

Oregon Department of Agriculture Program Reports  
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## Food Safety and Animal Health & ID Programs

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- **Food Safety General Update**

- Food Safety program staff are continuing to work to reduce the inspection backlog from the COVID pandemic. Overdue is defined as those inspections that are more than 90 days beyond their due date. The backlog numbers have trended down from a peak of 4,943 in July to the current 4,282. Our staff objective is to pace our return to ensure long term program stability. Food Safety staff are also continuing to work through our 'fees due' list of firms to differentiate between firms that are out-of-business or have licensing fees in arrears. Rules have been filed with the Secretary of State's office to increase Food Safety license fees by 7% for the 2022/2023 fee period.

- **Retail and Manufactured Foods**

- We are continuing to cross-train staff on Preventive Control inspections on schedule throughout the contract year. We received limited seats (five) for enrolling ODA Food Safety staff members into the Preventive Controls for Regulators course. After 2022 we will have approximately 30 (of 36) staff members will have taken the course.

- **Dairy Program**

- The program had received approval for a 9th 90-day Emergency Consideration waiver from the FDA, but it lapsed with the Governor's lifting of the COVID Executive Order. Throughout the pandemic our dairy program has been able to keep up with all routine inspections, sampling, including State Rating and Federal Check Rating inspections.

- **Shellfish Program**

- ODA's marine biotoxin Domoic Acid (DA) levels for all the zones (A through L) in Oregon's coastal waters have been within safe levels. This year's commercial crab season has enjoyed an uninterrupted harvest. We continue to work on a new plat lease proposed in the Tillamook Bay. We are working with our State and Federal partners to determine the viability of using the proposed area for commercial harvesting in the context of environmental health, biological diversity, and public access.

- **State Meat Inspection**

- The formal request for authorization from USDA FSIS has been submitted to their Division Administrator. Work is continuing in the development of policies and processes to support the rules, much of which are being borrowed from other state programs or directly from the USDA. Upon receipt of approval from the USDA our ODA staff will gain access to the training programs offered by the USDA. We were able to hire a Meat Specialist to assist with this process. Both his 30+ years of experience with USDA and extensive background in education and compliance with regulations have been invaluable to creating immediate credibility at a federal level.

- **Animal Health**

- The program is continuing developing a program-specific implementation of the agency's strategic plan to guide the Animal Health program's improvements and growth over the next several years. This planning has been recognized by USDA through funding of three separate grants through the National Animal Disease Preparedness and Response Program (NADPRP) that will allow Oregon to expand current disease response plans and infrastructure to prepare for future disease threats. Dr. Erin Lane was hired as the new District Veterinarian in Southern Oregon which filled in the last open position in the AH program area.

## Market Access & Certification Programs

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- **Agricultural Development & Marketing**

- In 2021, the Oregon Legislature provided ODA with \$2 million to improve the capacity to process meat products in the state.
  - Applications were due March 23. ODA received 44 applications requesting \$14.5 million to complete \$37.5 million in meat processing projects.

