



OREGON DEPARTMENT OF AGRICULTURE

Government-to-Government 2020 Annual Report

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Mission

Ensure healthy natural resources, environment, and economy for Oregonians now and in the future through inspection and certification, regulation, and promotion of agriculture and food.

Vision

The Oregon Department of Agriculture remains able to serve the changing needs of Oregon's diverse agricultural and food sectors to maintain and enhance a healthy natural resource base and strong economy in rural and urban communities across the state.

Core values

We value...

- Honesty, integrity, and fairness
- Diversity, equity, and inclusion
- Respect for people and property
- Practical collaborative approaches to problem solving
- Science-based approaches: technical and professional competence

The Oregon Department of Agriculture (ODA) recognizes the value of Oregon's Tribal contributions to agriculture and the rich heritage they bring to all Oregonians. It is important that Tribal interests are reviewed and considered in the ODA policy development process. To ensure Tribal input and communication, ODA will:

- Appoint agency representative(s) who will maintain Tribal relationships and be responsible for ensuring Tribal input with the planning, development, and implementation of programs that directly affect Tribes.
- Appoint agency representative(s) who will participate as a member of the State Agency-Tribal Natural Resources Working Group and Cultural Resource Cluster, while promoting positive communication between Tribes and the agency program areas that may affect Tribes.
- Review government-to-government policy at agency staff meetings to ensure that agency personnel are familiar with and understand ODA's policy regarding Tribal relationships.

- Enter into agreements with Tribes, when applicable, in the development and implementation of policies and programs that affect Tribes.

Per ORS 182.166(3), below is a summary of the government-to-government interactions with Oregon’s nine federally recognized tribes by program area in 2020.

Administration

Administration includes the Directors’, Information, and Administrative Services Offices, which are all integral to the successful operation of the ODA. The Directors’ Office provides direction and management to all ODA programs and associated activities. This office also works with the State Board of Agriculture and many other entities/individuals to support the mission and goals of the ODA.

ODA’s Tribal Liaison represented ODA at both the Cultural Resource Cluster (CRC) and the Natural Resource Workgroup (NRWG) meetings. At the meetings, the Tribal Liaison shared relevant agency information with tribal governments and arranged presentations on agency programs as requested by Tribal partners. Following the meeting, the Tribal Liaison prepared highlights of the meetings that was shared with ODA’s Executive Team.

The Tribal Liaison worked with Oregon’s Secretary of State Office to assist Oregon State University Extension Services – Warm Springs, Growing Tribal Farms Program in providing tribal members with agency specific resources and offer guidance to support small business located on the Confederated Tribes of the Warm Springs Reservation of Oregon.

In March, ODA’s Cannabis Policy Coordinator provided an overview of cannabis (hemp & marijuana) and ODA’s role at the Cultural Resources Cluster meeting held in Corvallis.

ODA forwarded a funding opportunity by the United States Department of Agriculture (USDA) titled “Community Prosperity Funding Opportunity” to tribal representatives. Another funding opportunity was forwarded from USDA Centers for Community Prosperity Outreach Grant.

In July, ODA submitted an informational letter and offer of consultation on a proposed Confined Animal Feeding Operations (CAFO) near Boardman, Oregon to the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Warm Springs Reservation of Oregon, and the Burns Paiute Tribe.

ODA invited tribal representatives to participate on the advisory committee on in-state meat processing in July.

ODA submitted the final EO 17-12 Inventory Report in September 2020.

A representative from the Columbia River Inter-Tribal Fish Commission was part of a panel presentation at ODA's Virtual All Staff Meeting held in August. The purpose was to describe the work that the Commission does to support Tribal fishermen.

The ODA's Director and Tribal Liaison are scheduled to represent the agency at the December 2020 Virtual Tribal-State Government-to-Government Annual Summit.

Internal Service & Consumer Protection Programs

The Internal Service & Consumer Protection Programs include Weights and Measures, Motor Fuel Quality, Wolf Compensation, Egg-Laying Hen Cage Program, and ODA's regulatory laboratory. These programs provide consumer protection and fair competition among businesses while facilitating interstate commerce and international trade by ensuring the accuracy and uniformity of Oregon's Commercial Weighing System and the quality of motor fuels sold in Oregon.

Although measurement devices on tribal lands are not subject to state weights and measures laws, Oregon Tribes and some Tribal members have requested that the Weights and Measures program license and test their equipment.

In 2020, ODA licensed and inspected devices at the following locations:

- Confederated Tribes of the Umatilla Indian Reservation – fish market, Cascade Locks
- Cow Creek Band of Umpqua Tribe of Indians (multiple devices, multiple locations)

Natural Resources Programs

Natural Resource Programs include Agricultural Water Quality, Soil and Water Conservation Districts (SWCD), Confined Animal Feeding Operations (CAFO), Land Use, Fertilizer, Pesticide Compliance Monitoring, Pesticide Licensing and Certification, Pesticide Product Registration, Pesticide Stewardship Partnership, and the Pesticide Analytical and Response Center.

The Confined Animal Feeding Operation (CAFO) program continued to update tribal partners, particularly the Confederated Tribes of Umatilla Indian Reservation (CTUIR) around the proposed CAFO near Boardman, Oregon as it goes through the public process.

A regional Livestock Water Quality Specialist (LWQS) from the CAFO Program continued work with the Cow Creek Band of Umpqua Tribe of Indians with their CAFO permit.

The CAFO Program shared an opportunity for tribal partners to participate in the 2020 EPA Region 10 CAFO roundtable virtual meeting scheduled for December.

