



Oregon Environmental Restoration Council Meeting

Wednesday, March 18, 2026

9:00am – 12:00pm

Submitted Written Public Comment

Name	Topic
Andrea Kreiner	Soil health as a strategic priority consideration
Kimberley Priestley	Strategic priorities for the Agency Program Fund and the Disproportionally Impacted Communities Fund; Agency Program Fund purpose; utilizing existing strategic planning documents to guide allocations
Sophie Els	Soil health as a key strategic priority consideration
Michael Lang	The Agency Program Fund Staff Report



March 13, 2026

To: Oregon Environmental Restoration Fund Council
Re: Strategic Priorities

Dear Co-Chairs Sams and Dembrow and members of the Oregon Environmental Restoration Fund Council,

The Oregon Association of Conservation Districts (OACD) represents Oregon's 45 Soil and Water Conservation Districts, special districts governed by elected boards. The Districts protect and enhance soil quality, water quality and quantity, and habitat by providing technical services and supporting voluntary conservation in partnership with private landowners and managers, and with federal, state and nonprofit partners.

We are thankful to the Council for this opportunity to provide comments on development of strategic priorities for the Fund.

We want to call attention to soil health as a strategic priority consideration. There is a direct link between soil health and PCB contamination (the basis of the Monsanto settlement). PCB contamination occurs in soil, directly negatively impacting soil health, and the public health, ecosystem and habitat surrounding that soil.

Work to improve soil health includes directly removing or reducing contaminants, rebuilding soil organic matter, sequestering carbon, increasing infiltration and providing quality habitat for richer biodiversity. Sustainable soil health is linked to the health of humans, animals, and plants and promoting the health of the planet by maintaining secure and healthy food production, preventing soil-borne pathogen transmission, decreasing harmful agrochemical misuse, and sustaining ecological balance, which are all vital to human, animal, and environmental health.¹

As the Council deliberates on strategic priorities for use of the Fund under both the agency and community categories, we urge you to incorporate soil health into those priorities.

Thank you for the opportunity to provide these comments to the Council.

A handwritten signature in black ink, appearing to read "Andrea Kreiner", with a long, sweeping underline.

Andrea Kreiner, Executive Director
Oregon Association of Conservation Districts
Andrea.Kreiner@OACD.org

¹ Pritha Kundu, Saikat Biswas, "Securing soil health as the foundation for strengthening planetary health", Soil Security, Volume 21, 2025, 100205, ISSN 2667-0062, <https://doi.org/10.1016/j.soisec.2025.100205>.



WaterWatch of Oregon Protecting Natural Flows In Oregon Rivers

March 15, 2026

Environmental Restoration Fund Council
Via email to claire.k.lanusse@OWEB.oregon.gov

Dear Co-Chairs Dembrow and Sams, Vice-Chair Holliday, Members of the Council,

WaterWatch of Oregon is a nonprofit river conservation group that works to protect water in Oregon's rivers, streams, wetlands and aquifers for the fish, wildlife and people who depend upon them. We appreciate this opportunity to comment.

We appreciate the Council's work to develop the State Agency Fund allocation program to disperse Monsanto Settlement funds to natural resource agencies with a nexus to the Monsanto Settlement, as required by HB 1561§6(1). WaterWatch works with a number of agencies that we imagine will qualify for this funding to support their work, including the Oregon Department of Fish and Wildlife, the Department of Environmental Quality, Oregon Department of Water Resources, and the Oregon State Parks and Recreation Department (e.g. study/designate scenic waterways).

WaterWatch actively followed the development of HB 1561 in 2024. In reviewing the bill, testimony and LFO analysis, it is clear that the State Agency Fund (one of the three designated funds) is meant to fund state agency work/projects that help restore Oregon's environment, including its lands and waters, and the fish and wildlife that depend upon them. As the DOJ testified to in 2024, the funds can be used for a wide variety of projects and purposes that improve or restore the environment in Oregon; however, they cannot be directed to the General Fund or used for projects or purposes not related to the environment. The DOJ testimony and the bill are clear on this point and align with the Monsanto Settlement, which directs the same. Long story short, the State Agency Fund is meant to fund agency work to restore Oregon's environment.