- The ODA Meat Grant Review Team is evaluating the applications and will present the Director with recommendations for award in mid-May.
- The Good Food Foundation First Annual Portland Mercantile will be held in East Portland on April 29 and will host buyers from specialty retail stores from across the country.
- ADMP concluded filming of local partners in late March. These videos will be added to the Food and Beverage Roadmap to compliment the resources on the site.  
<https://stage.oregon.gov/odaroadmap/Pages/default.aspx>
- ODA hosted USDA Under Secretary Jennifer Moffitt at a March 17 roundtable of local producers and a school nutrition official to discuss challenges to and resources for farm to school and school lunch programs.
- Marketing activities returned to in-person events in February and March.
  - Oregon companies participated in the Fancy Food Show the week of March 7. While the organizer reported about a third less activity than in the last show before the pandemic, vendors were excited to resume in-person marketing and reported strong sales leads.
  - ADMP joined the March 3-4 Good Food Foundation Collaborative and Awards at the San Francisco Mercantile. At the event, we were able to host the Foundation breakfast to promote the Portland Mercantile, as well as present at the annual awards ceremony.
- **Certification Programs**
  - The program continues to offer USDA Good Agricultural Practices/Good Handling Practices, USDA Harmonized GAP (HGAP) and HGAP Plus+, Mushroom GAP as well as specialty and Organic certifications.
  - The program is gearing up for the 2022 season and audits have already begun as it continues to increase the number of auditors around the state to assist with high demand for audits and to reduce costs to customers. The program served over 230 customers in 2021 and is busy in all districts. Protocols were developed to conduct audits during the COVID-19 pandemic and service has not been interrupted.
- **Produce Safety**
  - The FDA recently released the proposed rule, "Standards for the Growing, Harvesting, Packing and Holding of Produce for Human Consumption Relating to Agricultural Water". This proposed rule would update Subpart E of the FSMA Produce Safety Rule.
  - The Program has held multiple technical assistance and outreach events for farmers, including a webinar on understanding coverage under the rule; a joint webinar with FDA on *Cyclospora spp.* The program is also hosting industry listening sessions and multiple commodity-specific technical assistance demonstration across the state.
  - The program continues to teach classes, provide technical assistance, and compile the farm inventory. Classes continue to be taught remotely due to the COVID-19 pandemic.
- **Plant Health Program**

The Plant Health program was awarded funding through the Plant Protection Action (PPA) Section 7721 for the following projects:

  - Safeguarding grapevine nurseries from introduced pathogens – this is a two-year project that will support Oregon's grape and wine industries during the implementation of Oregon's updated Grapevine Quarantine rule. More information is available at <https://oda.direct/GrapeQuarantine>
  - Surveying Oregon's Certified Prunus Nurseries for the Causal Agents of Little Cherry Disease (LCD) – LCD is of concern to Oregon's nursery and cherry production industries. In collaboration with the OSU Plant Clinic, all registered *Prunus* material will be tested for three pathogens that can cause LCD. Additionally, LCD hosts in the landscape will be randomly sampled and tested.
  - Using next-generation sequencing to verify virus-free status of legacy materials in the Oregon Certified Nursery Stock Program. Ensuring that certified nurseries propagate from clean stock is key to ensuring that consumers are growing healthy, virus-free plants. Advancements in diagnostic tools have improved our ability to detect pathogens that can persist at low levels. This project will assist nurseries in testing older materials in the certification program to ensure that they are free of economically damaging plant pathogens.
- **Seed Regulatory Program**
  - A rules advisory committee has been convened to update the rules for grass seed price negotiations (OAR 603-076-0005 to 0016). Members were chosen who represent the interests of the grass seed industry. The goal of the rulemaking is to update and clarify the existing rules to ensure the supervisory process established by the rules is sufficient to prevent antitrust violations and facilitate the negotiation process. Rulemaking should be complete by June 1, 2022.
- **Shipping Point Inspection**
  - Labor continues to be a challenge for both the industry and the shipping point program.
  - Transportation is also an issue for many commodities, including produce, grass seed, and hay/straw.
  - Irrigation water allocations are reduced which will result in some ground left fallow in Eastern Oregon.

- **Smoke Management Program:**
  - Registration for the 2022 field burning season is complete. The program is on track for its July 5 start date.
- **Weights and Measures Program**
  - The program is recruiting to fill a handful of vacancies. The program was pleased to bring on Annie Blietz to cover the East Portland and Gresham district. Annie joins Weights and Measures from the ODA Plant Protection and Conservation Program.

## Natural Resource Programs

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The following updates are organized by operating process in our management system and cover all NRPA programs. In addition to the updates below, one more important activity involves filling a variety of vacant positions in the program area with limited duration and/or permanent staff. This will continue to be a major focus for all programs for the remainder of the biennium and we are excited to be able to bring on these staff.

