

Oregon State Board of Agriculture Active Resolutions

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Oregon State Board of Agriculture Active Resolutions

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314	Permitted Uses on Lands Zoned Exclusive Farm Use and on High-Value Farmland	05/19/21	2024	Jim Johnson
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318	Siting of energy transmission and generation facilities on agricultural land	08/18/22	2025	Jim Johnson
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Oregon State Board of Agriculture Resolution Procedures

Title: Board of Agriculture Policy and Procedures for Resolutions	Number: 000 Effective Date: 06/15/2023
Workgroup: Allen, Lopez, Orem, Santamaria, Zielinski ODA Staff Contact: Karla Valness	Next Review Date: 00/00/2026 Date of Last Review/Revision: 06/15/2023 Original Resolution Date: 06/07/2018
Board Chair: Luisa Santamaria	Signature on file, 06/15/2023

General

- This document is intended to provide a clear process for establishment and review of Board resolutions.
- Resolutions are policy statements by the Board of Agriculture.
- All active Board resolutions will be available to the public on ODA's website including an ODA staff point of contact.
- If a Resolution is under review the website will simply state "under Board review," with an ODA staff contact listed. Draft language of Resolutions under review will not be posted as a matter of routine but will be available with Board agendas. Information is provided on how the public may provide comments on resolutions under Board review.
- Inactive Board resolutions are kept in an electronic archive but are not listed on the website and are only available to the public by request to ODA staff, or if the Board decides to re-activate a resolution.
- Resolutions will be reviewed on a routine basis by ODA staff and the Board to determine relevancy and changes if needed.

Resolution Development and Review Process

- Resolutions may be initiated at the request of individual members of the Board, or by ad hoc working groups of Board members who volunteer to address a specific issue, or may be suggested to the Board by ODA staff, or initiated by the Board at the request of an outside party.
- Drafts of Resolutions may be worked on by ad hoc working group members outside of Board meetings without public involvement. Any ad hoc group that is formed must be limited to 5 members or less to avoid creating a quorum.
- If it is known prior to a Board meeting that an active or proposed resolution will be brought to the full Board, it is made available on the website to the public with materials provided to the Board for the meeting.
- At the meeting, the Board will be advised by staff of any controversial issues and/or comments received about a proposed resolution, and the public may provide comments at the meeting on the proposed resolution during public comment periods designated on the agenda.

- If no revisions to the resolution are requested by the Board after discussion and hearing public comment, or if revisions are made and accepted by the Board at the meeting, the resolution may be adopted.
- If the Board requests that more work be done on the resolution, the revised resolution will be posted on the website with the Board meeting agenda including the statement “under Board review” and instructions on how to provide public comment.
- A revised draft of the resolution will be brought to the Board at its next meeting, which the Board may adopt, or send through the revision process again. This process may be repeated until the resolution is adopted.
- Resolutions will not be active until the Board votes on the final text of the resolution.

Summary of Public Involvement in Resolutions

- Resolutions are available to the public through the website.
- Drafts of resolutions under review by the Board are posted on the website with the Board meeting agenda.
- The public may provide verbal and/or written comment on the resolutions under consideration by the Board.
- Members of the public can request the Board to consider creating or modifying a resolution.

Oregon State Board of Agriculture Resolution	
Title: Pesticide Use for Pest Control	Number: 024 Effective Date: 01/20/2021
Workgroup A: Harper, Miller, Raymond, Santamaria ODA Staff Contact: Stephanie Page	Next Review Date: 00/00/2024 Date of Last Review/Revision: 01/20/2021 Original Resolution Date: 05/11/1978
Board Chair: Stephanie Hallock	Signature on file

Background

Pesticides are used in agricultural production systems to control pests, including weeds, insect and vertebrate pests, and disease. Pesticides are regulated at the national level by the U.S. Environmental Protection Agency, using the authorities provided in the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). FIFRA includes provisions requiring extensive study and scientific review of a pesticide before it may be registered and approved for use, sale, and distribution.

Pesticides are one of many tools that can be used to control pests as part of an Integrated Pest Management (IPM) approach. IPM focuses on pest prevention, including establishing pest thresholds, scouting and monitoring, and using alternate methods to prevent pests such as mechanical and cultural controls, before pesticides are used. IPM ensures that pesticides are used to control pests only when needed.

Integrated pest management is used widely in agricultural production systems and in residential, institutional, natural resource, and industrial settings. It is a part of core pesticide training curriculum for state licensing and certification of pesticide users.

Resolution

The State Board of Agriculture supports the need of agriculture to control pests using pesticide chemicals as part of an integrated approach to pest management.

The State Board of Agriculture adopts the position that when pesticides used in agriculture are applied in accordance with the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), then the public and the environment are protected from harmful or adverse effects as required by federal law.

Oregon State Board of Agriculture Resolution

Title: Reservation of Columbia River Water for Irrigation Purposes	Number: 029 Effective Date: 06/15/2023
Workgroup A: Allen, Lopez, Orem, Santamaria, Zielinski ODA Staff Contact: Isaak Stapleton	Next Review Date: 00/00/2026 Date of Last Review/Revision: 06/15/2023 Original Resolution Date: 12/12/1978
Board Chair: Luisa Santamaria	Signature on file, 06/15/2023

Background

Oregon law allows for reservations of water for multipurpose storage of water for future economic development uses, including agricultural use. A reservation is an amount of unappropriated water set aside for future use with a priority date. To use reserved water, a prospective user must successfully apply for a permit to store water and receives a priority date determined by the date of the reservation.

After Senate Bill 140 created reservations for future economic development in 1987, the Oregon Department of Agriculture applied for several reservations. Many of these reservations were granted and have been extended. Other proposed reservations were not adopted into basin plans due to other pending processes. The Columbia River proposed reservation was placed on hold pending completion of recovery plans for threatened and endangered Columbia River fish species.

Recovery plans for threatened and endangered fish species have not yet been finalized for the Columbia due to litigation and re-drafting of the plans, so the Columbia River reservations applied for by ODA remain on hold.

Resolution

Be it resolved that the Board of Agriculture recommends reservation of water in the Columbia River for irrigation and future agricultural needs.

Summary

Recommends reservation of water in the Columbia River for irrigation and future agricultural needs.

Oregon State Board of Agriculture Resolution

Title: Priority for Agricultural Use of Water	Number: 107 Effective Date: 08/18/2022
Workgroup A: Harper, Allen, Miller, Orem, Santamaria ODA Staff Contact: Isaak Stapleton	Next Review Date: 00/00/2025 Date of Last Review/Revision: 08/18/2022 Original Resolution Date: 04/12/1984
Board Chair: Bryan Harper	Signature on file

Background

- I. Agriculture is a major industry in Oregon, providing a vital and important economic base for citizens of the state.
- II. Agriculture is a water user in the state and must be recognized as being a beneficial use of water and in the public interest; and
- III. As our state faces unprecedented water supply challenges, it is critical that communities come together to engage in water supply planning and watershed investments that meet all needs in the basin.
- IV. Oregon agriculture has a long history of engaging in conservation projects which have provided positive environmental benefits in all basins around Oregon. This work is valuable and should be continued.

Resolution

The Board of Agriculture believes that agriculture, along with other beneficial uses and users of water, must be considered equally and coordinated with all water resource planning and management activities in the state; and

Current and future agricultural uses of water must be accounted for as the state develops new instream water rights. We support the continued use of reservations to ensure that agricultural needs are accounted for as the state develops new instream water right applications.

Summary

Agricultural uses of water should be considered equally with all other beneficial uses in water resource planning and management activities within Oregon.

Oregon State Board of Agriculture Resolution

Title: Trade policy that promotes free and reciprocal access	Number: 124 Effective Date: 06/15/2023
Workgroup A: Allen, Lopez, Orem, Santamaria, Zielinski ODA Staff Contact: Jess Paulson	Next Review Date: 00/00/2026 Date of Last Review/Revision: 06/15/2023 Original Resolution Date: 02/05/1987
Board Chair: Luisa Santamaria	Signature on file, 06/15/2023

Background

WHEREAS Oregon agriculture is highly dependent on trade. An estimated 80% of Oregon's agricultural production leaves the state, of which half is exported.

WHEREAS A robust, open trade system allows the movement of products in and out of the state, to the benefit of Oregon producers and consumers. As the strength of Oregon's agriculture is the diversity of high-quality products farmers, ranchers, and fishers may produce.

WHEREAS Access to a diversity of markets is essential to the function of markets, assuring that Oregon agriculture, food, and beverage producers receive the best possible prices for their products.

Resolution

The Board of Agriculture goes on record as supporting a U.S. Trade Policy that rejects protectionism and promotes fair and reciprocal access to all markets.

