



**Oregon**  
Department  
of Agriculture

# Oregon Department of Agriculture Government-to-Government 2018 Annual Report

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## **Mission**

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Ensure healthy natural resources, environment, and economy for Oregonians now and in the future through inspection and certification, regulation, and promotion of agriculture and food.

## **Vision**

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The Oregon Department of Agriculture remains able to serve the changing needs of Oregon's diverse agricultural and food sectors to maintain and enhance a healthy natural resource base and strong economy in rural and urban communities across the state.

## **Core values**

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We value...

- Honesty, integrity, and fairness
- Diversity, equity, and inclusion
- Respect for people and property
- Practical collaborative approaches to problem solving
- Science-based approaches: technical and professional competence

The Oregon Department of Agriculture (ODA) recognizes the value of Oregon's Tribal contributions to agriculture and the rich heritage they bring to all Oregonians. It is important that Tribal interests are reviewed and considered in the ODA policy development process. To ensure Tribal input and communication, ODA will:

- Appoint agency representative(s) who will maintain Tribal relationships and be responsible for ensuring Tribal input with the planning, development, and implementation of programs that directly affect Tribes.
- Appoint agency representative(s) who will participate as a member of the State Agency-Tribal Natural Resources Working Group and Cultural Resource Cluster, while promoting positive communication between Tribes and the agency program areas that may affect Tribes.
- Review government-to-government policy at agency staff meetings to ensure that agency personnel are familiar with and understand ODA's policy regarding Tribal relationships.
- Enter into agreements with Tribes, when applicable, in the development and implementation of policies and programs that affect Tribes.

Per ORS 182.166(3), below is a summary of the government-to-government interactions with Oregon's nine federally recognized tribes by program area in 2018.

### **Administration**

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Administration includes the Directors', Information, and Administrative Services Offices, which are all integral to the successful operation of the ODA. The Directors' Office provides direction and management to all ODA programs and associated activities. This office also works with the State Board of Agriculture and many other entities/individuals to support the mission and goals of the ODA.

Director Taylor, Deputy Director Hanson, and three staff met with the Confederated Tribes of Grand Ronde Tribal Council in early August. Topics of discussion included first foods, the Specialty Crop Block Grant Program, agricultural water quality, pesticide stewardship program, and industrial hemp.

As part of her regional tour, Director Taylor met with Kevin Hudson, Farming Enterprise Director for the Confederated Tribes of the Umatilla Indian Reservation (CTUIR), in August to learn more about the Tribe's farming operation.

Deputy Director Hanson met with Chair Gentry to discuss The Klamath Tribes' agricultural water quality concerns in the community. Director Taylor also met with Chair Gentry on a separate occasion.

The Tribal Liaison, housed in the Directors' Office, represented ODA at both the Cultural Resource Cluster and the Natural Resource Workgroup meetings. At the meeting, the Tribal Liaison shared relevant agency information with tribal governments. Following the meeting, the Tribal Liaison prepares a summary of these meetings that is distributed to ODA's Executive Team.

ODA developed an internal website (wiki) available to all staff. This site houses Tribal related resources and training materials (e.g. videos, PowerPoint presentations)

ODA added a webpage titled, "Oregon Tribes." This webpage includes a link to the Legislative Commission on Indian Services, Executive Order 17-12, training materials, as well as the contact information for ODA's Tribal Liaison.

The Tribal Liaison provides notification to interested Tribal governments and coordinates Tribal requests associated with this activity.

At the Winter All-Staff meeting, ODA 's Tribal Liaison discussed the department's duties and obligations for government to government relations with Oregon's nine-federally recognized tribes. The video, "Helping Them Home: The need to Return Artifacts and Sacred Objects to Native American Tribes" was also shown.

The Tribal Liaison and Citizen Advocate & Liaison attended the brown bag luncheon as well as the spring afternoon “Cultural Items: What they are & why they are important” session.

ODA was a sponsor of Oregon’s Bounty, an event hosted by the Confederated Tribes of Grande Ronde and the Willamette Partnership.

