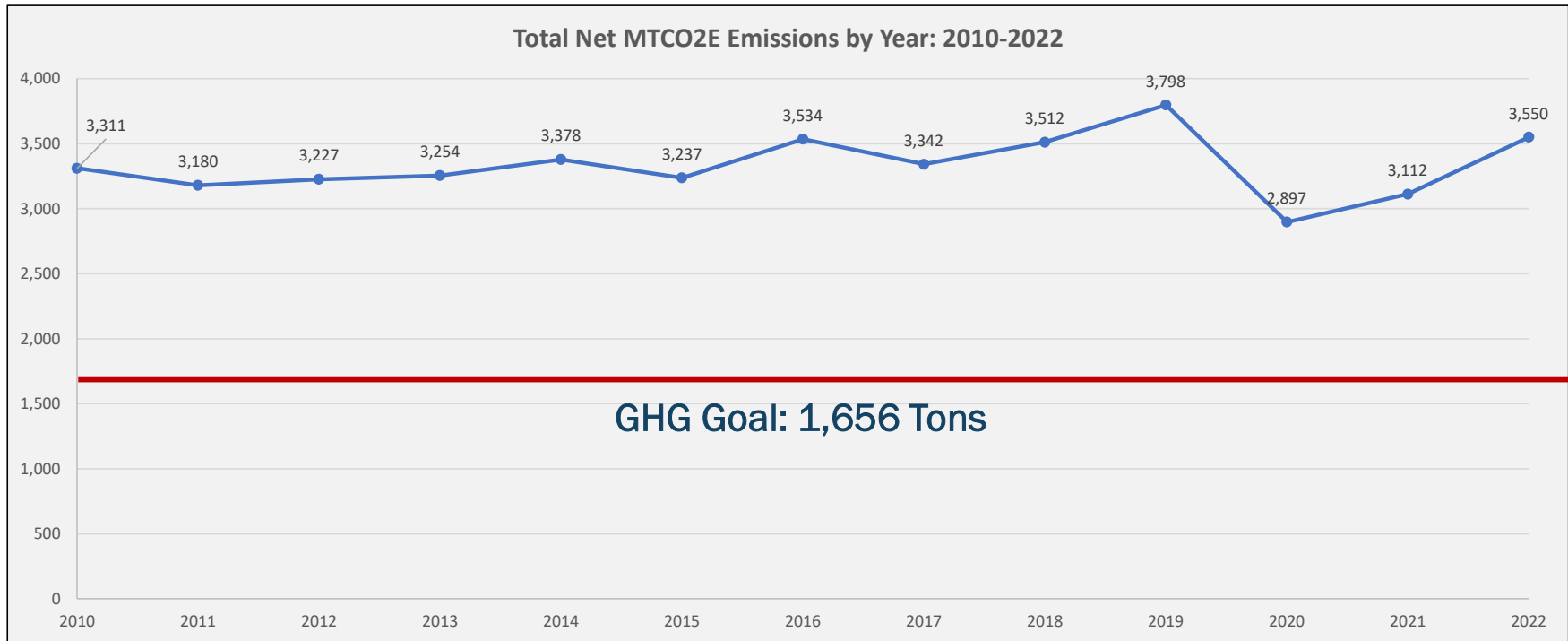
Climate Actions: Multisource

- Sustainability Resources on the BEE
- Climate Action Plan & Checklist
- **Department Climate Action Goals for 2023-25 Biennium**
- **LEED Gold at Kalapuya**
- Build to LEED Silver Standard – New Courthouse, Crisis Center



GREY=Prior Actions
DARK BLUE=2022 Actions
LIGHT BLUE=Planned Actions

Total Net GHG Emissions from Gov't



Achieving Our Goal: Current Status

USAGE	2022	
Electricity	1,332	
Commute	1,200	
Fleet	986	
Natural Gas	358	
Other	30	
TOTAL:	3,906	

SOLAR	2022	
Electricity	180	

OFFSETS	2022	
Blue Sky	124	
Capture	52	
Other	0	
TOTAL:	176	

Usage	3,906
- Solar	180
- Offsets	176
NET	3,550
GOAL	1,656
Reductions needed to reach Goal:	1,894