- **Fostering collaboration**
  - Change and recruitments continue to be a theme for the Agricultural Water Quality Program (AGWQP) and Soil and Water Conservation District (SWCD) program. We are happy to announce that Karin Stutzman will join us in May as the new SWCD Specialist. Karin will be an important part of providing leadership to the SWCD program and expanding and improving on communications and relationships with SWCDs around the state. Recruitments and interviews are in various stages of completion for another 8 positions in the AGWQP.
  - Work on the update to the ODA-DEQ Memorandum of Agreement (MOA) is well under way. This agreement establishes roles and responsibilities for how the two agencies collaborate in meeting state water quality standards and Total Maximum Daily Load (TMDL) allocations and implementation. An early draft for review between ODA and DEQ will be completed by the end of April. A later draft will be available for public comment this fall, with the goal of having a new MOA in place by the end of the calendar year. The AGWQP has also restarted quarterly meetings with SWCDs on the Strategic Implementation Area (SIA) Initiative. Feedback from the March meeting will be used to inform how \$650,000 in technical assistance funds will be made available to expand capacity with local partners.
  - The Pesticide Compliance Program continues to work closely with Oregon State University to increase awareness on the school Integrated Pest Management law. In March 2022, ODA investigative staff presented at OSU's School IPM Coordinator Training in Bend. Pesticide investigators will continue to provide presentations at the remaining nine OSU trainings this year around the state. School IPM Plan Coordinators are required to take six hours of IPM training each year.
  - During March 2022, Pesticide Program staff also presented and participated in OSHA's Annual Pesticide Symposium where multiple agencies (e.g., OSHA, ODA, State Fire Marshal, ODF, EPA, ODOT and OHA) came together to share information, receive staff training, and continue collaborations.
  - The Fertilizer program set up and hosted the 10th annual Western States Fertilizer Programs meeting in Portland. The Western States meeting started out as a couple of states connecting on common issues and has grown into a multi-state group with the goal to better align fertilizer regulations across neighboring states. Current participating states are, California, Washington, Idaho, and Montana. Feedback from industry has been positive, they have appreciated the consistency across states that the group has achieved.
- **Permits, Registrations, and Notifications**
  - The Agricultural Drainage Channel Maintenance (ADCM) Program completed rulemaking to enact authority granted by the 2021 legislature to phase in the program across the state. Current work is focused on education and outreach to raise awareness amongst landowners and to develop training in collaboration with local partners who will encounter requests for assistance with this program.
  - The Confined Animal Feeding Operation (CAFO) is continuing to process several permits. The program is currently processing one new, Large TII Poultry facility application, one new large TII poultry partial application and anticipating a third new large TII poultry application. The CAFO (National Pollutant Discharge Elimination System) NPDES General Permit response to comments with DEQ continues.
  - Evaluating possible rulemaking necessary to help implement HB 4062(2022) which creates a new pesticide applicator license type, noncommercial pesticide applicator. This license type provides a pathway for those using restricted use pesticides on land or property owned or leased by the individual or the employer of the individual, but not in the production of agricultural commodities or forest crops. For example, those making certain types of wood, seed or hay treatments, or applications to private golf courses. This bill also provides a license type for owners or employees of private schools who make pesticide applications.

