

2021-23 Legislative Session – Agency Request



Concept No.	Title	Description
<b>Administration and Support</b>		
LC 60300- 001	Department Modernization - Statutory Cleanup ORS 561	ORS 561 is the organizational chapter for ODA. This LC contains two proposals. First is amending 561.030 to remove that the principal office must be in Salem. Second, amend 561.040 to modernize language from "Division Chiefs" to "Program Area Directors."
Pkg 1##	Agency Equity Officer	ODA must be able to continue to serve the changing needs of Oregon's diverse agricultural and food sectors to maintain and enhance a strong natural resource base and stable economy in rural and urban communities across the state. One way to do this is through our core value of diversity, equity, and inclusion. To lead ODA in this work, we are seeking an Agency Equity Officer position to advocate for equitable practices in all dimensions of ODA's work.
Pkg 1##	Emergency Management Coordinator	ODA is a member of the Governor's Disaster Cabinet, charged with actions necessary to continue Essential State Functions (ESF's), and has responded to the COVID-19 public health crisis. Currently, ODA does not have an Emergency Management Coordinator position. ODA's Emergency Management (EM) and Continuation of Operations Planning (COOP), research, design, development, and implementation would be supported by a dedicated position.
Pkg 1##	Internal Auditor	While ODA is required by statute to keep an internal audit function, the agency has never had a budgeted internal auditor position. This policy option package establishes an Agency Audit Executive position to handle ODA internal audit activities. Internal audit provides an independent, objective assurance and

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		consulting services which add value to agency operations by facilitating oversight, accountability, and transparency.
Pkg 1##	IT Modernization	To continue serving ODA's constituencies in a technology-dependent world, continual investment in IT infrastructure is necessary. As telework has become critical, secure access and stable connectivity are crucial for ODA to continue operations under unpredictable situations.
Pkg 1##	General ODA Inspectors	ODA is tasked with a range of inspection programs ranging from water quality, food safety, shipping point inspection, pesticides, CAFOs, weights and measures, and more. Currently, each program area hires its inspectors either full time or seasonally as workload demands. ODA is requesting budget authority to hire full-time inspectors in a pool to cross-train and share among programs as workload shifts.
Pkg 1##	ODA/OLCC Funding	ODA is seeking cost recovery for lab work and services related to Oregon's marijuana program.
Pkg 1##	Deferred Maintenance	It is required by DAS to capture deferred maintenance costs.
<b>Market Access and Certification</b>		
Pkg 4##	Developing Domestic Markets	ODA is requesting funding to connect Oregon producers with regional and national buyers to strengthen Oregon's agricultural economy. These activities will help provide stability through expanding opportunities in diversified markets.
Pkg 4##	Certification Fees	This is a placeholder POP for adjusting Other Funds limitations to align with USDA's fee schedule.
Pkg 4##	Food Safety and Modernization Act	ODA receives federal funds to carry out FSMA requirements. This POP allows the continuation of the federal funds' limitations and positions.

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Pkg 060	Smoke Program	We are moving the smoke program from NRPA to MAC. It will be included in a technical adjustment package.
<b>Plant Protection &amp; Conservation Program</b>		
LC 60300- 013	Hemp Program	Submitting HB 4072-B form the 2020 legislative session as an LC.
Pkg 3##	Hemp	POP to accompany Hemp LC for Other Funds limitations.
Pkg 3##	Aquatic Noxious Weeds	ODA is requesting a position and resources to conduct work on protecting watersheds from noxious aquatic weeds. Aquatic noxious weeds invade the native plant and wildlife habitat and damage local ecosystems.
Pkg 3##	Japanese Beetle Eradication	ODA is requesting funding to continue ongoing Japanese Beetle eradication. Investments over the years have yielded positive results, and continual efforts are required to complete the multi-year investments.
Pkg 3##	Plant Threatened & Endangered (T&E)	ODA is requesting lottery funds to support the current 17 active state projects. These are voluntary partnerships with federal, state, local, and tribal governments as well as private landowners to restore and enhance plant populations and conducts monitoring of T&E plant populations.
<b>Natural Resources</b>		
LC 60300- 004	New Pesticide Applicator License	This concept would make two changes to ORS 634. The first change is that an individual or the employer of the individual has an appropriate license type to use a restricted use pesticide, without the business itself obtaining an operator license. The second change is that an individual or the employer of the individual has an appropriate license type to use a pesticide permitted under ORS 634.700 to 634.750, without the private school itself obtaining an operator license. These modifications would not allow an individual or the employer of the individual to function as an unlicensed Pesticide Operator and engage in the application of

