



# Oregon State Board of Agriculture Minutes

DATE	LOCATION	START TIME	END TIME
12/02/2020	Virtual via GoToMeeting	8:30 AM	12:30 PM

FACILITATOR	CONTACT EMAIL	CONTACT PHONE
Karla Valness	kvalness@oda.state.or.us	503.986.4554

Meeting recording available at: <https://youtu.be/erBiW6G1Wtg>

## Wednesday, December 2, 2020 (Audio = 0:00)

### Agenda Item 01

Chair Stephanie Hallock called the meeting to order at 8:30 am. Introductions of board members followed. Guests on-line were asked to use the chat box to sign-in. Guests joining by phone only were asked to introduce themselves.

- Board members present: Barbara Boyer, Chair Stephanie Hallock, Vice-chair Bryan Harper, Shantae Johnson, Grant Kitamura, Elin Miller, Luisa Santamaria, Tyson Raymond, Josh Zielinski, ODA Director Alexis Taylor, OSU Dean Alan Sams
- Board members absent: Marty Myers
- Others present: Lisa Hanson, Lauren Henderson, Jess Paulson, Isaak Stapleton, Stephanie Page, Helmuth Rogg, Jason Barber, Jonathan Sandau, Jim Johnson, Karla Valness, Andrea Boyer, Andrea Cantu-Schomus, Dave Losh, Brian Posewitz, Katie Murray, Amy Patrick, Cassandra Newton, Mary Anne Cooper, Randy and Pam Comeleo, Samantha Bayer, Amanda Hoey, Jim Akenson, Shannon Brubaker, Derek Broman, Justin Green, Tammy Dennee, Danelle Romain, Wym Matthews, Rodger Huffman, Dennis Sheehy, Kelly Peterson, Alice Williamson, Greg Holms, Nellie McAdams, Jason Faucera, Hilary Foote, Deborah Clark, Addie Candib, Tiffany Monroe, Torey Mill, Jasmine Zimmer-Stucky, Michelle Blake, Todd Nash

### Approval of minutes (Audio = 7:00)

Draft minutes from the September 23, 2020 board meeting were presented for review and approval.

### MOTION:

A motion was made by Barbara Boyer to approve the minutes with no changes or corrections. Seconded by Grant Kitamura. No discussion. Motion passed unanimously.

### Director's report (Audio = 7:40)

Director Taylor discussed the modification to the ODA organization chart based on the upcoming retirement of Internal Service and Consumer Protection Program Director Jason Barber on December 31, 2020. His early announcement provided time for ODA to consider organizational changes. ODA currently has five program areas. After considering budget constraints and possibly holding the Program Director position open, a decision was made to re-organize activities under four program areas: Market Access & Certification, Food Safety & Animal Health; Natural Resources;

Plant Protection & Conservation in order to maximize core services and excellent customer service. Program changes include: Weights & Measures to Market Access & Certification; Predator Control and Regulatory Lab operations to Food Safety & Animal Health; Wolf Depredation Compensation and the newly created Business Operations for facilities, fleet and licensing to the Director's Office. These changes became effective in November 2020, and are reflected in the new organizational chart. Director Taylor thanked Jason Barber for his work at the agency and wished him well in his retirement.

Director Taylor provided a COVID update. The Oregon Department of Agriculture (ODA) continues to work with the Oregon Health Authority (OHA) and Oregon Occupational Safety and Health Agency (OROSHA) to respond to food processing and farm operations who have employees who test positive for COVID-19. As mentioned in the June meeting, the playbooks for food processing and farm operations that have been developed by the OHA, OR-OSHA and the ODA include a site assessment consultation that operations may request. To date the ODA has conducted 200+ consultations with food processing and farm operations.

One such consultation includes an Oregon mink farm that recently confirmed a case of SARS-CoV-2. The ODA has been in contact with the mink farm and all Oregon mink farms to monitor the situation. A focus during the consultation was to discuss and implement biosecurity measures that are designed to reduce the risk of spreading infectious disease from sick animals to healthy ones. A major part of the ODA's Animal Health program is to control and eradicate animal diseases in the state. Once the mink farm notified the ODA that some of the animals on the farm were showing mild symptoms, the farm was put under quarantine which means no animals or anything associated with those animals such as equipment or manure can leave the farm. The quarantine will stay in place until two rounds of tests on the animals come back negative. There are many zoonotic diseases that are reportable to the ODA and SARS-CoV-2 is one of them. In those instances, the ODA has steps in place to monitor and help reduce the risk of those diseases spreading to other animals. The ODA currently has five animal disease quarantines in place including the SARS-CoV-2 quarantine.