Summary

Supports a US trade policy that rejects protectionism and promotes fair and reciprocal access to all markets.

Oregon State Board of Agriculture Resolution	
Title: Position on Farm Tax Deferral and Urban Growth Boundaries	Number: 155 Effective Date: 06/15/2023
Workgroup B: Boyer, Harper, Johnson, Miller, Svaty ODA Staff Contact: Jim Johnson	Next Review Date: 00/00/2026 Date of Last Review/Revision: 06/15/2023 Original Resolution Date: 12/09/1994
Board Chair: Luisa Santamaria	Signature on file, 06/15/2023

Background

Whereas the State Board of Agriculture recognizes that it is not uncommon to find commercial farming operations located inside of many urban growth boundaries throughout Oregon;

Whereas, while awaiting future urbanization, many “vacant” urban lands are rented and leased by farmers and ranchers and put into production;

Whereas farm use special assessment is currently available for all lands in Oregon regardless of zoning designation;

Whereas, lands not zoned for exclusive farm use (EFU) must meet the same requirements as those zoned EFU and meet minimum income requirements established in ORS 308A.056.;

Whereas, unlike EFU lands which qualify automatically when they meet the definition of “farm use,” non-EFU lands may qualify only after justification through application;

Whereas regardless of tax status, all lands located within an urban growth boundary (UGB) are considered to be urban land and must be considered in any evaluation of available “buildable land” before justification of an expansion of any UGB and upon a “change of use,” the subject land is disqualified from farm value assessment;

Whereas, elimination of farm property tax deferrals within Urban Growth Boundaries could place legitimate farming operations on land not yet needed for development at a competitive disadvantage potentially leading to the dissolution of these operations and resulting in premature low-density development in conflict with land use planning goals;

Whereas the location of many important components of Oregon’s agricultural industry are found in and near urban areas and specifically, inside urban growth boundaries.

Resolution

Be it resolved that the State Board of Agriculture supports the Farm Use Special Assessment (Tax Deferral) program remaining available and being maintained within Urban Growth Boundaries.

Be it further resolved that expansion of urban growth boundaries be considered only after desirable urban densities have been reached on lands within existing boundaries.

Summary

Asserts the farm-use tax deferral should be maintained within urban growth boundaries. Expansion of urban growth boundaries should only be considered after urban density has been reached on land within existing boundaries.

Oregon State Board of Agriculture Resolution	
Title: The Supply of Buildable Lands Inside Urban Growth Boundaries	Number: 162 Effective Date: 06/15/2023
Workgroup B: Boyer, Harper, Johnson, Miller, Svaty ODA Staff Contact: Jim Johnson	Next Review Date: 00/00/2026 Date of Last Review/Revision: 06/15/2023 Original Resolution Date: 12/11/1998
Board Chair: Luisa Santamaria	Signature on file, 06/15/2023

Background

Whereas Oregon agriculture produces a farm gate value in excess of \$5 billion dollars annually.

Whereas the Willamette Valley produces approximately one-half of Oregon's \$5 billion-dollar market value production.

Whereas Oregon's population growth is projected to increase by nearly 5% by 2023, primarily in the Willamette Valley.

Whereas Oregon cities are required by state law to maintain a 20-year supply of buildable lands within their established urban growth boundaries.

Resolution

Be it resolved that the State Board of Agriculture finds that mandating a 20-year supply of buildable lands inside the urban growth boundaries is incompatible with the conservation of farmland for future generations.

Be it further resolved the Board of Agriculture supports the concept of cities and counties regaining local control by making the 20-year supply of buildable lands inside the urban growth boundary optional.

Summary

Supports local control (by cities and counties) to optional development on 20-year land supplies within urban growth boundaries.

Oregon State Board of Agriculture Resolution	
Title: Need for Documented Agricultural Work Force	Number: 169 Effective Date: 01/20/2021
Workgroup B: Boyer, Hallock, Johnson, Zielinski ODA Staff Contact: Jess Paulson	Next Review Date: 00/00/2024 Date of Last Review/Revision: 01/20/2021 Original Resolution Date: 05/21/1999
Board Chair: Stephanie Hallock	Signature on file

Background

Whereas, Oregon agriculture's farmgate value is over \$5 billion dollars;

Whereas, Oregon agriculture is the third largest economic sector in the state;

Whereas Oregon farmers, ranchers, fishermen and processors need a reliable, qualified, and legal workforce to raise, harvest, and process over 225 different agricultural commodities produced in Oregon;

Whereas foreign-born workers comprise a significant portion of the Oregon agriculture and food processing workforce;

Whereas finding skilled, qualified agricultural labor is a growing challenge for Oregon's farmers, ranchers, fishermen and food processors, as well as nationwide;

Whereas when domestic workers are not available, agriculturalists should have access to a guest farmworker program to ensure the continued production of locally grown, harvested and processed Oregon agricultural commodities.

Resolution

Be it resolved that the State Board of Agriculture supports the introduction of immigration laws that create a path forward for existing agricultural workers in the United States to obtain legal documentation. Be it further resolved that the Board strongly recommends to Congress that modifications be made to existing laws, particularly the H-2A Temporary Agricultural Workers Program, so all agricultural sectors have the opportunity to secure a qualified workforce.

Oregon State Board of Agriculture Resolution	
Title: Collective Bargaining for Agricultural Workers and Employers	Number: 266 Effective Date: 05/19/2021
Workgroup B: Boyer, Hallock, Johnson, Zielinski ODA Staff Contact: Jess Paulson	Next Review Date: 00/00/2024 Date of Last Review/Revision: 05/19/2021 Original Resolution Date: 03/17/2005
Board Chair: Bryan Harper, Vice-Chair	Signature on file

Background

WHEREAS, employees' rights to form or join a union should continue to be protected by federal and state laws;

WHEREAS, neither federal nor state law provide for collective bargaining rules and regulations for Oregon farm workers and Oregon farm employers;

WHEREAS, the Oregon State Board of Agriculture does not believe that this represents a free and fair process to determine whether or not a majority of workers support forming a union;

WHEREAS, Oregon agricultural employers have for many years supported the establishment of Oregon law that would enable equitable rules and regulations to control collective bargaining for Oregon farm workers and their employers;

WHEREAS, it is in the best interest of Oregon agriculture to ensure a fair process for collective bargaining including the rights of employers to communicate freely with employees about the effects of unionization in the workplace.

WHEREAS, the bargaining process is free of coercion to ensure a fair process for all parties involved, such as the use of secret ballot elections as the means to determine whether employees want to be represented by a union.

Resolution

Be it resolved that the Oregon State Board of Agriculture supports extending collective bargaining protections to Oregon agriculture.

Oregon State Board of Agriculture Resolution	
Title: Collaboration of the Board of Agriculture and the Department of Agriculture with the Oregon Watershed Enhancement Board	Number: 274 Effective Date: 01/20/2021
Workgroup A: Harper, Miller, Raymond, Santamaria ODA Staff Contact: Stephanie Page	Next Review Date: 00/00/2024 Date of Last Review/Revision: 01/20/2021 Original Resolution Date: 03/02/2006
Board Chair: Stephanie Hallock	Signature on file

Background

The Oregon Watershed Enhancement Board (OWEB) provides grants to protect and restore healthy watersheds and natural habitats that support thriving communities and strong economies. OWEB works closely with federal, state, and local partners to ensure that priorities for funding reflect partner needs and priorities, including water quality, fish and wildlife habitat, environmental justice, and community development.

OWEB, the Board of Agriculture and ODA have a history of collaboration, both at the Board and agency level. A Board of Agriculture member serves as a voting member on the OWEB board. The two agencies collaborate to administer grants for weed control and local partner capacity. ODA staff provide input into OWEB funding priorities and grant funding decisions. OWEB grants support ag water quality plan implementation, developing and maintaining fish and wildlife habitat as well as noxious weed control.

Most recently, OWEB and ODA have worked closely with DEQ and ODFW in Coordinated Streamside Management. This partnership supports strategic work in small watersheds throughout the state to ensure compliance with agricultural water quality rules and pursue attaining the state's water quality goals.

Both agencies recognize the critical role that local partner organizations such as SWCDs play in achieving the state's water quality goals. SWCDs have been key local partners in Coordinated Streamside Management and OWEB has provided significant support for their efforts. Many SWCDs act as county weed control boards and noxious weed grants support SWCD organizational growth and development as well as noxious weed eradication.

The collaboration has allowed each agency to focus on what it does best - ODA has relied on OWEB's grant administration expertise and has transitioned more grant administration and institutional capacity support responsibility to OWEB over time. This has allowed ODA to focus more on the agency's core work and competencies, focused on inspection, regulation, and promotion of agriculture and food.