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		pesticides upon the land or property of another.
LC 60300- 005	Pesticide Certification and Training Modernization	The US EPA recently revised its rules related to certification and training of applicators. According to the EPA, states must revise certification programs to meet or exceed the federal changes to the Certification of Pesticide Applicators regulation at 40 CFR 171. This regulation ensures that applicators are professionally trained and competent to apply restricted-use pesticides. ODA seeks the statutory authority (ORS 634.306 and ORS 634.322) to adopt rules to implement 40 CFR Part 171 (2019).
Pkg 3##	Pesticide Certification and Training	The purpose of this POP is to streamline the regulatory burden on certain pesticide users, while still requiring them to have a certification and license and receive education aimed at protecting public health and the environment. This POP allows ODA to accept revenue from LC ##.
LC 60300- 006	Agricultural Channel Maintenance Fix	ODA will be submitting HB 4155 (2020) to obtain explicit authority to implement HB 2437 (2019) in a regional manner.
Pkg 3##	WPS Position	This package will change a position that was mistakenly coded as Limited Duration in our 19-21 budget to a permanent position. The affected position supports the ODA Pesticide Program's work with diverse stakeholder groups to provide safety education for workers and handlers.
Pkg 3##	Soil Health Position	ODA is requesting a position and resources to focus and coordinate existing training programs to incorporate soil health practices. Healthy soils keep cropland productive, hold more moisture, provide natural pest and disease prevention benefits, keep cropland resilient in the face of natural disasters, and help protect air and water quality.
Pkg 3##	Baseline Soil Health Assessment	We are requesting resources to support pilot work to establish a baseline assessment of soil health for several crops. This will complement work that was recently funded in Washington State. ODA will be working with OSU to discuss further/develop this request.

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Pkg 3##	Groundwater Quality Improvements and Emissions Reductions	SB 1562 (2020) - The purpose of this package is to attain Oregon's safe drinking water standards in groundwater management areas (GWMA) and reduce emissions of nitrous oxide associated with nitrogen fertilizer use. ODA proposes to achieve these goals through two primary efforts. First, we plan to use contracted facilitation services in the Lower Umatilla Basin Groundwater Management Area (GWMA) to convene a task force, develop measurable objectives, and identify specific opportunities in agriculture to improve groundwater quality. For the second, we also plan to fund research to enhance fertilizer use efficiency on crops that are grown in the state's three GWMA. This work will not only address nitrate concerns within the GWMA but will help water quality wherever these crops are grown in Oregon.
Pkg 3##	Adequate S&S Budget in CAFO Program	Supplies and Services (S&S) spending authority are the expenses for implementing a program. The ODA CAFO has a low S&S budget compared to other NRPA programs. This POP would increase the S&S spending authority to cover field inspectors' travel, lab costs, and legal expenses.
Pkg 3##	Klamath Water Quality Monitoring	ODA received funding for the 2019-2021 biennium to conduct water quality monitoring around Klamath lake. This funding has helped ODA work with farmers around the lake and partners to understand how agricultural activities around the lake affect water quality and identify and design solutions to water quality concerns. We request to continue the monitoring funding for the 2021-2023 biennium to verify that solutions are achieving the intended water quality improvements.
Pkg 3##	Water Quality Improvement Work in Strategic Areas	This POP will expand ODA's collaborative work with partner agencies and organizations to achieve water quality goals in small agricultural watersheds. We are requesting one additional staff position at ODA and funds to contract with high-functioning local partners. These local partners will use the funds to hire staff to provide technical assistance to landowners in entire regions. The ODA