- **Providing Compliance and Technical Assistance**
  - In collaboration with the local landowner advisory committee, AGWQP staff have updated the [Clackamas Subbasin Agricultural Water Quality Management Area Plan](#) to include elements from an ODA Willamette Basin Mercury Total Maximum Daily Load implementation plan (TMDL - a basin-wide water quality plan for mercury). This approach is meant to create greater transparency and consistency in TMDL implementation and is a proposed new feature in the interagency ODA-DEQ MOA mentioned previously.
  - In the final steps of completing fact sheets about safe pesticide storage, transport, and disposal. These fact sheets will outline the importance of properly handling pesticides and the steps that can be taken to minimize risks. This project is a collaborative effort involving several PARC member agencies.
  - Holding three waste pesticide collection events in April. The first event was in Pendleton and collected 7,479 lbs. of pesticides. Other events will be in Roseburg on April 16, and Ontario on April 30.
- **Conducting Inspections, Investigations & Enforcement**
  - The AGWQP has met with key stakeholder groups on proposed rulemaking in Divisions 90 and 95. The rules need to be updated for two reasons: 1) inconsistencies between Statutes and Rules and 2) definitions refer to other statutes or rules that have been renumbered and are no longer valid. Oregon's 9 Tribes have also been informed of these rulemaking plans.
  - The Pesticides Program has continued to follow-up on complaints through the winter regarding possible violations of the state's Pesticide Control Act. In addition, the program conducted a number of routine record inspections of pesticide applicators and pesticide dealers during the wintertime.
  - The Confined Animal Feeding Operation (CAFO) continues to perform inspections of permitted facilities.
- **Providing Customer Support and Resolving Inquiries**
  - The AGWQP again met with members of the Klamath Tribe council and staff as part of a commitment to meet regularly to build and improve on information exchange on agricultural water quality issues in the basin. The Tribes will be part of the interview panel for the new Klamath Regional Water Quality Specialist position, in addition to local stakeholders.
  - The new Soil Health Program is in the process of developing a soil health web page with FAQs, and an "ask the expert" section. As the program matures, we plan to continue to develop resources and outreach materials for grower and producers that support soil carbon sequestration and reduce emissions.

## Plant Protection & Conservation Programs

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Oregon is hosting the Western Plant Board the last week of April. Staff from our program area will be presenting on various topics relating to timely pest issues of concern, state-federal cooperative projects, regulatory issues, and future plans to continue to have a unified regulatory front against invasive pests and weeds. A panel comprised of invited industry members will be a valued session, to discuss the industry-regulatory relationship.

- **Insect Pest Prevention and Management Program (IPPM)**
  - On February 8th, USDA announced the FY2022 spending plan for PPA7721 (Plant Pest and Disease Management and Disaster Prevention Program). ODA was awarded \$1,411,399 to fund 16 projects; 10 of which will be executed by the IPPM program. Projects range from biocontrol, continuation of funds for the identification lab, and surveys for an array of exotic pests. In particular, the Rail Inspection Program will focus on a under scrutinized pathway of pest introduction.
  - Jake Bodart, program manager, will be leaving ODA to become the State Plant Health Director with USDA-APHIS-PPQ, Portland office. This role is the federal counterpart to the State Plant Regulatory Official position which is held by the Director of the Plant Protection and Conservation Program area. His last day with ODA will be May 5th.
  - Onboarding of staff has been completed and training of seasonals is in progress to begin the 2022 season of Mormon cricket and grasshopper survey work. SB 5561 included \$5million for assistance Oregon landowners to suppress native grasshoppers and Mormon crickets in 2022. These funds allowed for the establishment of a grasshopper program that was not previously funded to meet the level of need.
  - Treatments for the 2022 Japanese beetle survey/eradication season began in early April. Thus far, program has high levels of cooperation from the public.
  - Two new pests have been intercepted: Mediterranean oak borer (found in a trap at a nursery in Woodburn, OR) and Chinese fir borer (public report at Aurora airport). Neither pest is currently present in Oregon and trapping response plan is already in effect.