Achieving Our Goal: 2024 Projection

USAGE	2022	2024
Electricity	1,332	1,332
Commute	1,200	1,200
Fleet	986	986
Natural Gas	358	358
Other	30	30
TOTAL:	3,906	3,906

SOLAR	2022	2024
Electricity	180	200

OFFSETS	2022	2024
Blue Sky/OCS	124	1,056
Capture	52	52
Other	0	0
TOTAL:	176	1,108

Usage	3,906
- Solar	200
- Offsets	1,108
NET	2,598
GOAL	1,656
Reductions needed to reach Goal:	942

Potential Actions

- Full year of 5 solar arrays
- 75% of electricity offset

Achieving Our Goal: Potential Actions

USAGE	2022	2024
Electricity	1,332	1,265
Commute	1,200	1,020
Fleet	986	839
Natural Gas	358	358
Other	30	30
TOTAL:	3,906	3,512

SOLAR	2022	2024
Electricity	180	200

OFFSETS	2022	2024
Blue Sky/OCS	124	1,253
Capture	52	52
Other	0	0
TOTAL:	176	1,305

Usage	3,512
- Solar	200
- Offsets	1,305
NET	2,007
GOAL	1,656
Reductions needed to reach Goal:	351

Potential Actions

- Sell former BOC building
- Complete LED upgrades at all facilities
- 15% reduction of Commute emissions
- 15% reduction of Fleet emissions
- 100% offset of Pacific Power electricity



Achieving Our Goal: Potential Actions

USAGE	2022	2024
Electricity	1,332	1,265
Commute	1,200	1,020
Fleet	986	839
Natural Gas	358	358
Other	30	30
TOTAL:	3,906	3,512

SOLAR	2022	2024
Electricity	180	200

OFFSETS	2022	2024
Blue Sky/OCS	124	1,253
Capture	52	52
Other	0	351
TOTAL:	176	1,656

Usage	3,512
- Solar	200
- Offsets	1,656
NET	1,656
GOAL	1,656
Reductions needed to reach Goal:	0

Potential Action

- Purchase Offsets for remaining emissions
- Currently \$20/ton - \$7,020 for 351 tons
- Note: Offsets are rising in price as supply is reducing

Next Steps

- Develop and Adopt Fleet & Facility Policies
- Complete Countywide LED Upgrade
- Reduce Commute Drive Miles
 - Work with each department to identify opportunities to reduce commute drive miles
 - Develop recommendation for Countywide program
- Transition high-use vehicles to electric
- Transition to new purchasing procedures
- Purchase Renewable Energy Credits to offset electricity use
- Continue to Prioritize Climate Action
 - Departmental climate action goals
 - Outward-facing functions/services
 - Climate Adaptation Planning



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Benton County

Benton County Natural Areas, Parks, and Events Department

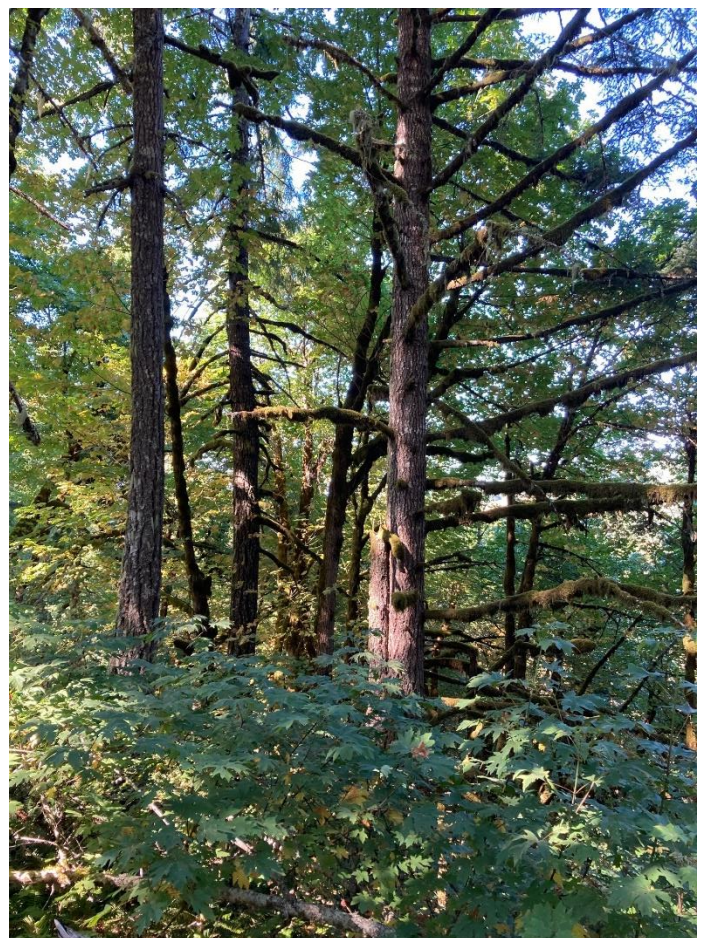
Forest Resource Stewardship Plan Update (2021-2030)

