

**Date:** January 14, 2022  
**To:** State Board of Agriculture members  
**From:** Karla Valness, Special Assistant to the Director  
**Subject:** Resolutions

Based on the Board Policy and Procedures for Resolutions, the following resolutions are scheduled for review in 2022.

**Proposed action: ACTIVE Resolutions - For review and discussion\***

Resolution	Title	Workgroup A--ODA Lead: Isaak Stapleton, Chris Benemann Board members: Allen, Miller, Orem, Santamaria, Harper
<a href="#">107</a>	<a href="#">Priority for Agricultural Use of Water</a>	
<a href="#">281</a>	<a href="#">Conservation Plan for the Oregon Coast Coho</a>	
<a href="#">309</a>	<a href="#">Coordinated Streamside Management Approach to Water Quality</a>	
<a href="#">313</a>	<a href="#">Water quality Strategic Implementation Areas (SIAs) and SWCD Focus Areas</a>	
<a href="#">319</a>	<a href="#">Climate Change Policy Considerations</a>	

**Proposed action: ACTIVE Resolutions - For review and discussion\***

Resolution	Title	Workgroup B--ODA Lead: Jim Johnson, Rusty Rock, Jess Paulson Board members: Boyer, Johnson, Lopez, Svaty, Zielinski
<a href="#">301</a>	<a href="#">Minimizing conflicts of coexistence in agriculture</a>	
<a href="#">307</a>	<a href="#">Farmworker Housing</a>	
<a href="#">317</a>	<a href="#">Oregon Department of Agriculture's role in the Food Safety Modernization Act Produce Rule Implementations</a>	
<a href="#">318</a>	<a href="#">Siting of energy transmission and generation facilities on agriculture land</a>	

For a list of State Board of Agriculture Resolutions go to: <https://oda.direct/BOAResolutions>

## Public Comment

Written comments – All written comments received will be posted on the ODA website and will be provided to the Board in advance of the meeting. Submit your written comments by email to: Karla Valness at [karla.valness@oda.oregon.gov](mailto:karla.valness@oda.oregon.gov) by 5:00 PM on Wednesday, January 26, 2022.

Verbal comments – Verbal comments are limited to three minutes and will be heard in the public comment period (agenda item 5) at approximately 10:45 AM on Wednesday, February 2, 2022. In order to provide verbal comment, you must contact Karla Valness at [karla.valness@oda.oregon.gov](mailto:karla.valness@oda.oregon.gov) by 5:00 pm on Wednesday, January 26, 2022 and provide the following information:

- Your first and last name
- The topic of your comment
- The telephone number you will be using when calling the meeting

State Board of Agriculture Resolutions under review 2022  
Workgroup A

**Proposed action: ACTIVE Resolutions - For review and discussion\***

---

Resolution	Title
	Workgroup A--ODA Lead: Isaak Stapleton, Chris Benemann Board members: Allen, Miller, Orem, Santamaria, Harper
107	Priority for Agricultural Use of Water
281	Conservation Plan for the Oregon Coast Coho
309	Coordinated Streamside Management Approach to Water Quality
313	Water quality Strategic Implementation Areas (SIAs) and SWCD Focus Areas
319	Climate Change Policy Considerations

---

<b>Oregon State Board of Agriculture Resolution</b>	
<b>Title:</b> Priority for Agricultural Use of Water	<b>Number:</b> 107 <b>Effective Date:</b> 09/27/2018
<b>Sub-Committee:</b> Natural Resources <b>ODA Staff Contact:</b> Stephanie Page	<b>Next Review Date:</b> 00/00/2022 – <b>Under Review</b> <b>Date of Last Review/Revision:</b> 06/07/2018 <b>Original Resolution Date:</b> 04/12/1984
<b>Board Chair:</b> Tyson Raymond	Signature on file

## Proposed action: Active Resolution under review

### 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. Watershed damage and water supply depletion have resulted from numerous actions by man on the land and in the water and is not attributable to any single activity or water user group; and
- IV. Agriculture has been responsible for conservation projects which have served to enhance and stabilize water quantity and quality in the state.