Resolution

The Oregon State Board of Agriculture recognizes the connections between healthy watersheds, thriving communities, and strong economies.

The Board of Agriculture encourages OWEB's consideration of economic viability, social stability, and sustainable watersheds in the selection process for awarding funds for projects, particularly those associated with enhancing water quality on Oregon's agricultural lands.

The Board of Agriculture supports continued collaboration between the Board of Agriculture and the Oregon agencies through continued representation on the OWEB board, ODA staff participation in grant review teams, and other partnership efforts.

The Board of Agriculture recognizes the importance of local partners, including but not limited to Soil and Water Conservation Districts, to provide technical and financial assistance to agricultural landowners to implement local agricultural water quality management area plans.

The Board of Agriculture recognizes the importance of local partner capacity, including but limited to county noxious weed control boards and Soil and Water Conservation Districts, to provide early detection and rapid response to noxious weeds and to pursue eradication of noxious weeds that are already established.

The Board encourages both agencies to continue to collaborate to build organizational capacity among local partners, support implementation of local agricultural water quality management plans, and continue to define and differentiate each agency's respective roles and responsibilities based on each agency's areas of expertise.

Oregon State Board of Agriculture Resolution

Title: Cougar Management Plan	Number: 275 Effective Date: 06/15/2023
Workgroup: Allen, Lopez, Orem, Santamaria, Zielinski ODA Staff Contact: Isaak Stapleton	Next Review Date: 00/00/2026 Date of Last Review/Revision: 06/15/2023 Original Resolution Date: 03/02/2006
Board Chair: Luisa Santamaria	Signature on file, 06/15/2023

Background

Due to concerns about threats to people and livestock, bounties were offered for cougar in Oregon as early as 1843 and continued until 1961, when the Legislature discontinued the bounty system. Since then, the Oregon cougar population across all age classes has increased to approximately 6,610 in 2019 according to ODFW monitoring and projection data. As cougar populations have increased, so have concerns related to livestock predation and other game animal populations.

To address these concerns, the Oregon Department of Fish and Wildlife (ODFW) developed and adopted the state's first cougar management plan in 1987. Much of the state's first plan involved gathering more information to better understand population densities, movement patterns, and harvest and damage control take rates. The plan also included strategies to allow the state's cougar population to increase while controlling conflicts with people and livestock.

ODFW has adopted revised cougar management plans in 1993, 2006, and 2017. Over time, the management plans have reflected the state's increasing cougar populations, and have included strategies such as managed hunting, maintenance of deer, elk, and cougar habitat, and removing animals causing damage. The plan's objectives remain maintaining viable and healthy cougar populations in Oregon, reducing conflicts with cougars, and managing cougars in a manner compatible with other game mammal species.

Resolution

Whereas the Oregon State Board of Agriculture recognizes the threat that cougar predation poses to the livestock industry in Oregon.

Be it resolved that the Board of Agriculture supports the Cougar Management Plan as adopted in October 2017 by the Oregon Department of Fish and Wildlife.

Summary

Supports a cougar management plan proposed by the Oregon Department of Fish and Wildlife; recognizes that cougar predation poses a threat to the livestock industry in Oregon.

Oregon State Board of Agriculture Resolution	
Title: Conservation Plan for the Oregon Coast Coho	Number: 281 Effective Date: 08/18/2022
Workgroup A: Harper, Allen, Miller, Orem, Santamaria ODA Staff Contact: Isaak Stapleton	Next Review Date: 00/00/2025 Date of Last Review/Revision: 08/18/2022 Original Resolution Date: 02/23/2007
Board Chair: Bryan Harper	Signature on file

Background

The state completed a Conservation and Management Plan for the Oregon Coast (OC) Coho Salmon in 2007 to ensure that coastal coho populations fully recover. This planning effort included considerable agency input and public involvement. In January 2007, then Governor Theodore Kulongoski requested that state natural resource agencies and their boards provide visible leadership, support, and endorsement to this effort. The status of OC Coho has been reviewed three times since the plan was completed, and while there have been positive trends in some areas, the status of the species is still listed as threatened under the Endangered Species Act. Oregon Department of Agriculture (ODA) will contribute to this effort through implementation of the CAFO, Agricultural Water Quality, Pesticides, Soil and Water Conservation Districts (SWCD), and Weeds and Invasive Species programs. Also needed are additional voluntary fish habitat improvements not covered under the existing regulatory programs.

When this resolution was passed in 2007, the 38 Area Plans and Rules that form the backbone of the ODA Agricultural Water Quality Program (AgWQP) had only been fully developed and in place for 3 years. From 2004 through 2012, AgWQP compliance efforts were predominantly complaint-based and supported by voluntary implementation of conservation efforts by farmers and ranchers. Coastal Area Plans and Area Rules are designed to meet the requirements of the Coastal Zone Act Reauthorization Amendments (CZARA) and to implement agriculture's part of Oregon's non-point pollution control plan. The need for more strategic approaches to water quality issues was recognized, resulting in the Focus Area and Strategic Implementation Area Initiatives (2012+). SIAs received additional support for monitoring and local partner capacity in 2014. Focus Areas concentrate delivery of SWCD landowner technical assistance in small geographic areas to promote voluntary efforts. The SIA initiative takes a similar voluntary, partnership approach but also has an ODA water quality rule compliance lens.

Resolution

Be it resolved that the Oregon State Board of Agriculture endorses the Oregon Department of Agriculture's efforts toward assisting with state efforts to fully recover coast coho populations. The board in cooperation with the Director of the Department of Agriculture will provide leadership and support to this effort, including efforts to help landowners achieve voluntary fish habitat improvements not covered under the existing regulatory programs.

Summary

The Board supports efforts of the state to ensure the recovery of the Oregon Coastal Coho Salmon population.

Oregon State Board of Agriculture Resolution	
Title: Protection of Oregon Agriculture	Number: 295 Effective Date: 08/17/2023
Workgroup B: Boyer, Harper, Johnson, Miller, Svaty ODA Staff Contact: Jim Johnson	Next Review Date: 00/00/2026 Date of Last Review/Revision: 08/17/2023 Original Resolution Date: 02/13/2009
Board Chair: Luisa Santamaria	Signature on file

Background

WHEREAS, the State Board of Agriculture is committed to supporting viable operations of agriculture throughout Oregon;

WHEREAS, the establishment of Exclusive Farm Use Zones (EFU) have supported the viable operation of farming in Oregon;

WHEREAS, waivers and exemptions of the land use laws developed to protect agricultural lands will most likely lead to location of large-scale developments, new subdivisions, and other nonfarm uses in and amongst ongoing farm and ranch operations; and

WHEREAS, deliberations regarding designation and treatment of agricultural lands under the statewide land use planning program have included the consideration of actions that could designate or treat differently many lands currently zoned exclusive farm use based on soil quality without accounting for land important to the state's livestock, dairy and winegrape industries;

WHEREAS, the USDA NRCS agricultural capability classification system (Class I-VII) does not always adequately address the special and unique needs of certain high-value crops such as vineyards and orchards and is not designed to provide analysis on the value of range and pasturelands; and

WHEREAS many provisions currently found in state law provide opportunities to re-evaluate land use designations, and "rezone" lands when determined to be appropriate, and

WHEREAS irrigation is key element in maintaining the viability of the state's agricultural industry.

WHEREAS decisions involving urban growth, the development of transportation and other infrastructure can impact the long-term viability of agriculture, and

WHEREAS the state land use system can be complex and difficult to understand in many areas.

Resolution

Be it resolved that the Oregon State Board of Agriculture:

1. Reaffirms its commitment to protect viable farming operations in Oregon as a valuable natural and economic resource for our state.

2. Urges that waivers and exemptions to land use regulations not be granted without giving due consideration to need and reasonable alternatives to impacting agricultural lands and operations.
3. Urges that programs dealing with compensation for land use limitations, such as the use of conservation easements supported by the Oregon Agricultural Heritage Program, purchase of development rights and transfer of development rights, be developed to compliment the state land use program.
4. Supports protection of the state's viable grazing and vineyard lands and urges their continued protection as exclusive farm use lands and consideration as high-value farmland;
5. Urges consideration of other factors in addition to soils capability classification, when determining the value of land for high-value and specialty crops and range and pasture forage production.
6. Urges consideration of the impacts of nonresource related development on adjacent agricultural lands, including the sustainability of existing water rights in, any deliberations related to the definition, inventory, and designation of agricultural lands.
7. Supports the evaluation, through the periodic review process, of the adequacy of county agricultural lands inventories and agricultural land zoning.
8. Supports the development of a state strategic plan that integrates land use, transportation water supply and economic development priorities.