Final Plan Addendum #2

Creation of “Old Forest Reserve”



Bezell Memorial Forest
Resource Management Unit B6
(9/14/21)



Bezell Memorial Forest
Resource Management Unit B33
(9/14/21)

Background

During the 2020 update of the Benton County Forest Resource Stewardship Plan update (10-yr plan update), public comments identified a priority of developing older age and size classes of Douglas Fir dominated Resource Management Units- specifically those that exceeded the 80 yr maximum harvest rotation timeline. Benton County NAPE Department agreed during the public comment period to:

- Explore opportunities to develop old forests (>80 years old), given that the current acreage dedicated to this goal are currently minor within the stewardship plan. Allowing for legacy older trees in otherwise harvested stands is beneficial, but not sufficient to meet a landscape level public management desire for older Douglas Fir forests. Currently, and even more so in the future, these types of old forest conditions will likely largely be met on public lands;
- Study a strategy to promote older Douglas Fir dominated forest in perpetuity under a changing climate that is already contributing to continued die-off of Douglas Fir within the interior coast range and Willamette Valley;
- Develop an analysis for extending age classes of specific Douglas Fir dominated Resource Management Units (RMUs)- based primarily on updated geospatial and forestry plot field data developed during the 2020 stewardship plan update;
- Gain NAPE Advisory Board review and approval. The final plan addendum will include developing an Advisory Board review of current older forest conditions with analysis on extension and creation of new older forest RMUs/subset of RMUs specifically within Beazell Memorial Forest.

Old Forest Analysis

Developing “Old Forest” RMUs within Beazell Memorial Forest, focused on utilization of existing GIS and related resource databases (see Table 1. Old Forest Data Geospatial Analysis Inputs). Specifically, utilizing field derived 2020 forestry plot data and key metrics for Douglas Fir tree/stand survival and growth (e.g. slope, aspect, soil moisture, existing and projected growth models, proximity to adjacent impacts such as roads/clearcuts etc.), and 2020 3” resolution aerial imagery. Combined with 2021 field truthing and photos for ground based visualization, the result was a robust analysis of readily available data for identifying highest priority areas for developing new Douglas Fir dominated old forest reserves at Beazell Memorial Forest.

Table 1. Old Forest Data Geospatial Analysis Inputs

Data Analyzed	Source	Summary
Forest Stands	2020 Stewardship Plan Update	Dominant Species, Age, Size Class
RMU-Sensitivity Classifications	2020 Stewardship Plan Update	Resource Management Units
Adjacent land use	2020 Stewardship Plan Update	Roads, Forest Management Types, etc.
Slope	2011 LiDAR derived	Non-landslide or adjacent impact prone for optimal Old Forest development
Aspect	2011 LiDAR derived	North facing for optimal for Old Forest development
Drainage	2011 LiDAR derived	Seasonal drainage for optimal Old Forest development

Using the ESRI Arc GIS 11.0 program, the analysis steps to identify priority locations for Douglas Fir dominated Old Forest Reserve included:

1. Projecting current age and size class for resource management units/stands;
2. Projecting current sensitivity classifications;
3. Projecting 2020 aerial imagery;
4. Projecting slope, aspect, and drainage datasets;
5. Projecting adjacent land use datasets (trail, roads, forest management);
6. Selecting for RMU areas that included currently mature forest (55+ year old) conditions, north aspect, seasonal drainage, and at least 100 ft of buffer from adjacent land use impacts.