To address environmental harms on communities, HB 1561 created the Disproportionally Impacted Communities Fund and the Tribal Nation Natural Resources Program Fund, each of which receive 25% of the fund (for a total of 50%), to, according to DOJ 2024 testimony, "help make Oregon not just a cleaner and healthier place, but a fairer and more just place for all Oregonians".

With this as background, we offer the following comments:

- **The Strategic Priorities for the State Agency Fund need to focus on the environment:** As clearly outlined in both the Monsanto Settlement and HB 1561, the State Agency Fund is intended for the environment. We are deeply concerned that in the January 2026 discussion of the "Strategic Priorities" to guide allocation to the State Agency Fund, a suggestion was made to weave economics into the priorities. Economics should not be part of this discussion; that directive is not found in the Monsanto Settlement or HB 1561. Whether or not an environmental restoration/protection project renders economic benefits is irrelevant, especially in this case where Monsanto's prioritization of economic growth over environmental and health concerns led to the problems Oregon is trying to fix today.

Another suggestion was that Strategic Priorities give precedence to work that render co-benefits to human health and the environment. While it is likely that many projects that will help Oregon's lands, waters and fish and wildlife will also enhance human health, we feel strongly that that tie should not be a barometer of whether an agency's work warrants funding. To do so could result in important environmental work that directly ties to the directives of the Monsanto Settlement failing to receive funding because it might lack a clear and/or proportional benefit to human health.

The Monsanto Settlement and HB 1561 are clear, the focus of the State Agency Fund is the environment, namely restoring our state's lands, waters (quality and quantity), fish and wildlife. HB 1561 does not give the Council discretion to veer from this; thus, the Strategic Priorities need to adhere to these directives.

Moreover, under HB 1561§9(1), the Council is required to develop the Strategic Priorities for the State Agency Fund in consultation with the agencies who have a nexus with the terms of the Monsanto Settlement (noted in §6(1)). Agencies are well suited to identify priorities, since they are already doing environmental restoration/protection work under the ODFW Wildlife Action Plan, the Integrated Water Resources Strategy, Governor Kotek's EO 25-25 and other planning directives aimed at state agencies. Additionally, since HB 1561 directs that funds disbursed "supplement" but not "supplant" agency funding, developing Strategic Priorities aligned with existing state programs to protect/restore our state's waters (quality and quantity), lands, fish and wildlife will allow agencies to advance much needed work. As such, we would urge the Council to rely heavily on natural resource state agency input in drafting Strategic Priorities to restore/protect Oregon's environment.

- **The Strategic Priorities for the State Agency Fund and the Disproportionally Impacted Communities Fund should be separate and distinct:** HB 1561§9(1) calls for the development of strategic priorities for two of the three funds. HB 1561§6 and §7 set different foci and directives for these two funds. HB 1561§9(1) then outlines how the Strategic Priorities of these two funds shall be developed, which we read as requiring separate and distinct Strategic Priorities for each of the two funds. As we read §9(1), the Council is directed to develop Strategic Priorities for the State Agency Fund in consultation state agencies described in §6(1) and for the Disproportionately Impacted Communities Fund in consultation with the Environmental Justice Council. Any other interpretation would not make sense given HB 1561's very clear delineation of three separate and distinct funding pots, and the very different foci of the two funds subject to strategic priorities. Absent distinct strategic priorities for each of these two funds, the unique funding goals of each are at risk of being undercut.
- **HB 1561 is very clear that the State Agency Fund is to be used to fund agency work/programs:** We only note this as there appeared to be differing interpretations in both the December and January meetings of what HB 1561 directs (e.g. funds to be granted to third parties vs. funds for agency work). Allocating funds to natural resource agencies with a nexus to the Monsanto Settlement for their own agency programs to restore Oregon's habitats and fish and wildlife aligns with both the Monsanto Settlement and HB 1516. Supplementing agency programs/projects will expand Oregon's current efforts to protect and restore Oregon's lands,