The Director reported that the ODA is working with the Oregon Watershed Enhancement Board (OWEB) to prepare a final report on the Food Security and Farmworker Safety Program. Director Taylor and OWEB Executive Director Meta Loftsgaarden are scheduled to provide an update to the House Agriculture committee in December.

Lastly, the Director thanked OSU Extension for the great partnership to assist with distribution of face coverings and face masks to food processors and the agricultural community.

Resource:

- ODA Organization Chart effective 11/6/2020

#### **Agenda Item 02 – Oregon Department of Agriculture budget updates (Audio = 19:50)**

Deputy Director Lisa Hanson provided the Board with a brief overview of the 2021-2023 Governor's Recommended Budget which was released on December 1. Hanson had previously provided an overview to the Board on the ODA's 2021-2023 Agency Request Budget submitted in September.

The Governor's budget focused on the key challenges facing Oregonians: public health and economic impacts of the COVID-19 pandemic; recovery from the 2020 wildfire season; and, taking steps to end systemic racism and address racial disparities in Oregon.

The Governor's Recommended Budget for the ODA shows a total funds increase from \$128 million to \$133 million, resulting from fund shifts, reductions, and new funds added to the overall budget. Additional details will be forthcoming as the agency reviews the recommended budget.

The Governor's Recommended Budget is an integral part of the budget building process. It will be used as a starting point for working with the Legislative Assembly during the upcoming 2021 legislative session.

Deputy Director Hanson briefly reviewed the 2021-23 ODA Agency-wide Program Prioritization list. The agency programs are prioritized based on public health and food safety, statutorily required programs, natural resource programs and programs that impact market access and the economy.

Board member Boyer asked about the funding changes at the Food Innovation Center (FIC) for the ODA Marketing Program. Deputy Director Hanson stated that the Marketing Program will conduct business remotely and the long-term plan is to move the ODA Regulatory Lab to the State's newly purchased North Valley Complex in Wilsonville in the next 2-3 years. OSU Dean Sams added that the Food Innovation Center is not closing and no changes are planned for the OSU programs located at the FIC.

Resource:

- 2021-23 ODA Agency-wide Program Prioritization List

#### **Agenda Item 03 - Update on CAFO MOU with the Department of Environmental Quality (DEQ) (Audio = 47:45)**

Stephanie Page, ODA's Natural Resources Program Director; Justin Green, DEQ Water Quality Division Administrator; and Wym Matthew, ODA's CAFO and Fertilizer Program Manager reported that ODA and DEQ have been working over the past year to update the CAFO MOU between ODA and DEQ. The current MOU expires in 2020 and is reviewed and renewed every 5 years. The first MOU was established in 1993.

The purpose of the MOU is to delegate authority from DEQ to ODA to specify those functions of the Environmental Quality Commission (EQC) that ODA may perform to operate a program for the prevention and control of water pollution from a confined animal feed operation (CAFO) and specify related duties.

A MOU draft, with minor updates, was presented to EQC in July with the plan to consider approval by the EQC at the November meeting. Based on feedback at the July EQC meeting additional edits to the MOU are being considered to reflect how the agencies are currently doing business and incorporate the changes to the general permit being discussed. As a result, the DEQ will present to the EQC a short-term extension of the current MOU until July 2021 to allow for edits to be completed. The Board of Agriculture does not have to approve an extension.

Mr. Green thanked the Board for the opportunity to meet them today and looks forward to working with ODA to finalize the MOU to document the work and strong partnership between ODA and DEQ.

Discussion followed.

Resource:

- Existing copy of MOU

#### Agenda Item 04 – Oregon Cougar Management Plan (Audio = 57:42)

Prior to the presentation Chair Hallock provided background to Board members and meeting guests regarding the history of Board of Agriculture Resolution 275 – Cougar Management Plan and the request for a briefing from the Oregon Department of Fish and Wildlife (ODFW) regarding the Oregon Cougar Management Plan.