Through the above analysis, major areas of the B6 and B33 management units were identified as high priority. During September 2021, field assessment of the areas was completed through select transect evaluation was combined with select photo documentation of the general forest conditions.

Old Forest Findings

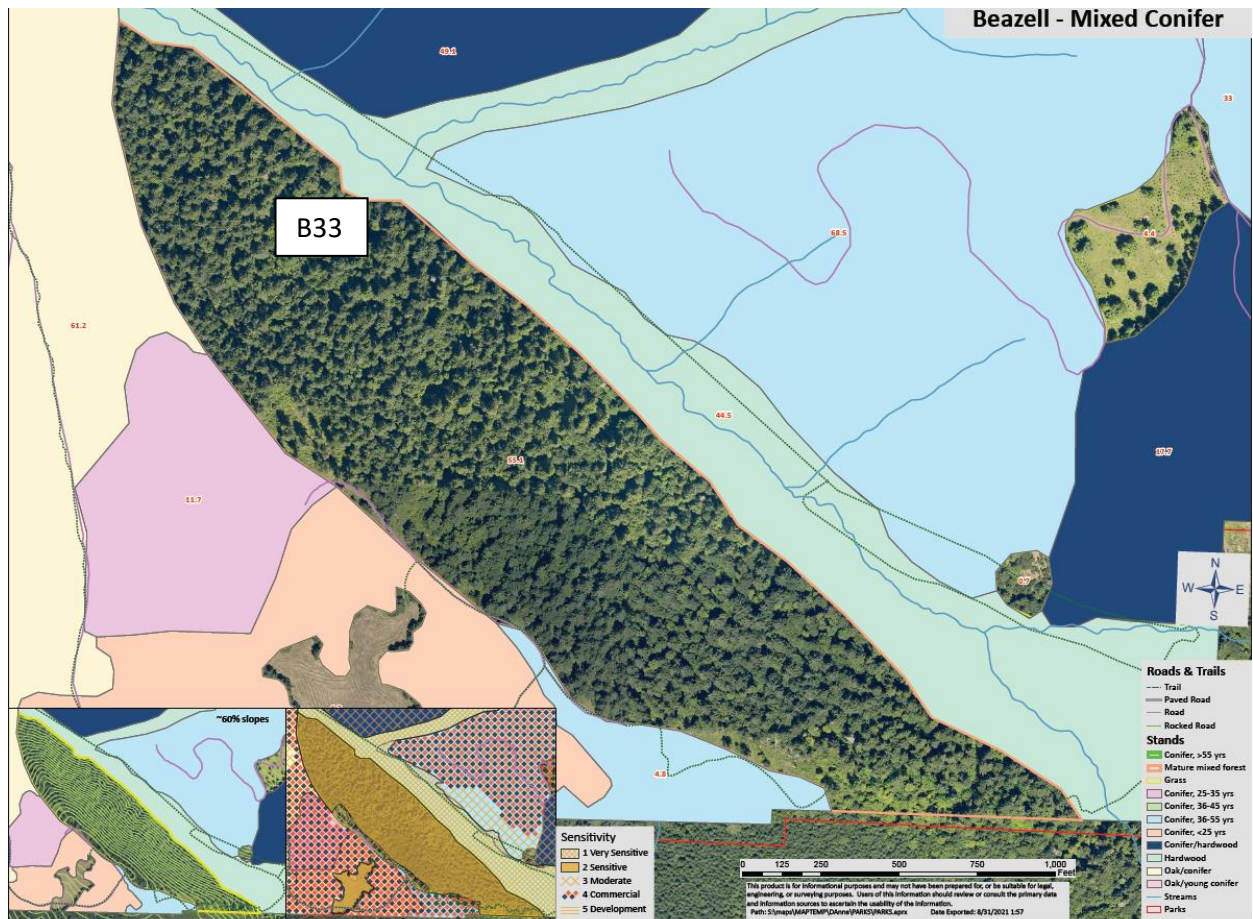
Through the analysis process, county staff determined that 73 acres of Douglas Fir dominated stands (within two different existing RMUs) are highest ranked for developing Old Forest Reserve within Beazell Memorial Forest (see Table 2. Old Forest Reserve Area Details).