### 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.

## Proposed action: Active Resolution under review

<b>Oregon State Board of Agriculture Resolution</b>	
<b>Title:</b> Conservation Plan for the Oregon Coast Coho	<b>Number:</b> 281 <b>Effective Date:</b> 09/27/2018
<b>Sub-Committee:</b> Natural Resources <b>ODA Staff Contact:</b> Stephanie Page	<b>Next Review Date:</b> 00/00/2022 – <b>Under Review</b> <b>Date of Last Review/Revision:</b> <b>Original Resolution Date:</b> 02/23/2007
<b>Board Chair:</b> Tyson Raymond	Signature on file

## Proposed action: Active Resolution under review

### Background

The state has pursued development of a Conservation Plan for the Oregon Coast Coho to insure that coastal coho populations fully recover. This planning effort included considerable agency input and public involvement. Oregon Department of Agriculture (ODA) will contribute to this effort through implementation of the CAFO, Agricultural Water Quality, Pesticides, Soil and Water Conservation Districts, and Weeds and Invasive Species programs. Also needed are additional voluntary fish habitat improvements not covered under the existing regulatory programs.

Governor Kulongoski has requested that state natural resource agencies and their boards provide visible leadership, support, and endorsement to this effort.

### 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.

## Proposed action: Active Resolution under review

<b>Oregon State Board of Agriculture Resolution</b>	
<b>Title:</b> Coordinated Streamside Management Approach to Water Quality	<b>Number:</b> 309 <b>Effective Date:</b> 06/07/2018
<b>Sub-Committee:</b> Natural Resources <b>ODA Staff Contact:</b> Stephanie Page	<b>Next Review Date:</b> 00/00/2022 – <b>Under Review</b> <b>Date of Last Review/Revision:</b> 06/07/2018 <b>Original Resolution Date:</b> 03/08/2012
<b>Board Chair:</b> Barbara Boyer	Signature on file

## Proposed action: Active Resolution under review

### 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 I 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.

**Proposed action: Active Resolution under review**

<b>Oregon State Board of Agriculture Resolution</b>	
<b>Title:</b> Water quality Strategic Implementation Areas (SIAs) and SWCD Focus Areas	<b>Number:</b> 313 <b>Effective Date:</b> 06/07/2018
<b>Sub-Committee:</b> Natural Resources <b>ODA Staff Contact:</b> Stephanie Page	<b>Next Review Date:</b> 00/00/2022 – <b>Under Review</b> <b>Date of Last Review/Revision:</b> 06/07/2018 <b>Original Resolution Date:</b> 12/03/2014
<b>Board Chair:</b> Barbara Boyer	Signature on file

## Proposed action: Active Resolution under review

### 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 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.

**Proposed action: Active Resolution under review**



# Oregon State Board of Agriculture Resolution

<b>Title:</b> Climate Change Policy Considerations	<b>Number:</b> 319 <b>Effective Date:</b> 12/05/2019
<b>Sub-Committee:</b> Brentano, Harper, Kitamura, Myers <b>ODA Staff Contact:</b> Stephanie Page	<b>Next Review Date:</b> 00/00/2022 – <b>Under Review</b> <b>Date of Last Review/Revision:</b> <b>Original Resolution Date:</b> 12/05/2019
<b>Board Chair:</b> Marty Myers	Signature on file

## Proposed action: Active Resolution under review

### Background

WHEREAS, climate change is projected to impact Oregon agriculture in many ways, including but not limited to changing precipitation patterns, summer water shortages, increased average and extreme temperatures, and increased drought and fire.

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.

WHEREAS, policies to address greenhouse gas emissions will 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, 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.
- 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.
- Allocate funding for voluntary incentive programs to assist Oregon agriculture in adapting to 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 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.
- 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 some of the projected impacts from climate change.
- Recognize the sequestration opportunities in agriculture and the benefits that longstanding stewardship activities such as protecting the soil, set aside lands with trees, shrubs and plants.

**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 long-term planning, resource allocation and policy changes to help the state adapt to climate change.