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		staff will track contract implementation, conduct compliance assistance work, and assist with applying for grant resources to support the ground restoration work.
<b>Food Safety and Animal Health</b>		
LC 60300-010	State Meat Inspection Program	HB 4152A (2020) Provides authorization for ODA to adopt rules establishing a program of state inspection for processing and sale of meat products from amenable species and nonamenable species, as defined by ODA in the rule.
Pkg 2##	State Meat Inspection Program	ODA's funding requests for HB 4152A to include staff training, education materials, and additional inspectors. Establish fee authorization.
LC 60300-009	Veterinarian Emergency Responders	In the event of an animal-related emergency in Oregon or another state requesting assistance through the Emergency Management Assistance Compact (EMAC), ODA is unable to contract with Vet Technician staff to aid in response to the emergency. Emergency response requires multiple types of specialized duties, not only a licensed vet.
LC 60300-007	Brands Fee Increase	To maintain current services to the Livestock Identification Program, ODA proposes to increase the fee caps for the brand recording fee, activation fee, and brand renewal fees in ORS 604.027; Increase the brand transfer fees in ORS 604.041; Increase the service fee in ORS 604.046; Increase the brand inspection fees in ORS 604.066; Increase the feedlot license fee in ORS 604.620.
Pkg 2##	Brands Fee Increase	This is an accompanying POP for the agency to receive the fee increase.
LC 60300-008	Feeds Fee Increase	To maintain current services to the Commercial Feeds, ODA proposes to increase the fee caps for the feed registration fee in ORS 633.015 and the feed manufacturer license fee in ORS 633.029. <b>Placeholder until a new fee is established.</b>
Pkg ##	Feeds Fee Increase	This is an accompanying POP for the agency to receive the fee increase.

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Pkg ##	Animal Health Lab	ODA is requesting additional GF investments to maintain current animal health laboratory services.
Pkg ##	Avian Influenza LD	Continue one limited duration federal funds position in the Animal Health program to address Avian Influenza threats. ODA has a cooperative agreement with the United States Department of Agriculture (USDA) to support animal health work in Oregon.
LC 60300- 011	Food Safety Fee Increase	The Food Safety program is currently supported by split funds with 75% other funds and 25% general funds. The program has raised fees by 3% in 2018-2019 and 2021-2022 licensing years to attempt to maintain a steady fund balance for the program. In 2017-2019, the legislatively adopted budget shifted \$1.4M general fund to other funds. A one-time fee increase is proposed if the GF shift is not realized. <b>Placeholder until a new fee is established.</b>
Pkg 2##	Food Safety Fee Increase	This is an accompanying POP for the agency to receive the fee increase.
Pkg 2##	Food Safety Funding	Request for a general fund investment in lieu of the above fee increase LC.
Pkg 2##	Shellfish Coordinator LD	ODA is requesting resources to continue to support our Limited Duration shellfish coordinator position. This position works with Oregon's shellfish industry to create an efficient and workable application process for prospective shellfish growers in existing growing areas. In addition, this position also works to identify and pursue approval for new growth areas in bays and estuaries that are not currently approved for shellfish production. Oregon's shellfish industry has been impacted especially hard by climate change and ocean acidification. Maintaining this position will help the industry manage some of the risks associated with climate change, such as water quality challenges.
<b>Internal Services &amp; Consumer Protection</b>		
LC 60300- 012	Aviation Fuel Quality Assurance	ODA lacks apparent authority to conduct and enforce fuel quality checks on aviation fuel. The limited definition in ORS 646.945 provides the definition of "motor vehicle fuel" that ORS 646.947 to 646.963 uses to operate Oregon's fuel

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		inspection program. Changing the definition to include aviation fuels will not change current practices but allow the ODA apparent authority to conduct fuel quality assurances on these fuel types.
Pkg 2 ##	Lab Services Staffing	<p>ODA Laboratory Services lacks the staff to efficiently add chemical methods to ISO/IEC 17025 Laboratory Accreditation scope (current methods are primarily microbiological) and maintain a robust quality management system to continue supplying its customers (ODA regulatory programs and OLCC Cannabis testing requests) with high quality and legally justifiable analytical results.</p> <p>*Note: Tied to ODA/OLCC Funding Mechanism POP</p>