Table 2. Old Forest Reserve Area Details

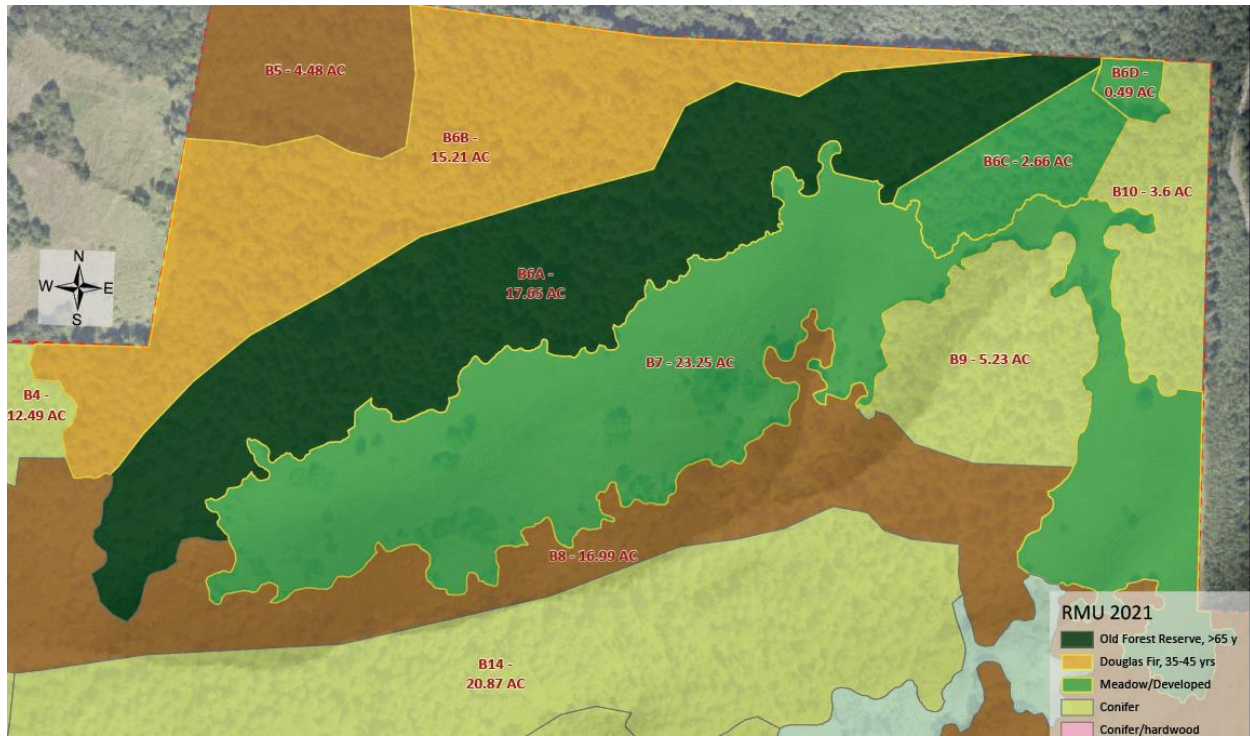
RMU	Acres	Summary
B6	18	Portion of existing B6 RMU, identified as B6A RMU
B33	55	Entire B33 RMU

As show in the maps below, both sites contain the key characteristics that will likely support Douglas Fir Old Forest Reserve within Beazell Memorial Forest.

Map 1. B33 RMU Douglas Fir Old Forest Reserve



Map 1. B6A RMU Douglas Fir Old Forest Reserve



Next Steps

Benton County, as supported by the Natural Areas, Parks, and Events (NAPE) Advisory Board proposes that the “Old Forest Reserve” with a classification of “Sensitivity Class 2- Sensitive” be adopted as addendum into the 2020 Forest Stewardship Plan update. The new designation will reduce management impacts that would decrease the ability of these areas to develop into older Douglas Fir forest stand reserves. Furthermore, Benton County NAPE adopts that during the next 10-year plan update of the Benton County Forest Stewardship Plan, analysis updates and evaluating expansion of Old Forest Reserve areas will occur.