- **Noxious Weed Control Program**

- Oregon State Weed Board awarded the 2022 OSWB Grant Applications for funding at the February 24, 2022 meeting. There were 59 grants received requesting \$1,842,586 in funding. Applications were received from all over the state; eighteen of the grants had A&T state listed noxious weeds that are priority for the board for control and funding. The Board approved funding for 50 grants awarding \$1,555,710. The Board also reviewed and approved four new B listed Oregon Noxious Weed to the Oregon Noxious weed to the state list: Tower of jewels or Pine Echium (*Echium pininana*), Common Blueweed or Vipers Bugloss (*Echium vulgare*), Sweetbriar Rose (*Rosa rubiginosa*) and Dog Rose (*Rosa canina*).
- In the 2021-2023 biennium the Program received \$450,000 of new Oregon General funds to award to priority noxious weed grant projects. The goal is to put funds towards projects on development of innovative noxious weed projects, build on existing projects, and programs to build Cooperative Weed Management Areas or other partnerships. This funding will allow up to \$20,000 for equipment purchase and build local infrastructure. This flexible funding is a huge need around the state. ODA received 27 applications requesting \$711,017 that included \$287,714 for equipment needs. The Oregon State Weed Board met April 14, 2022, to approve a recommendation list of 18 approved grants for \$450,000, that included \$192,192 in equipment needs. Grants will go before Director Taylor later in April for final review and award.
- Recruitment is underway for a Integrated Weed Management Specialist that will cover the southern Willamette Valley area. The program staffs five other such specialists stationed across Oregon.
- Staff will work this season on stakeholder re-engagement throughout Oregon to reestablish coordination and cooperation on noxious weed control projects. After about a two-year reduction in presence over the last two years due to COVID-19 and program staff being reassigned to the Hemp Program due to budget.
- Oregon Invasive Noxious Weed Awareness Week is coming May 15-21, 2022. This is an opportunity to work with our noxious weed cooperators throughout Oregon to educate the public and policy makers on the importance of noxious weed prevention and control efforts that protect Oregon's natural resources and agricultural economy.

- **Nursery and Christmas Tree Program**

- Program executed two traceback investigations this spring: successfully confiscating 150 plants from over 100 locations across the state. Oregon received potential Japanese beetle infested nursery stock from Michigan and suspect citrus canker infested nursery stock South Carolina. All plants were mailed directly to residential locations. Such actions take much coordination and communication with the public to obtain full cooperation.
- The *Phytophthora ramorum* Program has continued performing inspections through the early part of 2022 in response to a confirmed positive nursery. USDA sent specialists to conduct a full assessment of the nursery, along with ODA staff and painters from USDA-Portland office. The outcome of the visit was a complete inspection report with recommendations. Several key findings of that assessment have been incorporated into a newly issued cooperative agreement. There are currently six interstate shippers in the program.
- The boxwood blight cleanliness program is still under review, to update the programs procedures and inspection policies in efforts to streamline program implementation across program participants and bolster education on scouting techniques. A field day for inspector training, in collaboration with OSU extension specialists, is scheduled for early June 2022.
- Summaries of our pest quarantines has been fully updated and made available to the National Plant Board website. These summaries are made available through the National Plant Board and the ODA website. Part of the programs mission is to provide clear guidance on shipping requirements to prevent the introduction of unwanted pests and maintain Oregon's reputation of producing high-quality nursery stock.
- Staff have responded to several instances of non-compliance of e-commerce shipments with our state requirements. E-commerce continues to be a challenge for regulatory staff.

- **Hemp Program**

- Program continues to follow up on Operation Table Rock with enforcement actions. Staff are in process of issuing civil penalties and denying 2022 license applications as appropriate.
- Jackson, Josephine, and Douglas Counties all declared cannabis emergencies and petitioned the Department to enact a new license moratorium in those counties for the 2022 growing season. Anyone who applied after January 1, 2022 and had not had a grower license in those counties during either the '20 or '21 growing season may not receive a license for 2022. There are currently 25 applications pending denial due to the moratorium. Inspectors are still working with growers who failed to report preharvest testing.
- 626 applications for 2022 have been received so far, which covers 252 handlers and 297 growers. Representing 286 grow sites. Handlers are being approved and issued as we receive them. Grower licenses are worked up to the background check and placed on hold.