Summary

Reaffirms commitment to protect viable farming operations in Oregon as a valuable natural and economic resource for the state.

Oregon State Board of Agriculture Resolution	
Title: Coexistence of wolves and livestock on Oregon's rural landscape	Number: 298 Effective Date: 1/20/2021
Workgroup A: Harper, Miller, Raymond, Santamaria ODA Staff Contact: Stephanie Page	Next Review Date: 00/00/2024 Date of Last Review/Revision: 1/20/2021 Original Resolution Date: 03/10/2011
Board Chair: Stephanie Hallock	Signature on file

Background

Whereas Oregon's livestock producers are major contributors to Oregon's economy and culture;

Whereas Oregon's farmlands and ranchlands provide important wildlife habitat;

Whereas wolf re-colonization is subject to management and control by the State of Oregon and U.S. Fish and Wildlife;

Whereas Oregon's livestock producers endure losses and damage from wildlife, including predation by wolves;

Whereas Oregon's livestock producers have concern for the safety of their families and employees as it relates to the proximity of wolves to the livestock;

Whereas Oregon's livestock producers' goal is to manage the wolf population, not eliminate wolves in Oregon;

Whereas livestock predation and other management costs are caused by wolves and will continue to increase as wolf numbers and distribution increase;

Whereas nonlethal wolf deterrent techniques, such as range riders and bone pile removal, are effective in preventing wolf predation in some, but not all, circumstances;

Where the Wolf Depredation Compensation and Financial Assistance Grant Program provides important financial assistance to livestock producers who experience livestock loss and/or implement nonlethal wolf deterrent techniques;

Whereas wolf management is subject to different management and control standards than other predators, due to their protected status;

Whereas livestock producers have unaddressed and unresolved concerns regarding wolf recovery and management;

Whereas plain, certain, and science-based rules; consistent policy, procedures, and standards are necessary to address livestock predation by wolves in Oregon;

Whereas the relationship between the State of Oregon and its livestock producers is stressed as a result of wolf management;

Whereas the Oregon Department of Agriculture and the State Board of Agriculture represents Oregon's livestock producers and supports the livestock industry;

Resolution

Now, therefore, be it resolved that the Oregon State Board of Agriculture acknowledges the economic importance of the livestock industry in Oregon. The Oregon State Board of Agriculture supports, recommends, and encourages the implementation of plain, certain, and science-based rules; consistent policy, procedures, and standards that are necessary to address livestock predation by wolves in Oregon. The Oregon State Board of Agriculture supports the use of nonlethal wolf deterrent techniques when appropriate and effective, and also supports policies that authorize Oregon's livestock producers and their agents to use immediate lethal control when necessary to prevent livestock predation by wolves or those in the process of or attempting to kill any livestock according to the Oregon Wolf Conservation and Management Plan. The Oregon State Board of Agriculture also supports and encourages full funding for the Wolf Depredation Compensation and Financial Assistance Grant Program.

Oregon State Board of Agriculture Resolution

Title: Siting of Aggregate Mining Operations in the Willamette Valley

Number: 300

Effective Date: 06/15/2023

Workgroup B: Boyer, Harper, Johnson, Miller, Svaty

ODA Staff Contact: Jim Johnson

Next Review Date: 00/00/2026

Date of Last Review/Revision: 06/15/2023

Original Resolution Date: 03/10/2011

Board Chair: Luisa Santamaria

Signature on file, 06/15/2023

Background

Whereas 45% of the total value of Oregon's gross farm and ranch sales is produced in the Willamette Valley;

Whereas 49% of Oregon's high-value farmland soils and 80% of the state's prime farmland is located within the Willamette Valley;

Whereas prime farmland soils compose less than three percent of Oregon's lands;

Whereas aggregate sand and gravel mines are consuming about 350 acres of largely high-value farmland soils a year in the Willamette Valley;

Whereas viable aggregate resources can be and are currently found on lands deemed less valuable to agriculture and other natural resources such as from "hard rock" quarries that are often located on soils less valuable to agriculture and other lands containing poorer quality agricultural soils;

Whereas farming poor soil is not an option for agriculture because agriculture is both land and soil dependent;

Whereas according to Oregon land use law it is only within the Willamette Valley that exceptions are provided to mine Class I and II agricultural lands;

Whereas state law permits reclamation of mining operations on lands zoned for exclusive farm use to either wildlife habitat or agricultural land;

Whereas most typical reclamation of mining operations is to wildlife habitat or "farm use" in the form of open ponds (for irrigation purpose) instead of to useable agricultural ground;

Whereas it is recognized that aggregate resources are important to many aspects of Oregon's economy.

Resolution

Be it resolved that the Oregon State Board of Agriculture:

1. Does not support, in the Willamette Valley, the use and conversion of Class I, II prime or unique agricultural soils (as defined by the USDA Natural Resources Conversation Service) on lands zoned for exclusive farm use for the mining of aggregate unless it is shown that no reasonable alternative lands exist:

- (a) On land that is identified in an acknowledged comprehensive plans as an exception area or as non-resource land;
 - (b) On resource land that is determine to be irrevocably committed to non-resource uses;
 - (c) In an urban growth boundary; or
 - (d) On resource land or lower capability for agricultural production as classified by USDA Natural Resources Conservation Service.
2. When reasonable alternatives do not exist and Willamette Valley Class I, II prime and unique soils are required for needed aggregate production, the Board supports aggregate mining on agricultural land only upon a determination that the proposed mining and associated operations do not or can be mitigated to not adversely impact other farming operations in the area; and
3. When it is determined that mining operations are appropriate for siting on Willamette Valley Class I, II prime and unique soils, the Board supports requiring the reclamation of the subject lands back to farmland at the same quality as existed prior to mining activities.

Summary

Relates to aggregate mining on Class I & II soils in the Willamette Valley.

Oregon State Board of Agriculture Resolution	
Title: Minimizing conflicts of coexistence in agriculture	Number: 301 Effective Date: 05/05/2022
Workgroup B: Boyer, Johnson, Lopez, Svaty, Zielinski ODA Staff Contact: Jim Johnson, Rusty Rock, Jess Paulson	Next Review Date: 00/00/2025 Date of Last Review/Revision: 05/05/2022 Original Resolution Date: 06/07/2011
Board Chair: Bryan Harper	Signature on file

Background

Whereas a broad spectrum of production systems and technologies exist in agriculture;

Whereas farmers should, of their choosing, be able to pursue and utilize all available legal technologies and agriculture production systems to grow crops and raise livestock;

Whereas those engaged in production of agricultural crops or livestock are entrepreneurs, venturing their own knowledge, capital, resources, and ideals to bring products to market with the intent to make a profit;

Whereas all growers have the responsibility for good stewardship of natural resources, and farmers and ranchers must make management decisions that support such stewardship regardless of production system;

Whereas deliberate communication between neighboring producers about practices and cropping choices is essential to maintain crop integrity, resolve potential conflicts between neighboring operations, and help maintain successful farm operations;

Whereas Oregon farms vary in scale, organizational structure, and length of time in operation – some new, some over a century in the same family farm business – all contributing to the mosaic of agriculture in our state;

Whereas farmers have opportunities and responsibilities to many markets, including those nearby (local), regionally, and internationally, any of which may involve selling direct to consumers or wholesale, via contract or open market pricing;

Whereas those engaged in agricultural pursuits recognize that improvements in production processes require research, technological advances, and infrastructure to support adoption of new methods;

Whereas providing a sustained global food supply will require every available production methodology and technology, adapted to local conditions, that improves output while enhancing natural resources;

Resolution

Therefore, the State Board of Agriculture supports:

- a) Stewardship of all production systems on farmlands and agriculture applications, striving for economic viability, sound natural resource management, good neighbor and employee relations, and community connections;

- b) Ongoing, constructive communication between growers about farm management plans and practices to minimize coexistence conflicts;
- c) Growers retaining the legal and economic opportunity to choose production technologies and resources, size of operation, and business structures necessary to produce products that meet the markets they choose to serve.
- d) Growers using Best Management Practices (BMPs) to minimize conflict between production systems as necessary, such as communication and coordination, use of conflict resolution tools including the Farm Mediation Program; agronomic practices, and buffers and isolation in space/time;
- e) State and Federal programs that encourage a variety of agriculture production systems with appropriate research, data gathering, infrastructure, tax policies and marketing support; facilitate commerce; support efficiencies in inputs, production and yields; sustain natural resources; conduct regulatory work; and provide financial and technical assistance when available and appropriate.
- f) Participation by ODA in efforts to proactively prevent and resolve coexistence conflicts, including participation in broad and inclusive efforts to discuss and identify solutions, and promotion of the Farm Mediation Program as a tool to resolve conflict.