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 05/16/23

View [Agenda Tracker](#)

Suggested Placement * BOC Tuesday Meeting

Department * Health Services

Contact Name * Damien Sands

Phone Extension * 6620

Meeting Attendee Name * Damien Sands, Deputy Director,
Health/Behavioral Health Director

Agenda Item Details 

Item Title * Discussion and Direction Regarding Adverse Consequences to Counties Due to the September 1, 2022 Federal Court Order Limiting Admissions to, and Shortening Treatment at, the Oregon State Hospital

Item Involves * Check all that apply

- Appointments
- Budget
- Contract/Agreement
- Discussion and Action
- Discussion Only
- Document Recording
- Employment
- Notice of Intent
- Order/Resolution
- Ordinance/Public Hearing 1st Reading
- Ordinance/Public Hearing 2nd Reading
- Proclamation
- Project/Committee Update
- Public Comment
- Special Report
- Other

Estimated Time * 30

Board/Committee Involvement * Yes
 No

Advertisement*

Yes

No

Item Issues and Description

Identified Salient Issues*

Dr Debra Pinals, a Boston-based psychiatrist, was retained to assist the Oregon Health Authority (OHA) in meeting the seven-day federally mandated timeline for admissions to the Oregon State Hospital (OSH) of criminal defendants residing in county jails in need of psychiatric restoration services to aid and assist in their criminal court cases. Oregon statutory law provides that individuals committed to OSH for restoration services may receive those services for a maximum of one year if they are charged with a misdemeanor and a maximum of three years if they are charged with a felony. Dr. Pinals recommended that treatment for aid and assist individuals be drastically shortened; with misdemeanors being automatically discharged after 90 days, individuals with non-Measure 11 felonies after six months, and individuals charged with Measure 11 felonies after one year.

On September 1, 2022, federal judge Michael Mosman issued an order in a civil rights case requiring defendants OSH and the OHA to implement recommendations made by Dr. Pinals. Since then, Marion and Washington Counties have been vocal regarding the negative impact this order has on counties. The parties in the case continue to push for limiting OSH admissions; however, with little regard for local input. The attached April 11, 2023 Memorandum from the Marion County Board of Commissioners requests that the Association of Oregon Counties (AOC) and individual counties consider joining Marion and Washington Counties in advocating for solutions to the additional public safety and community resource problems caused by this order.

Options*

The Board of Commissioners agrees to join Marion and Washington Counties in advocating for solutions to the additional public safety and community resource problems caused by the Mosman order.

The Board of Commissioners declines to join Marion and Washington Counties in advocating for solutions to the additional public safety and community resource problems caused by the Mosman order.

Fiscal Impact*

- Yes
- No

2040 Thriving Communities Initiative

Mandated Service?* Yes No

2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

To review the initiative, visit the website [HERE](#).

Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

Core Values*

Select all that apply.

- Vibrant, Livable Communities
- Supportive People Resources
- High Quality Environment and Access
- Diverse Economy that Fits
- Community Resilience
- Equity for Everyone
- Health in All Actions
- N/A

Explain Core Values Selections*

The timeframes for services for committed individuals as provided by Oregon statutory law promotes the following values defined by the Board of Commissioners;

Vibrant, Safe, and Livable Communities that Promote Creativity, Forward Thinking, a Sense of Place, and High Quality of Life

Welcoming Communities that Actively Build Social Connections, Personal Interactions, and Community Resources that Foster Belonging

We Recognize and Will Address the Well Being of our People by Including Health Considerations in all Policies, Practices, Activities, and Operations

Focus Areas and Vision*

Select all that apply.

- Community Safety
- Emergency Preparedness
- Outdoor Recreation
- Prosperous Economy
- Environment and Natural Resources
- Mobility and Transportation
- Housing and Growth
- Arts, Entertainment, Culture, and History
- Food and Agriculture
- Lifelong Learning and Education
- N/A

**Explain Focus Areas
and Vision
Selection***

Unlike commitment to the OSH, there is no maximum durational limit for community restoration under current Oregon law. As more individuals are placed in community restoration and as those already in fail to regain fitness to stand trial, eventually the system will be stressed to the point of collapse.