waters and fish and wildlife. For example, the purposes and work of ODFW's Water Quality and Water Quantity Program provide a clear nexus to the restoration directives of the Monsanto Settlement. Supplementing (not supplanting) ODFW's Water Program's current budget would allow additional work to restore and protect Oregon's rivers, wetlands and fish and wildlife directly in line with the directives of the Monsanto Settlement Agreement, which is the whole point of the fund. Again, while this may be the intent of the Council, we are simply making this point in reaction to some of the comments we heard voiced in previous OERF Council meetings.

- **Existing strategic planning documents exist to guide allocations:** We agree with Representative Helm's suggestion at the January meeting that the Council look to existing state planning and guidance strategies to guide allocations of the Monsanto Funds. Oregon has spent years developing sound strategies, programs and projects to protect and restore Oregon's lands, waters (quality and quantity) and fish and wildlife. Importantly, these guiding documents involved robust agency, tribal and public input over the course of years. There is no need to reinvent the wheel. Among others, we urge the Council to rely on ODFW's State Wildlife Action Plan and the Integrated Water Resources Strategy (chapters on meeting instream and ecosystem needs).

In conclusion, again, we appreciate the hard work of the Council to get the OERF up and running. That said, it is important that the Council's work remain within the scope and purpose of the Monsanto Settlement and HB 1561. As such, any Strategic Priorities and/or rules should ensure that the State Agency Fund sources agency programs/projects that are focused on restoring our state's waters (quality and quantity), lands, fish and wildlife.

Thank you for this opportunity to comment.

Sincerely,



Kimberley Priestley
Senior Policy Analyst



March 16, 2026

To: Oregon Environmental Restoration Council

From: Sophie Els, Oregon Climate and Agriculture Network (OrCAN)

sophie@oregonclimateag.org

Re: Oregon Environmental Restoration Fund (OERF) Strategic Priorities

Dear Co-Chairs Sams and Dembrow, and members of the Oregon Environmental Restoration Council (OERC),

I am commenting on behalf of Oregon Climate and Agriculture Network (OrCAN), regarding Item 4 "OERF Strategic Priorities" on the [agenda](#) for the upcoming OERC meeting on March 18th, 2026. We appreciate this opportunity to provide comments on the development of strategic priorities for the Oregon Environmental Restoration Fund (OERF).

We urge you to consider soil health as a key strategic priority. There is a direct link between soil health and environmental contamination and restoration.

Restoration of soils should be a priority for the Fund, as healthy soils reduce contaminants, and have other co-benefits such as rebuilding soil organic matter, sequestering carbon, increasing infiltration, and providing quality habitat for richer biodiversity. Restored, healthy soils absorb and retain more water, making them less susceptible to erosion as well as preventing runoff of nutrients and contaminants into water sources¹. They also promote public health by maintaining secure and healthy food production, preventing soil-borne pathogen transmission, decreasing harmful agrochemical misuse, and sustaining ecological balance, which are all vital to human, animal, and environmental health².

As the Council deliberates on strategic priorities for uses of the sub-funds for state agency programs and impacted communities, we urge you to consider soil health a key strategic priority.

¹ <https://www.nrcs.usda.gov/conservation-basics/natural-resource-concerns/soil/soil-health>

² Pritha Kundu, Saikat Biswas, "Securing soil health as the foundation for strengthening planetary health", Soil Security, Volume 21, 2025, 100205, ISSN 2667-0062, <https://doi.org/10.1016/j.soisec.2025.100205>.

Thank you for the opportunity to provide these comments to the Council.