Summary

Supports stewardship of natural resources; ongoing communication; choice of production technologies, practices, and business structures; BMPs to minimize conflict, and state and federal programs that support a variety of production systems.

Oregon State Board of Agriculture Resolution

Title: The Native Plant Conservation Program	Number: 305 Effective Date: 08/17/2023
Workgroup: Allen, Lopez, Orem, Santamaria, Zielinski ODA Staff Contact: Chris Benemann	Next Review Date: 00/00/2026 Date of Last Review/Revision: 08/17/2023 Original Resolution Date: 06/02/2010
Board Chair: Luisa Santamaria	Signature on file

Background

WHEREAS the Native Plant Conservation Program assists state and local government agencies with the management and recovery plans of state protected plant populations found on their land.

WHEREAS the program issues permits for scientific research, the collection of, and for consultation for projects which involve or may impact listed plant species.

WHEREAS the program conducts research to enhance protected plant species recovery efforts through data collection.

WHEREAS the Native Plant Conservation Program maintains the Oregon threatened and endangered plant list through periodic review of listed species and proposing recommendations to list new species based on acquired data

Resolution

Be it resolved that the Oregon Board of Agriculture: recognizes the statutorily mandated responsibilities of the ODA's Native Plant Conservation Program.

The Native Plant Conservation Program is important to Oregon and implements projects specifically related to conservation of threatened and endangered plants, improving watershed health and wildlife habitat, and responds to consultation and permit requests.

Summary

Recognizes the statutorily mandated responsibilities of the Native Plant Conservation Program.

Oregon State Board of Agriculture Resolution	
Title: Farmworker Housing	Number: 307 Effective Date: 11/17/2022
Workgroup B: Boyer, Johnson, Lopez, Svaty, Zielinski ODA Staff Contact: Jim Johnson, Rusty Rock, Jess Paulson	Next Review Date: 00/00/2025 Date of Last Review/Revision: 11/15/2022 Original Resolution Date: 09/07/2011
Board Chair: Luisa Santamaria	Signature on file

Background

Whereas Oregon's agriculture, food and fiber industry is economically linked to 326,617 (13.8% percent) of full and part-time jobs in Oregon;

Whereas a large portion of the agricultural workforce related to production agriculture is seasonal (an estimated 87,000 compared to 32,000 year-round) and the housing needs for this population of workers are unique;

Whereas the number of on-farm housing and community-based housing opportunities do not meet the demand of the seasonal agricultural workforce;

Whereas farmers are concerned about the growing number of houses traditionally used for farmworker housing being converted to short-term rentals;

Whereas the refundable and carry-Forward tax credits are an important tool to help address the availability and livability of housing for seasonal and year-round farm workers in Oregon.

Resolution

Be it therefore resolved that the State Board of Agriculture supports the Carry-Forward Tax Credit Program and continues to encourage farmers to help address the need for farmworker housing. Also, be it resolved that the State Board of Agriculture encourages the Oregon legislature to consider additional strategies that would provide further opportunities to address the need for farmworker housing.

Oregon State Board of Agriculture Resolution	
Title: Coordinated Streamside Management Approach to Water Quality	Number: 309 Effective Date: 05/05/2022
Workgroup A: Harper, Allen, Miller, Orem, Santamaria ODA Staff Contact: Isaak Stapleton	Next Review Date: 00/00/2025 Date of Last Review/Revision: 05/05/2022 Original Resolution Date: 03/08/2012
Board Chair: Bryan Harper	Signature on file

Background

Since 2012, the Department of Agriculture (ODA), as directed by the Board of Agriculture (BOA), has developed and implemented a strategy to more efficiently and effectively prevent and control water pollution from activities on agricultural lands. That strategy has included systematic identification of Strategic Implementation Areas (SIAs) and Focus Areas in Soil and Water Conservation Districts (SWCDs) to assess land conditions related to water quality and assist landowners in protecting and improving water quality. The approach has included: assessment based on existing public domain data, prioritization of need based on existing conditions, focused outreach, and enforcement action by the Department of Agriculture when warranted.

In November 2017, representatives of ODA and the Oregon Watershed Enhancement Board (OWEB) presented a concept to the Board of Agriculture to incorporate ODA's SIA and Focus Area activities into a more coordinated approach to streamside management that includes federal, state and local partners and is designed to leverage more resources for incentive-based conservation and monitoring, while sustaining ODA's role in compliance and enforcement of statutes and rules pertaining to agricultural water quality management. ODA and OWEB will jointly lead the coordinated approach.

Streamside areas have a significant influence on water quality and provide a variety of functions, including streambank stability, moderation of solar heating, and filtration of pollutants from overland flows. They are also a very visible sign of agriculture's commitment to protect water quality and implement the Agricultural Water Quality Program. Streamside areas also provide habitat for fish and wildlife.

While landowners have invested time and money to improve and restore their streamside areas, there are still areas in Oregon in need of improvement. Outreach, education, and technical assistance is essential to continue streamside restoration efforts along agricultural lands. Monitoring streamside conditions is also important to be able to show change in streamside conditions over time and evaluate the effectiveness of the Agricultural Water Quality Program. A regulatory backstop is provided by ODA to ensure compliance.

In a Coordinated Streamside Management Approach, improvements to the current SIA and Focus Area process will include: more funding for SWCDs and watershed councils for landowner outreach, technical assistance, and on-the-ground projects in SIAs; a multi-year framework for conservation and restoration work; watershed-scale monitoring of water quality trends; more support from state and federal agencies; and ability for ODA to focus on compliance in SIAs.

Resolution

Be it resolved that the Oregon Board of Agriculture supports integration of ODA's SIA and Focus Area activities into a Coordinated Streamside Management approach that expands multi-agency efforts focused on improvement of streamside areas through outreach and education, technical assistance and monitoring, and compliance enforcement to encourage streamside restoration and improve water quality in the agricultural community.

Summary

Recognizes the importance of streamside areas to water quality. Adopts a multi-agency coordinated approach to improving water quality and habitat for fish and streamside-dependent plants and animals in agriculturally-influenced areas. Directs resources towards outreach, education, technical assistance, monitoring, on-the-ground projects, and compliance enforcement to encourage streamside restoration in the agricultural community.

The Board of Agriculture supports ODA and OWEB jointly leading the coordinated approach, provided that ODA remain responsible for implementing the Agricultural Water Quality Management Program.

Oregon State Board of Agriculture Resolution

Title: Siting of Agri-tourism, Entertainment Activities and associated activities on Agricultural Lands

Number: 310
Effective Date: 08/17/2023

Workgroup B: Boyer, Harper, Johnson, Miller, Svaty
ODA Staff Contact: Jim Johnson

Next Review Date: 00/00/2026
Date of Last Review/Revision: 08/17/2023
Original Resolution Date: 09/19/2012

Board Chair: Luisa Santamaria

Signature on file

Background

Whereas the appropriate siting of commercial activities associated with farm use can be beneficial to operators and help to educate the public about Oregon agriculture;

Whereas there is increasing interest in the development of rural tourism and entertainment activities, many times in relation to agriculture;

Whereas increasingly there are many cases of such activities presenting compatibility issues with farming practices and presenting implications to rural infrastructure and services

Whereas issues have been raised relating to the uneven application of the laws dealing with the siting of agri-tourism, rural entertainment and commercial facilities related to farm use which may provide unfair competitive advantages to like operations;

Whereas "agri-tourism" related land uses are being authorized in the exclusive farm use (EFU) zone by several ways including: farm use (u-picks), room and board facilities, commercial use in conjunction with farm use, home occupations, wineries, restaurant in conjunction with winery, agri-tourism events, farm stands, eastern Oregon guest ranch, cider business, farm brewery and outdoor mass gatherings. Unlike the detailed provisions developed for wineries, most of these land uses are poorly or not defined at all in statute or administrative rule.