In addition, because the individuals currently being placed on community restoration would have previously been treated at OSH, individuals who present a higher-than-normal level of both safety risk and behavioral health concerns are now being placed into community restoration. Not only does this require additional resources on community restoration to keep the individuals and the community safe from harm, it also poses a significant public safety risk. The community restoration process under Oregon State law is entirely voluntary and individuals placed on restoration have no obligation to remain in residential treatment facilities in which they are placed.

Recommendations and Motions

Item Recommendations and Motions

Staff Recommendations * Staff recommends the Board of Commissioners consider the request for support contained in the Marion County Board of Commissioners' April 11, 2023 Memorandum and direct staff accordingly.

Meeting Motions *

- I move to ...
- ...accept the request for support contained in the Marion County Board of Commissioners' April 11, 2023 Memorandum and direct staff to...
- ...decline the request for support contained in the Marion County Board of Commissioners' April 11, 2023 Memorandum.
- ...take other action.

Attachments, Comments, and Submission

Item Comments and Attachments

Attachments

Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.

AOC Call to Action_ltr42023.pdf

230.63KB

Comments (optional)

If you have any questions, please call ext.6800

Department Approver

APRIL HOLLAND

1.

Department Approval

Comments

Signature

April Holland

Counsel Approval

Comments

Signature

Vance H. Choney

2.

2.

County Administrator Approval

Comments

Signature

Suzanne Hoffman

3.

BOC Final Approval

Comments

Signature

Amarda Makepeace



Marion County
OREGON

Board of Commissioners

April 11, 2023

(503) 588-5212
(503) 588-5237-FAX

**BOARD OF
COMMISSIONERS**

Colm Willis, Chair
Kevin Cameron
Danielle Bethell

**CHIEF
ADMINISTRATIVE
OFFICER**

Jan Fritz

To: Members of the Association of Oregon Counties

Re: Adverse Consequences To Counties Due To The September 1, 2022,
Federal Court Order Limiting Admissions To, And Shortening Treatment At
The Oregon State Hospital

As many of you know, on September 1, 2022, federal judge Michael Mosman issued an order in a civil rights case requiring defendants Oregon State Hospital (OSH) and the Oregon Health Authority (OHA) to implement recommendations made by a Boston based psychiatrist, Dr. Debra Pinals. Since then, Marion and Washington counties have been very vocal regarding the negative impact this order has on counties. The parties in the case continue to push their agenda limiting OSH admissions, however, with little regard for local input. It is time for AOC and individual counties to consider joining Marion and Washington in advocating for solutions to the additional public safety and community resource problems caused by this order.

Background

Dr Pinals was retained to assist OHA in meeting the seven day federally mandated timeline for admissions to OSH of criminal defendants residing in county jails in need of psychiatric restoration services to aid and assist in their criminal court cases. Oregon statutory law provides that individuals committed to OSH for restoration services may receive those services for a maximum of one year if they are charged with a misdemeanor and a maximum of three years if they are charged with a felony. Dr. Pinals recommended that treatment for aid and assist individuals be drastically shortened; with misdemeanants being automatically discharged after 90 days, individuals with non-Measure 11 felonies after six months and individuals charged with Measure 11 felonies after one year.

Dr Pinals also recommended limiting civil commitments to OSH to only those individuals meeting expedited admission policy; essentially ending all civil commitments to the state hospital and leaving more individuals with untreated behavioral health needs requiring a hospital level of care in our communities. On September 1, 2022, Judge Mosman, relying on the Supremacy Clause, ordered implementation of these recommendations. Immediately thereafter Marion County and Washington County, along with three elected District Attorneys and five Circuit Court judges petitioned and were allowed to appear in lawsuit as amici and provide the court information on the negative impacts his order has on public safety and

local communities. Despite their participation and the concerns they continue to raise, Judge Mosman has kept his September 1, 2022, order in place and is currently considering further limiting restoration services for criminal defendants.

In Marion County, the September 1, 2022, order has impacted public safety and strained resources especially those of the Sheriff's Office and the Health and Human Services Department

Adverse impacts on Sheriff's Office and Public Safety

Individuals released from OSH under the shortened restoration time limits are often not restored but are still returned to jail. If these individuals further decompensate while back in jail, they can become a danger to themselves, other adults in custody and staff. The September 1, 2022, order does not permit the jail to return them to OSH for additional treatment. Consequently, county jails face increased 8th and 14th amendment concerns, risk liability issues and safety concerns due to housing acute psychotic and schizophrenic individuals who require a hospital level of care.