### **Internal Service & Consumer Protection Programs**

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The Internal Service & Consumer Protection Programs include Weights and Measures, Motor Fuel Quality, Wolf Compensation, Egg-Laying Hen Cage Program, and ODA’s regulatory laboratory. These programs provide consumer protection and fair competition among businesses while facilitating interstate commerce and international trade by ensuring the accuracy and uniformity of Oregon’s Commercial Weighing System and the quality of motor fuels sold in Oregon.

Although measurement devices on tribal lands are not subject to state weights and measures laws, Oregon Tribes and some Tribal members have requested that the Weights and Measures program license and test their equipment.

In 2018, ODA licensed and inspected devices at the following locations:

- Confederated Tribes of Warm Springs
- Cow Creek Band of Umpqua Tribe of Indians (multiple devices, multiple locations)
- Business in Lincoln City (member of the Confederated Tribes of Siletz Indians)

### **Natural Resources Programs**

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Natural Resource Programs include Agricultural Water Quality, Soil and Water Conservation Districts (SWCD), Confined Animal Feeding Operations (CAFO), Land Use, Smoke Management, Fertilizer, Pesticide Compliance Monitoring, Pesticide Licensing and Certification, Pesticide Product Registration, Pesticide Stewardship Partnership, and the Pesticide Analytical and Response Center.

Michael Karnosh, Ceded Lands Program Manager with the Confederated Tribes of Grand Ronde was invited to present at the Natural Resources all staff meeting held in January.

The Confined Animal Feeding Operation (CAFO) program had on-going conversations and discussion about Lost Valley Farm, a large permitted CAFO in Boardman, with the Confederated Tribes of Umatilla Indian Reservation (CTUIR). ODA ensured timely sharing of documents and updates, held several conference calls with CTUIR as well as responded to CTUIR’s invitation to have in-person meetings regarding the permit compliance of Lost Valley Farm.

A regional Livestock Water Quality Specialist (LWQS) for the CAFO Program continued work with the Cow Creek Band of Umpqua Tribe of Indians with their CAFO permit, and the Tribe's environmental management staff on EPA's 319 grant project development.

The Confederated Tribes of the Umatilla Indian Reservation participated with ODA on the Senate Committee on Environment and Natural Resources CAFO workgroup to discuss legislation around CAFOs.

Natural Resources Program Director and the Pesticide Stewardship Specialist joined Director Taylor and Deputy Director Hanson in a meeting with the Confederated Tribes of Grand Ronde, Tribal Council in August to discuss agricultural water quality and the pesticide stewardship program.

The Ag Water Quality Team Lead presented information about the Agricultural Water Quality Program to the Natural Resources Workgroup. Local Advisory Committees (LACs) provide guidance to the Agricultural Water Quality Program. Additionally, Tribes not yet currently involved in a LAC were asked to consider joining their local LAC.

Staff in the Agricultural Water Quality (WQ) Program have been working with multiple partners, including the Klamath Tribe to address water quality concerns from agricultural activities adjacent to Klamath Lake. The Klamath Tribe has been participating as part of a technical team to evaluate water quality data around the lake to develop projects with local landowners. ODA staff met with the Klamath Tribe to discuss concerns regarding agriculture in the Klamath Basin and water quality issues, including the agricultural water quality plan for the area. WQ staff participated in the Sucker Recovery Summit held in November with the Klamath Tribe.

A Water Quality Specialist (WQS) attended the Deschutes Basin Water Summit hosted by the Confederated Tribes of Warm Springs and the Oregon Water Resources Department. The Warm Springs Tribe was invited to participate on the Middle Deschutes Local Advisory Committee for the Agricultural Water Quality Management Plan. ODA's WQS also interacted with Tribal representatives on the Hood River Agricultural Water Quality Management Plan to get updates on fishery resources in the Hood River Management Area.

A WQS attended a presentation by Joe Scott of the Siletz Tribe on the "First Peoples of Western Oregon: Our Cultures, Our Histories, and Our Future" hosted by the Long Tom Watershed Council in Eugene.

A WQS invited the Confederated Tribes of Warm Springs to participate in biennial reviews of Middle John Day and Crooked River Ag WQ Area Plan.