Whereas the 2011 Legislature established land use laws dealing with some of these issues including SB 960 [ORS 215.213(11), (12) and (13) and 215.283(4), (5) and (6)] , and HB 3280 [ORS 215.452, 215.213(1)(p) and 215.283(1)(n)] issues remain relating to uneven application, definition and context of specific land uses and the continued use of laws that are set to sunset:

Resolution

Be it resolved that the Oregon State Board of Agriculture:

1. Supports the use of agricultural lands for activities related to entertainment and tourism and other events only under strictly defined circumstances.
2. When defining circumstances, the Board supports the following considerations:

- a. The proposed agri-tourism use is determined to be directly related to commercial farm use or processing activities occurring on the subject farm or ranch operation;
 - b. The proposed agri-tourism use is determined to be incidental and subordinate to the farm use of the subject operation. An activity should be considered to be incidental and subordinate if found to be accessory to, supplement or be adjunct to the farm use (as defined in state statute) of the subject farm operation and if it supports farm use. Such a determination should be made on the basis of standards established that are similar to those enacted by the Legislature in SB 960 (2012) codified in ORS 215.213(4) and 215.283(4) and “defined by the Oregon Court of Appeals in *Friends of Yamhill County v. Yamhill County*, 301 Or App 726 (2020).
 - c. The proposed agri-tourism use is determined to be compatible or can be made compatible with other area farming and ranch operations. Compatibility evaluation should include all activities and events, including those that are not considered a “land use” under Oregon law. Such an evaluation needs to recognize the diversity of Oregon agriculture and the associated agricultural practices that are or may become common to area farms and ranches. Compatibility should also be based on an analysis of the cumulative impacts that existing and proposed activities could have on area farm and ranch operations.
3. Supports better definition of what comprises certain land uses established by law in the exclusive farm use zone that are currently being used to authorized agri-tourism related activities. Examples include “commercial use in conjunction with farm use,” “home occupation,” “private parks” and “mass gatherings.”
 4. Supports land use standards that assure that any food service related to bonafide, regular and ongoing agri-tourism events compliment and are accessory to the agri-tourism activity and associated farm use.
 5. Urges the department to work with community partners to better define the circumstances when commercial activities are appropriate on agricultural lands. The board recognizes that the development of criteria that best protects agriculture and the general public involves many complicated issues. The board advises a comprehensive evaluation and analysis, including an analysis of the cumulative impacts to agricultural operation, before any proposed actions are taken.
 6. Recommends that the Land Conservation and Development Commission (LCDC) consider the development of a detailed definition of what “agri-tourism” entails.
 7. Supports consistent and even application of land use standards relating to agri-tourism to and for all types of agricultural operations, similar to what was enacted by the Legislature in SB 960.
 8. This action repeals and replaces Resolution No. 304.

Summary

Siting of agri-tourism, entertainment activities and associated activities on agricultural lands.

Oregon State Board of Agriculture Resolution

Title: Water quality Strategic Implementation Areas (SIAs) and SWCD Focus Areas

Number: 313

Effective Date: 05/05/2022

Workgroup A:

Harper, Allen, Miller, Orem, Santamaria

ODA Staff Contact: Isaak Stapleton

Next Review Date: 00/00/2025

Date of Last Review/Revision: 05/05/2022

Original Resolution Date: 12/03/2014

Board Chair: Bryan Harper

Signature on file

Background

Since 1993, the Board of Agriculture has been actively involved with guiding the department's efforts to establish and implement Oregon's Agricultural Water Quality Program. Recognizing the need to provide quantitative measures of agricultural efforts to improve land condition, the Board passed a resolution in March of 2013 supporting development of a systematic approach to assess conditions on agricultural lands that may impact water quality. The Board also supported development of a mechanism for the program to strategically focus and prioritize resources to improve water quality associated with agricultural lands and activities. With the help of Soil and Water Conservation Districts (SWCD), the department has successfully developed a systematic approach using ODA Strategic Implementation Areas and SWCD focus areas to assess land conditions that are related to water quality and assist landowners in protecting and improving water quality.

Resolution

- 1) The Board of Agriculture supports the department's systematic approach to assess critical conditions on agricultural lands that may impact water quality. This includes both the assessments of focus areas by SWCDs and the department's use of Strategic Implementation Areas to focus compliance efforts.
- 2) The Board of Agriculture recommends that ODA in concert with other Natural Resource Agencies through the Coordinated Streamside Management Approach prioritize watersheds and develop an accelerated schedule for full-scale statewide implementation of the department's SIA and SWCD Focus Area approach. The schedule should describe what resources are needed to achieve that schedule, what actions are needed to acquire those resources, and how the Board can be of assistance.
- 3) The Board of Agriculture recommends that ODA remain the lead agency responsible for ensuring that both incentive-based and regulatory actions are taken in accordance with Oregon's Agricultural Water Quality Management Act (ORS 568.900 to 568.933) to address landscape conditions that could affect water quality and that could cause water pollution. ODA may utilize data and information from other natural resource agencies as part of the Coordinated Streamside Management Approach.
- 4) The Board of Agriculture recommends ongoing investment of resources by the department in widespread outreach efforts to inform farmers and ranchers of SIA and focus areas assessment results and what actions they can take to protect and enhance water quality on their land.
- 5) The Board of Agriculture recommends that the Memorandum of Agreement (MOA) between ODA and the Department of Environmental Quality (DEQ) be reviewed every biennium and updated as needed, and that the Board be briefed on changes to the MOA when they occur.

Summary

The Board supports accelerated implementation of ODA's systematic approach to identify and document existing conditions and changes on agricultural lands that could impact water quality over time using outreach, assessment and prioritization of geographic areas to address the most serious water quality problems and achieve agricultural TMDL (Total Maximum Daily Load) allocations.

The Board also supports ODA remaining responsible for documenting and controlling pollution on agricultural lands and using data and information from other natural resource agencies as part of the Coordinated Streamside Management Approach to document conditions on the landscape, including water quality impacts, and using this information to prioritize program activities. The Board recommends that the MOA between ODA and DEQ be reviewed every biennium and updated as needed.

Oregon State Board of Agriculture Resolution	
Title: Permitted Uses on Lands Zoned Exclusive Farm Use and on High-Value Farmland	Number: 314 Effective Date: 05/19/2021
Work group B: Boyer, Hallock, Johnson, Zielinski ODA Staff Contact: Jim Johnson	Next Review Date: 00/00/2024 Date of Last Review/Revision: 05/19/2021 Original Resolution Date: 12/04/2014
Board Chair: Bryan Harper, Vice-Chair	Signature on file

Background

Whereas in 1973 Oregon’s unique land use planning law was enacted to protect farm land by establishing exclusive farm use zones (EFUs);

Whereas since the law was enacted, the number of land uses permitted in EFUs has risen from the original five established by state law to over fifty;

Whereas an increasing number of nonfarm land uses and related activities present compatibility issues with farming practices and have implications for rural infrastructure and services, and such nonfarm uses are being permitted on lands zoned EFU and approved without adequate consideration of compatibility with surrounding farm practices;

Whereas conversion of agricultural lands into nonfarm uses such as aggregate mining, development of wetlands, public and private parks and other recreational uses, schools, energy generation and transmission facilities, landfills, and urban infrastructure such as sewer and water treatment facilities has serious implications for the future of Oregon agriculture;

Whereas litigation is increasingly being used to define otherwise undefined land uses within EFU’s;

Whereas high-value agricultural soils compose less than 8% of Oregon’s total lands and less than 6% of the lands located outside of urban growth boundaries that are designated for agricultural use under state land use planning goals;

Whereas the total area of irrigated, harvested cropland in the state comprises 10.4% of the total land in farms yet accounts for 39.3% of the total market value of agricultural products sold;

Whereas irrigation and the necessary delivery infrastructure is key to maintaining and growing the state’s agricultural industry;

Whereas no comprehensive statewide policy guidance has been provided regarding the increasing amount of nonfarm development within exclusive farm use zones (EFUs) on agricultural lands:

Resolution

Be it resolved, the Oregon State Board of Agriculture supports siting of nonfarm uses on high value agricultural land only upon a determination that the proposed nonfarm use does not adversely impact or can be mitigated to not adversely impact farming operations in the area;

Be it resolved that the Board recommends that a comprehensive analysis of the impacts of nonfarm development within the exclusive farm use zone on agricultural lands be conducted to include:

1. A reexamination of land uses currently permitted within EFUs with the goal of reducing those permitted uses, and determining which land uses should be permitted outright versus those that should be permitted subject to land use review;
2. Establishing review criteria to evaluate the compatibility of nonfarm land uses with farm uses in surrounding areas;
3. Better definition of what nonfarm land uses include;
4. Establishing land use regulations that provide for the recognition of high value agricultural areas, potentially including areas that currently are not considered to be high-value farmland under Oregon land use law and establishing requirements that provide a greater degree of protection for identified areas;
5. include an analysis of the cumulative impact of the approval and location of all nonfarm uses on lands zoned exclusive farm use. Such an evaluation should include analysis related to the conversion of agricultural lands, and the implications of conflicts created by nonfarm land uses on the short and long-term ability of surrounding farm and ranches to operate efficiently and effectively.

Oregon State Board of Agriculture Resolution	
Title: Working Lands Conservation Easements	Number: 315 Effective Date: 01/20/2021
Workgroup B: Boyer, Hallock, Johnson, Zielinski ODA Staff Contact: Jim Johnson	Next Review Date: 00/00/2024 Date of Last Review/Revision: 01/20/2021 Original Resolution Date: 04/30/2015
Board Chair: Stephanie Hallock	Signature on file

Background

Whereas, agricultural land is a finite natural resource that is threatened in Oregon by increasing urban expansion and by the cumulative conversion by nonfarm land uses.