Additionally, in some cases OSH has stopped providing progress reports to the courts when an individual is released under the new restoration time limits. Without a progress report to help determine proper placement, the courts are unwilling to order the sheriff to transport and have issued amended orders prohibiting sheriffs from transporting individuals back to the jail until the court receives an updated report. Disability Rights Oregon (DRO), the Metropolitan Public Defenders Office in Portland and OHA have all asked Judge Mosman to order the Marion County Sheriff, who is not party to the lawsuit, to disregard these circuit court orders. While Marion County has been successful so far in persuading the judge not to take this step, these requests continue, and he is still considering modifying his order. A blanket federal court order requiring county sheriffs to ignore local circuit court orders would place all county sheriffs in unworkable situations.

Additionally, both DRO and the Metropolitan Public Defenders are pushing to have the court order that OSH cannot admit individuals charged with misdemeanor crimes. If these individuals require a hospital level of care but cannot be admitted, their charges likely will not be prosecuted. Many person-on-person crimes are misdemeanors. If ordered, this would create yet one more public safety risk for our communities.

Adverse Impacts on County Health Departments

Marion County Health and Human Services has seen the number of its community restoration cases more than double since September of 2022. This increase is pushing the limit of what staff can accommodate, and the numbers will only continue to grow the longer the September 1, 2022, order remains in place. This is because, unlike commitment to OSH, there is no maximum durational limit for community restoration under current Oregon law. As more individuals are placed in community restoration and as those already in fail to regain fitness to stand trial, eventually the system will be stressed to the point of collapse.

Also, because the individuals currently being placed on community restoration would have previously been treated at OSH, individuals who present a higher-than-normal level of both safety risk and behavioral health concerns are now being placed into community restoration. Not only does this require additional resources on community restoration to keep the individuals and the community safe from harm, but it also poses a significant public safety risk. The community restoration process under Oregon State law is entirely voluntary and individuals placed on restoration have no obligation to remain in residential treatment facilities in which they are placed. As a result, since September of 2022, 17 individuals who have been charged with violent felony offenses and placed on restoration services in

Marion County have simply left their placements. We have significant concerns about the liability counties potentially face if one of these individuals were to harm someone on release.

Potential Solutions

The issues raised here are not unique to Marion County; even if your county is not currently experiencing them, in time they probably will. It is important therefore, that AOC and/or individual counties consider joining Marion and Washington County as amici in the federal lawsuit to provide alternate solutions to the court that work for local communities.

Below are some suggested solutions we continue to seek:

- 1) Permit jails to send individuals who have returned under the shortened timelines back to OSH for further treatment if they decompensate in jail;
- 2) Maximum time limits be placed on how long an individual can remain on community restoration;
- 3) Return individuals in community restoration to OSH for additional treatment if there is a risk to community safety and it is possible that additional treatment may restore their ability to stand trial;
- 4) Require the State to develop a long-term plan which would include providing sufficient secure in-patient restoration services for the anticipated need in the next 20 years;
- 5) Require the State to modify its expedited admissions policy so that more individuals may be admitted under civil commitment;
- 6) Require the state to retain liability for individuals on community restoration if they would not otherwise have been released under state law;
- 7) Include a specific end date the Mosman order;
- 8) Allow for a "safety valve" to allow for longer stays at the state hospital if, upon petition by the district attorney, a trial court finds by clear and convincing evidence that a defendant presents specifically identifiable and significant public safety or victim safety concerns; and
- 9) Continue admission of individuals charged with misdemeanor crimes to OSH.

This list provides some relief to the more onerous aspects of the September 1, 2022, order. Getting traction on them continues to be an uphill battle, however, and more county voices are needed as DRO, Metropolitan Public Defenders, OSH and OHA are aligned in supporting further restrictions on local rights via this federal lawsuit. Again, the issues raised above impact all counties and we ask that you consider joining us so that we can all be heard on this important matter.

Sincerely,



Danielle Bethell, Commissioner
Association of Oregon Counties, 1st Vice President