



FREQUENTLY ASKED QUESTIONS

What is the Monsanto Settlement Agreement?

In January of 2018, Oregon Attorney General Ellen Rosenblum filed a lawsuit against Monsanto for the decades-long harm caused to Oregon's land, waters, fish and wildlife by polychlorinated biphenyls (PCBs) – chemicals manufactured, sold, and widely distributed solely by Monsanto. The case went to trial in May of 2022 and selected a jury but reached settlement on December 15, 2022. A copy of the Consent Judgment can be found [here](#). Oregon received a lump sum payment of \$698 million for statewide environmental remediation and clean-up efforts.

What are the terms of the Monsanto Settlement Agreement?

[Section 18](#) of the Monsanto Settlement Agreement states:

Settlement funds will be used for environmental remediation or restitutionary projects or purposes or environmental remediation or restitutionary purposes having a nexus or connection with the types of environmental harm alleged by the State (i.e., harm to air, water, soil, or natural resources) as determined by the State in its sole discretion.

What is the Oregon Environmental Restoration Fund?

[Senate Bill 1561](#) (2024) established the Oregon Environmental Restoration Fund (Fund), consisting of moneys paid to the state from the Monsanto Settlement Agreement, and established the Oregon Environmental Restoration Council (Council) to oversee the management and distribution of those moneys to legislatively directed fund beneficiaries. It also identified the Oregon Watershed Enhancement Board (OWEB) as the administrator of the program.

The Fund will function similarly to an endowment, ensuring that it can be used for many years and will make a meaningful, generational difference in the lives of Oregonians. Over the next 50 years, the settlement dollars will be invested by the Oregon State Treasury and will earn investment and interest income. On an annual basis, the Council will authorize OWEB to distribute that income to three statutorily-established subfunds. Moneys in those subfunds will be used for projects and programs to restore Oregon's environment and benefit communities who have been harmed by PCBs and other toxins.

In October 2025, the Council approved a distribution policy for the Fund. The policy applies a 5% distribution rate of the average balance of the preceding three years. The policy also applies a \$15M minimum and \$30M maximum distribution amount to allow for stability in disbursement amounts to the subfunds.

What are the subfunds?

A **Tribal Nation Natural Resource Program Fund** will receive 25% of the distribution which will be paid out in equal amounts to each of the nine federally recognized Indian tribes in the state of Oregon who may use funds to invest in stewardship of their natural resources.

A **State Agency Program Fund** will receive 50% of the distribution to support efforts of state agencies whose work has a nexus with the settlement terms.

A **Disproportionately Impacted Community Fund** will receive 25% of the distribution. A grant program will support projects and programs that directly benefit impacted communities.

What is required by statute in the Agency Program Fund?

[ORS 541.869](#) authorizes Council to establish procedures and criteria for eligible state agencies applying for Agency Program Fund dollars. More specifically:

- Allocations must be used for projects and uses that are consistent with the Monsanto Settlement Agreement and the strategic priorities established by Council;
- Allocations may be used to supplement programs or projects, but not replace funding from other available sources; and
- Allocations may be used as matching funds for other funding sources.

At a minimum, program administrative rules must include:

- Procedures for soliciting and reviewing applications from state agencies;
- Evaluation criteria for projects or purposes funded by allocations, including desired outcomes; and
- Biennial reporting requirements for agencies that receive Agency Program Fund allocations.

Who can apply to the Agency Program Fund?

Any state agency whose work has a nexus with the terms of the Monsanto Settlement Agreement will be eligible to apply for funds from the Agency Program Fund.