The Environment Protection Agency (EPA) contacted ODA regarding a pesticide complaint received from an individual who resides within the CTUIR reservation. As described in EPA's, *Guidance for Issuing Federal EPA Inspector Credentials to Authorize Employees of State/Tribal Governments to Conduct Inspections on Behalf of EPA (September 2004)*, cross-

boundary inspections may be authorized as long as the Tribe agrees to having the inspection conducted. An inspection was conducted by ODA Pesticide Program Staff.

### **Plant Protection and Conservation Programs**

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ODA Plant Protection and Conservation Programs includes Insect Pest Prevention and Management (IPPM), Native Plant Conservation, Noxious Weed Control, and Nursery and Christmas Trees. These programs protect Oregon's agricultural industries and the natural environment from harmful plant pests, diseases, and noxious weeds; enhance the value and marketability of exported nursery stock, christmas trees, seeds, and other agricultural products; and conserve threatened and endangered plants.

As part of the on-boarding process for ODA's seasonal insect trappers, ODA invited Officer Allori to provide a presentation to staff on cultural objects and what to do if objects are inadvertently discovered during work (SB 144). Last year, the team conducted survey activities in over 29,000 sites. This is a new training element for staff.

Members of the Oregon Invasive Species Council provided information to the Natural Resources Workgroup about the purpose and need for the council. The council also reported that a Burns Paiute Tribal representative serves on the council. ODA is part of the Oregon Invasive Species Council.

The Insect Pest Prevention and Management program provided updates to government-to-government work group representatives on statewide invasive species issues.

African Rue, *Peganum harmala*, a state A-listed noxious weed was detected in the fall of 2008 by a Bureau of Indian Affairs contractor on Burns Paiute Tribe grazing allotments in the Harney Basin southeast of Burns. ODA surveyed the area and determined that the infestation was on both Tribal lands and adjacent private lands. The African Rue Cooperative Weed Management Plan is still in place and is being implemented by ODA and Harney County Weed Control through Oregon State Weed Board Grant funding. The weed infestation was reduced within the treatment area and was prevented from spreading to other areas in 2018 through this cooperative effort.

The ODA Noxious Weed Control Program continues to work with Umatilla County to monitor and advise the CTUIR and neighboring landowners on the control of the invasive Garlic Mustard, *Alliaria petiolata*, a state B-listed noxious weed that is located on or adjacent to Tribal lands. Funding is provided to Umatilla County for this project via an Oregon State Weed Board grant.

ODA continued work with CTUIR and the Umatilla National Forest in 2018 on the eradication of an isolated site of common bugloss, *Anchusa officinalis*, a state B-listed weed, in a cooperative river restoration project on Meacham Creek. ODA continues to work with Umatilla County,

CTUIR, and other land managers to control common bugloss and other noxious weeds in the Walla Walla River corridor using OSWB funds.

ODA is also cooperating with CTUIR and the Columbia River Inter-Tribal Fisheries Commission to fund and coordinate an interstate early detection and rapid response effort to control and contain flowering rush in the Columbia River system. Flowering rush threatens salmon migration habitat and irrigation in the Columbia River system. ODA regional staff took the ODA Director on a tour of the project area to gain a better understanding of the potential impact of flowering rush on natural resources like salmon.

ODA continued its work with the Cow Creek Band of Umpqua Tribe of Indians to control all known sites of Paterson's curse, *Echium plantagineum*, and Woolly distaff thistle, *Carthamus lanatus*, both state A-listed noxious weeds. These noxious weeds are present on Tribal and adjacent lands in Douglas County and could have major impacts on grazing and oak woodlands if they were to spread. These control projects are a cooperative effort between ODA Noxious Weed Control Program, Oregon State Weed Board, Douglas SWCD, and the Cow Creek Band of Umpqua Tribe Indians.

In 2018, ODA staff worked closely with the Bureau of Indian Affairs (BIA) and the Confederated Tribes of Warm Springs to promote the creation of a middle Deschutes Cooperative Weed Management Area (CWMA) through various presentations and meetings in the Central Oregon area. Central Oregon ODA staff has also worked with the same BIA and Warm Springs Tribal members to collect and distribute biological controls, the stem gall wasp, *Aulacidea acroptilonica*, for Russian knapweed control.