Whereas, Oregon’s Statewide Planning Program has provided substantial protection to agricultural lands from development since its establishment in 1973 yet according to Oregon Department of Forestry data, between 1984 and 2009, approximately 147,000 acres of farm and rangeland was converted to nonfarm development. Continued threats to the conversion of agricultural land include expansion of urban growth areas and the cumulative impacts to agricultural lands from nonfarm uses authorized by exclusive farm use zoning.

Whereas, there is increasing interest from farmers, ranchers, land trusts and soil and water conservation districts in the use of working lands easements to *compliment* the statewide planning program to protect working agricultural lands from conversion.

Whereas, there is increasing concern about the succession of farmland to the next generation of farmers and ranchers and working lands easements can provide a tool that can help facilitate effective land succession.

Whereas, the use of working lands easements is voluntary, keeps land in private ownership and on the tax rolls.

Whereas, working lands easements can provide landowners with various financial incentives such as federal and state tax deductions, estate tax benefits and purchase of easement values.

Whereas, the U.S. Department of Agriculture has established a working lands easement program known as the Agricultural Conservation Easement Program (ACEP) that provides funding to states for acquisition for working lands easements. The ACEP program requires matching funds from a local source.

Whereas, there still is concern expressed by many farmers and ranchers as to who would be the best holder of an easement involving working agricultural lands. Entities with a history of working with farmers and ranchers to maintain viable agricultural operations are preferable in many cases. This has led several soil and water conservation districts to become active in promoting the use of easements either by the district itself or by another agency or nonprofit organization with funding support from the subject district. There is increasing interest in examining the ability of the Department of Agriculture to become an active player in the attainment and holding of agricultural lands easements.

Resolution

Be it resolved that the Oregon State Board of Agriculture:

1. Recognizes that the protection and conservation of active agricultural operations and the land base and associated infrastructure needed to support them is a benefit to Oregon's social, ecological and economic health.
2. Supports a focused use of conservation easements that protect working agricultural lands and complement the Oregon Statewide Planning Program. Easements should protect lands that afford the following assets:
 - a) Are or may become highly productive agricultural lands.
 - b) Are significant to a region's agricultural industry
 - c) Have the ability to conduct long-term viable commercial agricultural operations.
 - d) Are under threat of conversion from agricultural use by urban and/or other nonfarm development.
 - e) As a complement to primary protection of working agricultural lands, help facilitate the protection of other natural resources such as water quality, fish and wildlife habitat and other natural areas.
3. Encourages state government, including the Department of Agriculture, to play a more active role in understanding and protecting agricultural lands through the use of working lands conservation easements.
4. Supports the establishment of a fund in state government that could be utilized to help maintain working agricultural lands through the attainment of conservation easements.

Oregon State Board of Agriculture Resolution	
Title: Federal Minimum Wage Parity	Number: 316 Effective Date: 01/20/2021
Workgroup B: Boyer, Hallock, Johnson, Zielinski ODA Staff Contact: Jess Paulson	Next Review Date: 00/00/2024 Date of Last Review/Revision: 01/20/2021 Original Resolution Date: 12/17/2015
Board Chair: Stephanie Hallock	Signature on file

Background

Whereas 75 to 80 percent of the agricultural commodities produced in Oregon are sold outside of the state's borders;

Whereas Oregon agriculture is an important industry for the state's economy, comprising 13.2 percent of Oregon's total sales; agriculture is 3.2% of Oregon's GDP

Whereas Oregon agriculture's farmgate value is over \$5 billion;

Whereas 13.8 percent of Oregon jobs are related to agriculture;

Whereas an increase in minimum wage makes it difficult to hire and support individuals seeking to gain experience in the agricultural industry when more experienced workers are also seeking employment;

Whereas an increase in minimum wage causes farmers and ranchers to increase the wage for all employees, ultimately increasing the costs of agricultural goods and services;

Whereas Oregon farmers and ranchers are in competition with other agricultural producers from across the country to sell their goods;

Whereas states with a lower minimum wage can produce agricultural goods with a lower cost of labor than Oregon farmers and ranchers thus reducing in-state and out-of-state market opportunities for Oregon's farmers and ranchers.

Resolution

Be it resolved, that the Oregon State Board of Agriculture supports a federal minimum wage parity to enable Oregon's farmers and ranchers to be competitive with their out-of-state counterparts as they grow, process, and harvest agricultural goods for the local, domestic, and international markets.

Oregon State Board of Agriculture Resolution	
Title: Oregon Department of Agriculture's role in the Food Safety Modernization Act produce rule implementation	Number: 317 Effective Date: 11/17/2022
Workgroup B: Boyer, Johnson, Lopez, Svaty, Zielinski ODA Staff Contact: Jim Johnson, Rusty Rock, Jess Paulson	Next Review Date: 00/00/2025 Date of Last Review/Revision: 11/15/2022 Original Resolution Date: 06/08/2016
Board Chair: Luisa Santamaria	Signature on file

Background

Whereas, the new Food and Drug Administration (FDA) Food Safety Modernization Act (FSMA) produce safety rule will have tremendous impacts to Oregon agriculture.

Whereas, Oregon's produce industry has not been previously regulated with respect to food safety.

Whereas, these new rules will require, produce farms to have produce safety measures in place and may be inspected for compliance with the rule.

Whereas, ODA has the opportunity to participate in implementation of the FSMA produce safety rule in several ways.

Whereas, ODA has applied for cooperative agreement funding to support the following implementation activities:

- Capacity building
- Outreach
- Education
- Technical assistance
- Developing an inventory of covered farms (this is a required part of the cooperative agreement)

Whereas, if ODA chooses to participate in on-farm produce safety inspections and develop a produce safety regulatory program in future years, ODA would need either (1) statutory authority to conduct the inspections; or (2) to conduct inspections under FDA authority as commissioned officials.

Whereas, ODA has received a variety of feedback from stakeholders about the department's role in inspections. Many stakeholders prefer for ODA to gain the authority to do produce safety inspections in Oregon, while others prefer to leave this responsibility to the FDA. Those in support of ODA-led inspections have indicated they believe ODA understands agriculture and has a good track record of successfully regulating Oregon farms in other areas.

Resolution

Be it resolved that the Oregon State Board of Agriculture:

1. Supports ODA's participation in produce safety rule implementation only if federal resources are available to support this work.
2. Recommends that ODA focus on capacity building, outreach, education, and technical assistance to help prepare Oregon's produce industry for FSMA.
3. Recommends that ODA develop the farm inventory required as part of the cooperative agreement using voluntary approaches.
4. Recommends that ODA consider applying for inspection funds if and when more information is available.

Summary

Supports ODA's involvement in FSMA produce safety rule implementation as long as federal resources are available to fully cover the cost of the department's work. Recommends initial focus on outreach and education and recommends that ODA wait until more information is available. Recommends a voluntary approach to developing an inventory of covered farms.

Oregon State Board of Agriculture Resolution	
Title: Siting of energy transmission and generation facilities on agricultural land	Number: 318 Effective Date: 08/18/2022
Workgroup B: Boyer, Johnson, Lopez, Svaty, Zielinski ODA Staff Contact: Jim Johnson, Rusty Rock, Jess Paulson	Next Review Date: 00/00/2025 Date of Last Review/Revision: 08/18/2022 Original Resolution Date: 06/07/2018
Board Chair: Bryan Harper	Signature on file

Background

WHEREAS, the State Board of Agriculture has heard from the agricultural community about concerns related to the location and development of power transmission facilities through agricultural lands, including underground and above ground transmission lines and land intensive generation facilities on highly productive agricultural lands.

WHEREAS, energy produced from renewable sources is an important part of the future for our state and nation.

WHEREAS agriculture is both land and soil dependent, while the siting of energy related facilities does not require soils with a high capability for agricultural production.

WHEREAS, deliberations regarding designation and treatment of agricultural lands under the statewide land use planning program have included consideration of actions that designate or treat differently lands zoned exclusive farm use based solely on soil quality without accounting for other factors that are conducive to the production of high-value agricultural products, including livestock.

WHEREAS numerous applications to develop solar energy generation have been approved or are under review throughout the state on highly productive agricultural lands.

WHEREAS the existing state “exceptions process” provides for the consideration and location of land uses otherwise not permitted when reasons merit

WHEREAS, the State Board of Agriculture has in the past been contacted by the State Soil and Water Conservation Commission regarding concerns it has related to the increased development of agricultural lands by solar energy generation facilities. In response to the letter from the Soil and Water Conservation Commission the Board discussed issues related to the siting of solar energy generation facilities on productive farmland and expressed several concerns related to location on productive agricultural lands. The discussion by the Board resulted in a written request to the Land Conservation and Development Commission (LCDC) asking that LCDC initiate an evaluation of the current administrative rules related the siting of solar facilities on lands zoned exclusive farm use.