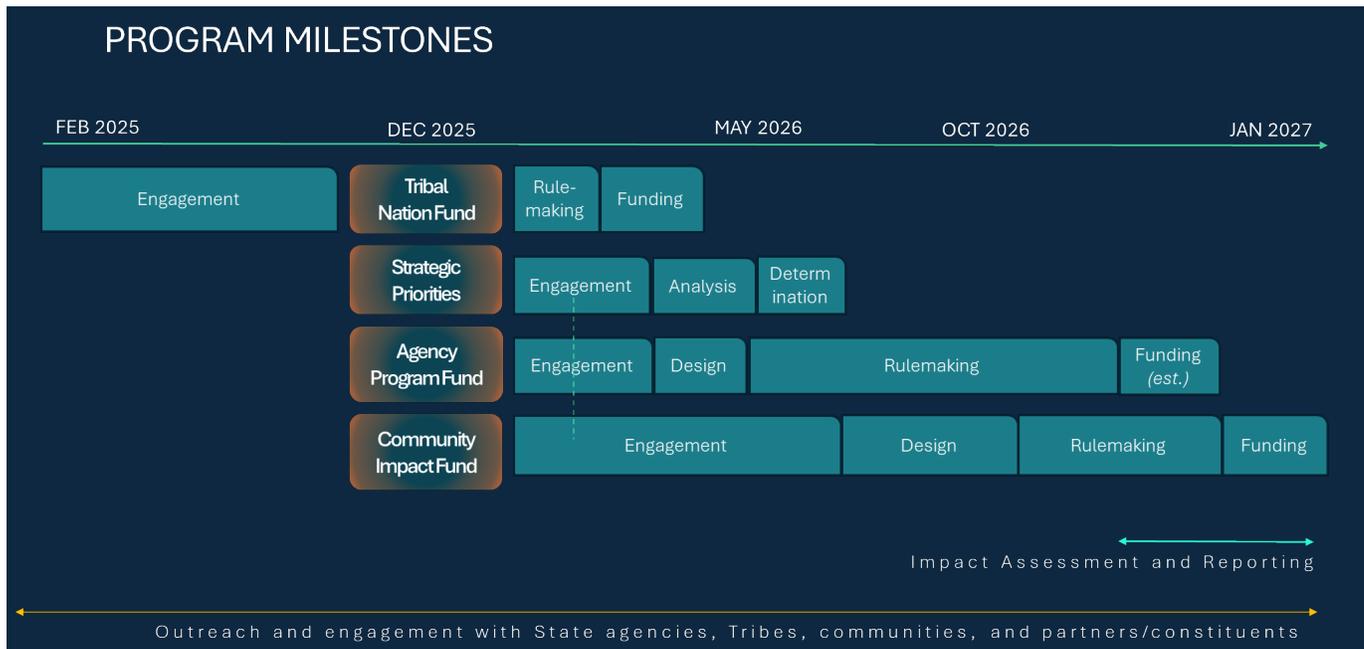
What should agencies know about applying for funds?

The Agency Program Fund is currently in the design process and will go through rulemaking this year. The design process includes outreach to eligible state agencies and other partners to gather input on the program design and administrative rules. In accordance with [ORS 541.869](#), it is expected that this program will be non-competitive and will use a set of strategic priorities and other evaluation criteria to guide Agency Program Fund investments by Council. Additionally, per [ORS 541.882](#), Council may commit multiple biennia of funding to projects or purposes that align with the strategic priorities.

What is the timeline for the Agency Program Fund?

Council and Program staff are currently engaging in a statewide engagement process with the first set of strategic priorities expected by summer 2026. The strategic priorities will be used to direct Council’s funding priorities and decisions for the Agency Program Fund per [ORS 541.882](#).

Agency Program Fund rulemaking is anticipated to begin in March 2026 and be finalized by the end of 2026. Rulemaking will include development of the statutorily required rules (see “What is required by statute in the Agency Program Fund” above), along with potential other administrative rules deemed necessary through the program design process.



What types of projects or programs are eligible to receive funding?

Program staff are currently awaiting a legal opinion from the Oregon Department of Justice on eligible funding uses for the Fund. The Council will continue to discuss fund uses as the Agency Program Fund design process continues. This information is expected to be known prior to beginning state agency outreach and will be shared with fund beneficiaries as it becomes available.

How can state agencies get involved?

Agency Program Fund Development. There will be ongoing opportunities to assist program staff with development of the Agency Program Fund. Program staff are scheduling initial outreach meetings with state agencies throughout February and March 2026. Contact Program staff to learn more or to schedule a meeting.

Information Sessions. Information sessions are anticipated for early spring 2026 and will be open to all state agencies.

Rulemaking. Agency Program Fund rulemaking is expected to occur March – November 2026. A Rules Advisory Committee (RAC) will be formed to develop program administrative rules and RAC meetings will be publicly held and open to public comment.

Council Meetings. The Oregon Environmental Restoration Council meetings are held bimonthly and offer opportunities to submit written or verbal public comment.

GovDelivery and Website. For updates on these engagement opportunities, please sign up for [GovDelivery notifications](#) or check for updates on the Fund website, oregonerf.org.

Who can agencies reach out to for more information?

Program staff are available to answer questions and/or meet with staff from any state agency with a nexus to the settlement terms to discuss engagement and partnership. Please contact staff below.

- Clare Lanusse, Program Policy Analyst and Council Liaison, Clare.k.Lanusse@oweb.oregon.gov
- Rachel Thompson, Program Coordinator, Rachel.Thompson@oweb.oregon.gov
- Nicole Maness, Program Manager, Nicole.g.Maness@oweb.oregon.gov