A representative of the Confederated Tribes of the Umatilla Indian Reservation continues to serve on the Pesticide Stewardship Partnership Advisory Committee. The committee worked with ODA and other agencies to develop a strategic plan for the program and reviewed how the program is working in the watersheds where monitoring, outreach, and education are occurring.

ODA's Tribal Liaison continued to work with Agriculture Water Quality Specialists (AWQS) to reach out to, and encourage Tribal participation on Local Advisory Committees (LAC) that review Agricultural Water Quality Management Area Plans, Rules, and Program Implementation. In 2020 ODA reached out to the Confederated Tribes of Grand Ronde, the Confederated Tribes of Coos, Lower Umpqua & Siuslaw Indians, the Coquille Indian Tribe, and the Confederated Tribes of Siletz Indians. A staff member from the Confederated Tribes of Coos, Lower Umpqua & Siuslaw Indians has joined the Coos-Coquille Ag Water Quality Management Area LAC. AWQS will continue to reach out to tribes throughout the state as vacancies on the LACs become available.

AWQS continues to work with multiple partners, including the Klamath Tribe to address water quality concerns from agricultural activities adjacent to Klamath Lake. The Klamath Tribe Research Station staff have been participating as part of a technical team to evaluate water quality data around the lake, develop projects with local landowners, and seek implementation funding.

Tribal Liaison forwarded a webinar on “Safe and Proper use of Disinfectants & Household Cleaners” to NRWG and CRC Tribal representatives.

ODA provided updates to NRWG and CRC Tribal representatives and sought guidance on the best way to communicate on the proposed rulemaking for the HB 2437 (2019) related to the Agricultural Drainage Channel Maintenance Program. ODA staff heard back from four (4) Tribal representatives, with three (3) accepting invitations to meet and discuss the rules, ODA’s authority and explore ways we can address cultural resource concerns. ODA Agricultural Drainage Channel Maintenance Program staff held separate virtual meetings with Tribal representatives from the Coquille Indian Tribe, the Cow Creek Band of Umpqua Tribe of Indians, and the Confederated Tribes of the Umatilla Indian Reservation. Staff from the Oregon Department of Fish and Wildlife (ODFW) participated in one of the meetings. Based on the conversation, ODA has added information on the Agricultural Drainage Channel Maintenance Program website describing legal responsibilities around Tribal cultural resources. ODA will continue to provide updates to the NRWG and CRC Tribal representatives as it navigates through the implementation phase.

ODA provided information to NRWG and CRC Tribal representatives on the rulemaking surrounding the insecticide chlorpyrifos.

Plant Protection and Conservation Programs

ODA Plant Protection and Conservation Programs includes Insect Pest Prevention and Management (IPPM), Native Plant Conservation, Noxious Weed Control, and Nursery and Christmas Trees. These programs protect Oregon's agricultural industries and the natural environment from harmful plant pests, diseases, and noxious weeds; enhance the value and marketability of exported nursery stock, Christmas trees, seeds, and other agricultural products; and conserve threatened and endangered plants.

In March, ODA's Biological Control Entomologist provided an overview of biocontrol work, specifically gorse thrips, in the State of Oregon and ODA's role at the Cultural Resources Cluster meeting held in Corvallis. A follow-up document on the federal consultation process to Tribes was provided by email. Additional conversations with program staff lead to policy discussion on enhanced outreach efforts to Tribal representatives on future biocontrol work in their area.

ODA and Oregon State University (OSU) worked with a Tribal member of the Confederated Tribes of Siletz Indians to place invasive species traps on Tribal lands.

Food Safety and Animal Health and Identification Programs

The Food Safety Programs include Food Safety Licensing, Shellfish and Shellfish Plat Leasing, Animal Health, Animal Identification, Predator Control, Commercial Feeds, and the State Veterinarian's Office. These programs inspect all facets of Oregon's food distribution system (except restaurants) to ensure food is safe for consumption, protects and maintains animal health, and ensures animal feeds meet nutritional and labeling standards.

In March, ODA's Food Safety Program Manager spoke with staff from OSU Extension Services - Warm Springs to discuss federal and state food safety regulations to assist Tribal members with small and aspiring businesses on the Confederated Tribes of the Warm Springs Reservation of Oregon.

In September, ODA reached out to several Tribes including the Coquille Indian Tribe, the Confederated Tribes of Coos, Lower Umpqua & Siuslaw Indians, the Cow Creek Band of Umpqua Tribe of Indians, the Confederated Tribes of Grand Ronde, the Klamath Tribes, and the Confederated Tribes of Siletz Indians regarding their interest in receiving permit applications for 7 designated commercial shellfish harvest and growing areas along Oregon's Coast. ODA received interest and responses from the Coquille Indian Tribe, the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, and the Confederated Tribes of Siletz Indians.

A staff member from the Columbia River Inter-Tribal Fish Commission sits on ODA's Food Safety Program Advisory Committee and is also part of a stakeholder meeting

with the Food Drug Administration on the implementation of the Food Safety Modernization Act.

Market Access and Certification Programs

The Market Access and Certification Programs include Agricultural Development and Marketing, Certification Programs, Commodity Commissions, Commodity Inspection, Produce Safety, Smoke Management, and Plant Health Program. These programs help Oregon's agricultural producers successfully add value, sell, and ship products to local, national, and international markets by promoting and creating demand for products through marketing activities, inspection, and certification.

ODA Market Access and Certification staff worked with the Tribal Liaison to provide a list of services and contacts to assist small and emerging business located on the Confederated Tribes of the Warm Springs Reservation of Oregon.