Based on the Board's Resolution policies and procedures, resolutions are reviewed, updated or archived on a regular basis. Resolution 275 was established in 2006, reviewed in 2017 and is currently under review in 2020. The Board workgroup revised and updated the resolution and brought it to the full board for consideration at the September 23, 2020 Board meeting. At the September Board meeting, the Board approved revised language with a technical correction in the resolution and requested a briefing from ODFW on what had changed in cougar management since the 2006 resolution was adopted before deciding whether to update or archive the resolution.

Chair Hallock stated that neither the ODA nor the Board of Agriculture have any regulatory authority over cougar management in Oregon. That authority is vested in the ODFW. The Board's Resolution 275 is a statement of support for the ODFW Cougar Management Plan; it carries no regulatory weight; nor does it suggest in any way how wildlife should be managed in Oregon. The Board is an advocate for agriculture in Oregon and has an interest in any issue that potentially affects farming and ranching operations in Oregon.

The Board will be hearing testimony from members of the public on Resolution 275 during today's public comment period and the Board has received a large number of written comments expressing concern about the resolution.

Chair Hallock introduced Derek Broman, Carnivore-Furbearer Coordinator, Oregon Department of Fish and Wildlife (ODFW) to begin his presentation.

Mr. Broman provided the Board with a brief overview of Oregon statutes ORS 496 and ORS 498, the history of the Oregon Cougar Management Plan, and elements of the current plan. The current plan updated in 2017 has four objectives: 1) Statewide cougar population not below 3,000 cougars 2) Manage cougar-human safety/pet conflicts 3) Manage cougar-livestock conflicts and 4) Manage cougar populations consistent with management objectives for other game mammals outlined in ODFW management plans. The presentation highlighted the management zones, population estimates, cougar mortalities by zone, monitoring work and the trends in complaints and mortalities. Oregon law allows landowners to kill a cougar that is damaging livestock or property.

Cougars were originally classified as predators and had no protections under state law. In the late 1960s, cougars were reclassified as a game mammal and came under ODFW management. With regulated hunting, the statewide population is estimated to be 6,610 cougars of all age classes as of 2019.

More resources and information about the Oregon Cougar Management Plan can be obtained from ODFW or visit: <http://dfw.state.or.us>

Discussion followed.

Resource:

- Memo to board from ODA Re: Summary of Resolution #275 discussion materials
- Cougar Plan ODFW Presentation

### Agenda Item 05 - Public Comment (Audio = 1:31:00)

Chair Stephanie Hallock acknowledged the receipt of written comments from 108 individuals/organizations related to the current resolutions under review. Written comments were distributed to board members and posted on the ODA website prior to the meeting.

The board received nine requests to provide verbal testimony related to the current resolutions under review.

Testimony was given by eight speakers:

Speaker	Name	Topic
1	<b>Michelle Blake</b> Western Region 1 Coordinator Mountain Lion Foundation	Resolution 275 Cougar Management Plan
2	<b>Kelly Peterson</b> Oregon Senior State Director The Humane Society	Resolution 275 Cougar Management Plan
3	<b>Brian Posewitz</b> Secretary   Director Humane Voters Oregon	Resolution 275 Cougar Management Plan
4	<b>Todd Nash</b> Vice President Oregon Cattlemen's Association	Resolution 275 Cougar Management Plan
5	<b>Dennis Sheehy</b> Wildlife Committee Chair Oregon Cattlemen's Association	Resolution 275 Cougar Management Plan
6	<b>Rodger Huffman</b> Treasurer and Wolf Committee Chair Oregon Cattlemen's Association	Resolution 275 Cougar Management Plan
7	<b>Samantha Bayer</b> Policy Counsel Oregon Farm Bureau	Biofuels and Cougar Management
8	<b>Jim Akenson</b> Senior Conservation Director Oregon Hunters Association	Cougar Management from the perspective of Oregon Hunters Association

Resource:

- Agenda Item 05 – Written Public Comments Dec 2020

### Agenda Item 06 – Ag Land Conservation panel discussion (Audio = 1:58:40)

Representatives from six organizations Addie Candib, American Farmland Trust; Greg Holmes, 1000 Friends of Oregon; Shantae Johnson, Black Oregon Land Trust; Torey Mill, Coalition of Oregon Land Trusts; Nellie McAdams, Oregon Agricultural Trust and Jim Johnson, Oregon Department of Agriculture spoke to the Board about ag land conservation, the threats facing working farms and ranches in the state, and the cumulative impacts of non-farm uses in farm and forest lands. The representatives talked about the work each of the organizations do in protecting and sustaining agricultural lands in Oregon.