**Proposed action: Active Resolution under review**

State Board of Agriculture Resolutions under review 2022  
Workgroup B

**Proposed action: ACTIVE Resolutions - For review and discussion**

---

Resolution	Title
	Workgroup B--ODA Lead: Jim Johnson, Rusty Rock, Jess Paulson Board members: Boyer, Johnson, Lopez, Svaty, Zielinski
301	Minimizing conflicts of coexistence in agriculture
307	Farmworker Housing
317	Oregon Department of Agriculture's role in the Food Safety Modernization Act Produce Rule Implementations
318	Siting of energy transmission and generation facilities on agriculture land

---

<b>Oregon State Board of Agriculture Resolution</b>	
<b>Title:</b> Minimizing conflicts of coexistence in agriculture	<b>Number:</b> 301 <b>Effective Date:</b> 06/07/2018
<b>Sub-Committee:</b> Food Safety/Market Access <b>ODA Staff Contact:</b> Isaak Stapleton/Casey Prentis	<b>Next Review Date:</b> 00/00/2022 – <b>Under Review</b> <b>Date of Last Review/Revision:</b> 06/07/2018 <b>Original Resolution Date:</b> 06/07/2011
<b>Board Chair:</b> Barbara Boyer	Signature on file

## Proposed action: Active Resolution under review

### 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:

Resolution number: 301

Resolution title: Minimizing conflicts of coexistence in agriculture

Page 1 of 2

- 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.

## **Proposed action: Active Resolution under review**

<b>Oregon State Board of Agriculture Resolution</b>	
<b>Title:</b> Farmworker Housing	<b>Number:</b> 307 <b>Effective Date:</b> 06/07/2018
<b>Sub-Committee:</b> Government Relations <b>ODA Staff Contact:</b> Kathryn Walker	<b>Next Review Date:</b> 00/00/2022 – <b>Under Review</b> <b>Date of Last Review/Revision:</b> 06/07/2018 <b>Original Resolution Date:</b> 09/07/2011
<b>Board Chair:</b> Barbara Boyer	Signature on file

## Proposed action: Active Resolution under review

### Background

Whereas Oregon’s agriculture, food and fiber industry is economically linked at 13.8 percent, or 326,617, of full and part-time jobs in Oregon;

Whereas a portion of the agricultural workforce related to production agriculture is seasonal and the housing needs for this population of workers are unique with seasonal employment estimated to be over 100,000 during peak harvest;

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 Farmworker Housing Tax Credit Program is 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 Farmworker 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.

## Proposed action: Active Resolution under review

<b>Oregon State Board of Agriculture Resolution</b>	
<b>Title:</b> Oregon Department of Agriculture’s role in the Food Safety Modernization Act produce rule implementation	<b>Number:</b> 317 <b>Effective Date:</b> 01/20/2021
<b>Workgroup B:</b> Boyer, Hallock, Johnson, Zielinski <b>ODA Staff Contact:</b> Jess Paulson/Isaak Stapleton/Casey Prentiss	<b>Next Review Date:</b> 00/00/2022 – <b>Under Review</b> <b>Date of Last Review/Revision:</b> 01/20/2021 <b>Original Resolution Date:</b> 06/08/2016
<b>Board Chair:</b> Stephanie Hallock	Signature on file

## Proposed action: Active Resolution under review

### 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.

**Proposed action: Active Resolution under review**

<b>Oregon State Board of Agriculture Resolution</b>	
<b>Title:</b> Siting of energy transmission and generation facilities on agricultural land	<b>Number:</b> 318 <b>Effective Date:</b> 06/07/2018
<b>Sub-Committee:</b> Land Use <b>ODA Staff Contact:</b> Jim Johnson	<b>Next Review Date:</b> 00/00/2022 – <b>Under Review</b> <b>Date of Last Review/Revision:</b> <b>Original Resolution Date:</b> 06/07/2018
<b>Board Chair:</b> Barbara Boyer	Signature on file

## Proposed action: Active Resolution under review

### 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 or are under review throughout the state, but especially in the Willamette Valley on highly productive agricultural lands. This has led several counties to amend or consider amending their land use codes to limit beyond state law the siting of solar energy generation on 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 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.

## **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 an evaluation by the Land Conservation and Development Commission 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.

**Proposed action: Active Resolution under review**