WHEREAS the Department of Land Conservation and Development has since developed rules (see [OAR 660-033-0130\(37\) and \(38\)](#)) for solar energy siting on designated agricultural lands. These rules are intended to direct energy development to lands that have limited value to wildlife and farming. For example, in the Willamette Valley solar panels are allowed up to 12 acres in areas with the best soil for farming. Up to 320

acres of land may be used for solar in areas with poor soils and no water rights. While these rules have had some impact in discouraging placement of large facilities in the Willamette Valley, they have not precluded the serial development of solar facilities. They have also not precluded the placement of solar facilities on productive irrigated cropland in Oregon outside the Willamette Valley.

Resolution

Be it resolved that the Oregon State Board of Agriculture is concerned about the conversion of high-value and productive farmland and the implications to ongoing and future agricultural operations by energy facility development on lands zoned exclusive farm use.

The Board:

1. Recognizes that energy produced from renewable sources is an important part of the future for our state and nation. We support developing renewable energy facilities at appropriate locations.
2. Recommends the Land Conservation and Development Commission continue to evaluate and monitor the effectiveness of existing administrative rules related to the siting of energy facilities on land zoned exclusive farm use.
3. Supports establishing review criteria to evaluate not only the individual impact of proposed energy development on agricultural lands, but also the cumulative impacts of existing and potential similar nonfarm land use on agricultural operations.
4. Supports the evaluation of the impacts of proposed linear energy transmission facilities on agricultural operations that focuses on individual segments of a linear facility that are comprised of similar agricultural characteristics.
5. Supports better definition of highly productive farmland (instead of “high-value farmland”) based on multiple factors such as soils, crop types, operational characteristics, and developed agricultural infrastructure.
6. Supports land use regulations that afford greater protection for highly productive farmland including, land use requirements that preclude the location of energy facilities on highly productive or less valuable farmland when otherwise reasonable alternatives exist.
7. Supports evaluation and reconsideration of existing land use regulation that promotes serial development of energy facilities to skirt other more stringent review standards.

Oregon State Board of Agriculture Resolution

Title: Climate Change Policy Considerations	Number: 319 Effective Date: 11/17/2022
Workgroup A: Harper, Allen, Miller, Orem, Santamaria ODA Staff Contact: Isaak Stapleton	Next Review Date: 00/00/2025 Date of Last Review/Revision: 11/15/2022 Original Resolution Date: 12/05/2019
Board Chair: Luisa Santamaria	Signature on file

Background

WHEREAS, climate change is adversely impacting Oregon agriculture including the well-being of farmers, ranchers, seafood producers and resource reliant communities because of intensifying extreme weather resulting in drought, wildfire events, water shortages, changing ocean conditions, and other impacts.

WHEREAS, activities with the potential to be net carbon sinks provide opportunities for farmers and ranchers to contribute to greenhouse gas mitigation and promote climate resilience and can provide co-benefits such as soil health, water quality, improved water retention and filtration on farms, and reduced energy input costs.

WHEREAS, improving soil health across Oregon lands improves soil security to sustain functionality for current and future generations, agricultural resilience, nutrient retention while reducing inputs, and provides ecosystem services including water quality and quantity, flood mitigation, air quality, and may be a net carbon sink.

WHEREAS, clean and abundant ground and surface water is critical for agriculture, and climate change is affecting annual rainfall and snowpack that provides water for agriculture.

WHEREAS, Oregon's agriculture industry is diverse in numerous ways, producing over 250 different commodities in various landscapes and climatic conditions, operating diverse production systems using a variety of inputs, depending on diverse markets both domestically and internationally, and partnering with numerous agriculture and food businesses to produce and process products.

WHEREAS, policies intended to help the state in adapting to changing climate conditions, such as policies to address water shortages and water quality issues, will affect agriculture and need to weigh the burden and benefits of such policies.

WHEREAS, Government and private sector programs, policies, and investments can help agriculture adapt and become more resilient to climate impacts and contribute to greenhouse gas mitigation and promote climate resilience and can provide co-benefits such as soil health, water quality, improved water retention and filtration on farms, and reduced energy and input costs.

WHEREAS, policies to address greenhouse gas emissions may also affect agricultural production, even if agriculture is exempted from these policies.

WHEREAS, policies that regulate greenhouse gas emissions will affect the costs of agricultural inputs including fuels, electricity, and fertilizer, impacting the cost of production as well as the cost of moving agriculture and food products to market.

WHEREAS, competition and regulatory issues can cause emissions intensive trade exposed industries to explore out of state or overseas opportunities, potentially affecting industries that add value to Oregon agricultural products and contribute to Oregon's agricultural and food economies.

WHEREAS, climate change policy may also benefit agriculture by mitigating some of the most serious impacts of climate change, and by providing incentives and tools to help agriculture reduce its emissions and adapt to climate change.

WHEREAS, offsets are one type of incentive, but the costs to measure and verify the mitigation benefits of offset projects can be prohibitive for certain project types.

WHEREAS, Oregon's Land Use Planning program is a major contributor to the protection of agricultural land that preserves the viability of Oregon agriculture by protecting farm and rangeland from development and thus ensuring soils and vegetation can continue to sequester carbon.

WHEREAS, other jurisdictions have experienced good participation from the agricultural sector in flexible, accessible, voluntary programs that invest allowance revenue into activities that help agriculture reduce its carbon footprint and adapt to climate change.

Resolution

Be it resolved that the Oregon Board of Agriculture recommends any climate change related policies should:

- Maintain a healthy agricultural economy, including processing and infrastructure that adds value to Oregon agricultural production, and retain agriculture's ability to grow crops and livestock, harvest seafood, pack and process agricultural products economically in Oregon.
- Consider the well-being of farmers, ranchers and rural communities and the need to sustain a resilient food supply, rural economy, and quality of life.
- Support Oregon's land use planning program's protection of natural and working lands as foundational for Oregon's agricultural viability and their contribution to climate mitigation through soil carbon sequestration.
- Balance the need to reduce emissions from intensive and trade exposed industries with the goal of retaining these industries in the state.
- Recognize that if processing or other facilities leave the state because of higher costs due to carbon policy, we have not achieved the goal of reducing carbon and have simply moved emissions to another location while harming our economy and industry.
- Provide compliance assistance, including longer compliance time frames, technical assistance, and low-cost compliance instruments, for energy intensive trade exposed industries that are at risk of loss to overseas or out of state competitors.
- Support exemptions or rebates for fuel used in on-farm activities.

- Consider the costs of transportation to move agricultural and food products to market, both within the state, domestically, and internationally, and maintain affordable transportation methods to move agricultural products to market both within and beyond the state.
- Structure offset programs so they are as workable and accessible as possible for farmers and ranchers with diverse farm sizes, crop types, and production systems. An aggregation or cooperative effort of small and mid-size operations should be allowed under any offset program.
- Structure programs to incentivize carbon sequestration and resilience on Oregon's agricultural lands to be as workable and accessible as possible for farmers and ranchers with diverse farm sizes, crop types, and production systems.
- Create sustained funding for voluntary incentive programs to assist Oregon agriculture in adapting to and mitigating the impacts of climate change.
- Provide incentives to address the potential impacts of climate change to water supplies and water quality, and support agricultural practices that support soil health, conserve water, modernize irrigation techniques, and develop water storage capacity.
- Consider adapting the state's water management policies to recognize the changes in climate conditions and water availability.
- Create flexible funding programs, recognizing the diversity in Oregon's commodities, production methods, farm size, and changing and evolving technologies and strategies used.
- Ensure both natural and working lands are included in climate policy and programs and position the state to leverage state and federal lands and investments to do so.
- Design incentive programs to be as accessible as possible, including a straightforward and simple application process, delivery systems that use local partners such as Soil and Water Conservation Districts, and simple reporting requirements.
- Support research into strategies that help agriculture adapt to impacts from climate change.
- Recognize the net carbon sequestration opportunities in agriculture and the benefits that longstanding stewardship activities such as protecting the soil, set aside lands with native or non-invasive vegetation.

Summary

Recommends that any climate change policies provide voluntary incentives for agriculture to mitigate and adapt to climate change; recognize agriculture's positive environmental and economic impacts; provide exemptions and compliance time frames to minimize adverse impacts to input costs and companion industries; support research into additional strategies; and support equitable long-term planning, resource allocation and policy changes to help the state adapt to climate change.