Resource:

- Ag Land Conservation Presentation

**Agenda Item 07 - Board Business (Audio = 3:02:18)**

ODA Program Area Reports

Chair Hallock thanked the ODA program areas for the recent quarterly reports prepared for the Board. Chair Hallock commended programs for work that has continued since the state of emergency was declared in March due to COVID-19.

OWEB Report

Board member Barbara Boyer reported she had participated in 16 hours of Diversity, Equity and Inclusion (DEI) training made available through the OWEB which included speakers from around the USA. The OWEB board held an emergency meeting on October 30 to consider prioritizing funds due to the wildfires in Oregon. The OWEB board approved \$75,000 for erosion control due to wildfires for 13 areas in Oregon. In August, OWEB received 80% of the normal allocation of lottery funds. Recent closures due to the COVID-19 emergency may change available funding levels.

Resolution Action Items

Chair Hallock asked for a report from Workgroup A on the resolutions under current review.

Workgroup A – resolutions under review

Stephanie Page, ODA Natural Resource Program Director, reported on the work completed in Workgroup A last evening and presented the following recommendations from the group.

- 269 – Board of Agriculture Supports Development of Biofuel Industry in Oregon  
Board members of the workgroup recommended that the full board adopt the proposed language as provided.

**MOTION:**

A motion was made by Tyson Raymond to accept the proposed language as provided supporting the development of biofuels in Oregon. Seconded by Bryan Harper. Discussion followed. Motion passed unanimously.

- 275 – Cougar Management Plan  
Board members of the workgroup recommended that the full board adopt the proposed language as provided.

**MOTION:**

A motion was made by Elin Miller to accept the proposed language as provided supporting the Oregon Cougar Management Plan. Seconded by Grant Kitamura. Discussion followed. Motion passed unanimously.

- 305 – The Native Plant Conservation Program  
Board members of the workgroup recommended that the full board adopt the proposed language as provided.

**MOTION:**

A motion was made by Barbara Boyer to adopt the proposed language as provided supporting The Native Plant Conservation Program. Seconded by Luisa Santamaria. Discussion followed. Motion passed unanimously.

Resolutions are policy statements by the Board of Agriculture. Members of the public can request the Board to consider creating or modifying a resolution at any time. Resolutions are regularly reviewed by the Board.

Board members were provided the list of resolutions scheduled for review in 2021 and were asked to review and select which resolution workgroup they would like to participate in for 2021. Board members will notify ODA Board Coordinator Karla Valness with their workgroup selection. Workgroups will be confirmed prior to the January meeting.

#### Oregon Coordinating Council on Ocean Acidification and Hypoxia (OAH) Recommendation

Director Taylor reviewed a memo distributed to board members regarding the Oregon Coordinating Council on Ocean Acidification and Hypoxia (OAH). As required by statute ORS 196.571, the State Board of Agriculture, in consultation with the Governor, is responsible for appointing one member of the Oregon Coordinating Council on Ocean Acidification and Hypoxia representing the shellfish mariculture industry.

The shellfish mariculture industry position has been vacant for approximately one-year. A recruitment notice was distributed in January 2020 and throughout the year to solicit interested applicants. To date, the Board received an interest form from one applicant to consider. Board members discussed the options to 1) recommend the applicant Kristen Penner with North Coast Industries LLC, dba Blue Siren Shellfish of Garibaldi, Oregon or 2) conduct a public notification to solicit additional applications for the board to consider at a future meeting.

#### **MOTION:**

A motion was made by Stephanie Hallock to recommend Ms. Penner be appointed to the OAH Council. Seconded by Tyson Raymond. No discussion. Motion passed unanimously.

A letter will be drafted for Chair Hallock's signature to recommend the appointment to the OAH Council.

#### Resource:

- Agenda Item 07 – ODA Memo to the Board on OAH Council Appointment

#### Newsletter Topics

Suggested topics for the quarterly newsletter include: Grant Kitamura's resignation from the board, actions on resolutions, welcome to new board members Elin Miller and Josh Zielinski, overview of Ag Land Conservation presentation, ODA budget updates, COVID-19 program updates.

**Meeting adjourned at 12:30 pm.**

**Next meeting:  
January 19-20, 2021  
Virtual meeting**