ODA worked with the Confederated Tribes of Grand Ronde to place Gypsy Moth traps on the reservation.

The multi-state agency pollinator team presented information on the Oregon Bee Project to the Cultural Resource Cluster. ODA is a coordinating partner for the Oregon Bee Project.

ODA staff met with the Confederated Tribes of Grand Ronde land staff to discuss industrial hemp. This discussion covered regulations on industrial hemp and potential changes associated with the Farm Bill.

The ODA Native Plant Conservation Program continued collaboration with the Burns Paiute Tribe to promote the conservation and recovery of one of Oregon's rarest native plants, Oregon semaphore grass (*Pleuropogon oregonus*; state-listed as Threatened). The Program has worked with the Tribe for at least 16 years on various stages of establishing and promoting a self-sustaining population of Oregon semaphore grass on Tribal land in Grant County. Oregon semaphore grass is only known on two naturally-occurring population centers located about 250 miles apart: one near La Grande and another near Lakeview. The successful establishment of a third self-sustaining population on Burns Paiute Tribal land greatly reduces the chance that

this species might go extinct and improves its prospects of long-term persistence.

The ODA Native Plant Conservation Program also consulted with Burns Paiute Tribe Natural Resource staff on their upcoming efforts to cultivate Oregon semaphore grass. In the past, ODA cultivated Oregon semaphore grass transplant stock to be planted on Burns Paiute Tribe's property, but in conjunction with their expanding cultivation of other native plants, the Tribe decided to grow Oregon semaphore grass as well. ODA provided advice and guidance, gained from years of in-house cultivation, to promote the Tribe's independent pursuit of further expanding the population of Oregon semaphore grass on their land. The Native Plant Conservation Program will continue to confer with the Burns Paiute Tribe as needed, and look forward to the potential for future collaborations with them, as well as other Tribes across the state.

### **Food Safety and Animal Health and Identification Programs**

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The Food Safety Programs include Food Safety Licensing, Shellfish and Shellfish Plat Leasing, Animal Health, Animal Identification, Predator Control, Commercial Feeds, and the State Veterinarian's Office. These programs inspect all facets of Oregon's food distribution system (except restaurants) to ensure food is safe for consumption, protects and maintains animal health, and ensures animal feeds meet nutritional and labeling standards.

A member of the Columbia River Inter-Tribal Commission accepted a position on ODA's Food Safety Advisory Committee.

The Brand Inspection Program continues to provide brand inspection services to Tribal members as services are requested.

In 2018, ODA's Shellfish Plat Leasing Program incorporated submitting public notifications of proposed plat leases to all Oregon Tribes in their regular notification process.

### **Market Access and Certification Programs**

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The Market Access and Certification Programs include Agricultural Development and Marketing, Certification Programs, Commodity Commissions, Commodity Inspection, and Plant Health Program. These programs help Oregon's agricultural producers successfully add value, sell, and ship products to local, national, and international markets by promoting and creating demand for products through marketing activities, inspection, and certification.

A representative from the K-Bar Ranch, owned and operated by the Cow Creek Band of the Umpqua Tribe of Indians, accompanied Director Taylor on a trade mission to China in May. The purpose of the mission was to forge business relations between Oregon producers and Chinese buyers. It is also an opportunity for Oregon businesses to learn more about Chinese markets.

In June, information on the Specialty Crop Block Grant Program (SCBGP) was presented to the Vice-Chair of the Confederated Tribes of the Grand Ronde (CTGR). The presentation included examples of projects from other states that tribal entities have completed in the past. A

separate meeting in August between ODA Leadership and members of the CTGR discussed the SCBGP and a flyer was included in the packet of material presented to the tribes.

The Interim Tribal Liaison shared information about the SCBGP at the Natural Resources Workgroup in October and the Cultural Resources Cluster in November. A follow-up email and phone call about the program was provided to the Confederated Tribes of Coos, Lower Umpqua and Siuslaw.