- In progress: Working with Oregon State Police still trying to get permission to conduct the background checks. We are now at a point that the delay is critical for our growers. Final preparations and planting season are upon us and we still cannot do the checks.
- **Native Plant Conservation Program**
  - Two new staff were hired: a Conservation Biologist 3 and Conservation Biologist 2. Funding was secured in the previous legislative session to expand the program's capacity to address state-related threatened and endangered plant issues. As the program restructures with new staff, we will increase our focus on the review of Oregon's List of Threatened and Endangered Plants.
  - The Program Lead attended the Native Plant Society of Oregon Board meeting on February 5th to provide updates to this important constituent group and discuss the potential for plant conservation collaborations.
  - The first Native Plant Conservation Program Stakeholder Group meeting was convened on February 24th to bring together important state, tribal, federal, private, and non-profit advocates for native plant conservation. This group of over 20 participating members will be working to better address plant conservation needs across Oregon.
  - Four conservation project proposals were developed and submitted to USFWS for consideration for funding plant conservation projects that address both state and federal priorities. Focal conservation species include Howell's spectacular thelypody, MacFarlane's four o'clock, Cook's lomatium, and golden paintbrush.
  - Field work has begun for a couple of listed plants that bloom early: Bradshaw's lomatium and Gentner's fritillary. We are working with federal, state, county, city, private, and non-profit partners to better understand the status of these state-listed plants to best promote their management and recovery.
- **Oregon Invasive Species Council**
  - ODA and OISC completed their drafting of the MOU, which will clearly define ODA's role as the fiscal agency for OISC. All key components of the MOU have been approved by both parties and DOJ is working to create the finalized document for signatures.
  - The council continues to develop an online information hub: a searchable tool to compile available information for aggressive non-native species that pose a threat to Oregon's environment, economy, or public health. The project is still under development, and they have opened it up as a beta version to gain user feedback.
  - The OISC will hold their first in-person meeting since before the pandemic, in mid-June in Coos Bay.

## Administration/Special Projects

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- **Bovine Manure Tax Credits**
  - HB 2066, which required ODA to administer tax credit certifications to qualified bovine manure producers or collectors that produce biofuels in Oregon, sunsetted December 31, 2021. Contact: Sunny Summers
- **Willamette Valley Protected District for Canola**
  - Applications for the 2023 crop season are available and must be submitted to ODA by June 30, 2022. The application can be found on the ODA website at <https://oda.direct/canola> Contact: Sunny Summers
- **Wolf Depredation Program**
  - For the 2022 Wolf Grant Cycle ODA is awarding a total of \$393,681.91 to twelve (12) Counties: Baker, Crook, Douglas, Grant, Jackson, Klamath, Lake, Morrow, Umatilla, Union, Wallowa, and Wheeler. The total amount funded 100% of county requests for confirmed depredation, prevention, and administration. The total for prevention work award is \$286,663.11 and for the first time ever the program was able to meet that need at 100%. ODA was able to fund missing claims at 50% of the requested value, which is average for this grant program. Contact: Jonathan Sandau
- **Oregon Disaster Assistance Program (ODAP)**
  - The ODAP program likely will be accepting applications by the board meeting. The application deadline is May 31st, 2022, with the possibility of a second round pending the fund balance after the first round of applications. A total for \$40 million was appropriated to the ODAP program by the Oregon Legislature. Contact: Jonathan Sandau and Alan Hanson

### *(ODAP Background)*

On December 13, 2021, the Oregon Legislature approved SB 892, which established the framework for a unique disaster assistance program for Oregon's farmers and ranchers recovering from natural disasters in

2021. The program is structured as a forgivable loan to provide state level assistance to fill gaps in federal disaster programs or act as bridge loan until Oregon's producers can receive certain USDA FSA disaster assistance.

Oregon's farmers and ranchers experienced impacts from compounding natural disasters in 2021 that brought historical levels drought, record setting heat, wildfires and smoke, ice and winter storms, and other residual effects of the disasters. Oregon Governor Kate Brown and USDA Sec. Tom Vilsack toured Marionberry farm and hosted a roundtable with producers around the state to discuss the impacts across Oregon's agricultural communities.

The Oregon Disaster Assistance Program (ODAP) calculates assistance for eligible farmers and ranchers in Oregon on loss Gross Farm Income. ODAP is based on tax filing from 2017, 2018, and 2019 to establish a three-year baseline of what a producer could have reasonably expected in farm income without disaster impacts. Using producers 2021 Gross Farm Income, the difference between 2021 income and the three-year baseline is considered loss due to natural disasters.