Sophie Els

Policy Coordinator, Oregon Climate and Agriculture Network



March 16, 2026

Oregon Environmental Restoration Council

775 Summer Street NE, Suite 360

Salem, OR 97301

Submitted via email

Re: Wild Salmon Center comments on the Agency Program Fund Staff Report

Dear Co-Chairs Dembrow and Sams, Vice-Chair Holliday, and Council Members:

Thank you for the opportunity to provide public comment on the implementation of the Environmental Restoration Fund. Wild Salmon Center is a nonprofit organization dedicated to conserving wild salmon and steelhead rivers in Oregon and around the Pacific Rim through solutions grounded in science.

Wild Salmon Center actively supported the legislation establishing the Environmental Restoration Fund (SB 1561) and we look forward to the timely implementation of this fund in a manner that is consistent with the terms of the settlement agreement, [ORS 541.857-882](#) (Monsanto Settlement Administration) and Executive Order 25-26. This includes environmental remediation or restitutionary projects or purposes including restoring, maintaining, and enhancing the quality of Oregon's air, land, water, and other natural resources..."¹; and "...restoration or protection of wildlife or wildlife habitats, including fish, aquatic life, marine mammal, or bird habitats..."²

¹ *State of Oregon v. Monsanto Company, et al.*, Case No. 81CV00540 (Circuit Court of Oregon, Multnomah County), Consent General Judgment dated December 15, 2022, Section 18

² *State of Oregon v. Monsanto Company, et al.*, Case No. 81CV00540 (Circuit Court of Oregon, Multnomah County), Consent General Judgment dated December 15, 2022, Section 18

INTERNATIONAL HEADQUARTERS

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It is important for the Council to accurately implement these priorities established by the settlement and the implementing legislation and to expedite the rulemaking process so that these funds can be put to use to aid in the restoration of habitat for imperiled species.

It is also important for the Council to adopt a process that is consistent with the language and intent of SB 1561. In its consideration of SB 1561, the Legislature carefully considered the roles that state agencies, the Council and the Governor would have in implementing the settlement. SB 1561 defined specific roles for the Governor, including the following:

- Serving on the Environmental Restoration Council;
- Appointing six members of the Council who serve at the pleasure of the Governor; and
- Appointing the chairperson.

SB 1561 also includes the requirement for the Council to submit a biennial report to the Governor and the Legislature the purposes for which the funds were used and the outcomes received by the funding recipients.

We have reviewed the staff report on the Agency Project Fund and the draft process for the solicitation and award of funds once “strategic priorities have been identified and program administrative rules have been adopted.” While items 1, 2, 5 and 6 of the process appear to be consistent with SB 1561, items 3 and 4 of the proposed process include a role for the Governor’s Natural Resource Office that was not included in SB 1561.

3. Agencies use program guidance to develop concepts that align with the MSA and Council-identified strategic priorities and submit those concepts to the Governor’s Natural Resource Office (GNRO) and the Natural Resource Cabinet.

4. GNRO coordinates agency concepts/requests for alignment with state priorities and other criteria (to be determined via rulemaking) and recommends a package of agency requests to the Council for funding.

Under this process, it would appear that the GNRO determines the package of agency requests that would move forward for consideration by the Council.

The Legislature carefully considered the role of the Council, agencies and the Governor and defined those roles in SB 1561. While it gave extensive authority to the Governor to appoint the Council, its chairperson, and participate as a council-member, it did not include the authority to directly control the package of agency requests that the Council would consider. Instead, ORS 541.869(3)(a) requires rules and procedures for soliciting and reviewing applications directly from state agencies.

Wild Salmon Center asks the Council to consider whether this draft process is consistent with the Monsanto settlement statute referenced above, how it would affect the role of agencies and the Council, and whether it would introduce an additional layer of review that would affect the timely distribution of funds necessary to implement the Monsanto settlement.

Thank you for considering these comments.

Michael Lang
Oregon Senior Policy Manager
Wild Salmon Center