

Oregon Department of Agriculture 2016 Environmental Justice Task Force Annual Report

Senate Bill 420 (2007) directed natural resource agencies to appoint a state agency staff person to serve as a citizen advocate for the purpose of encouraging public participation, ensuring the agency considers environmental justice issues, informing the agency of the effects of its decisions on traditionally underrepresented communities, and improving plans to further the progress of environmental justice in Oregon.

At the Oregon Department of Agriculture (ODA or Agency), all manager position descriptions identify cultural competency, diversity, and inclusion as position responsibility. These values are incorporated into all managers' performance evaluations. Additionally, ODA's Human Resources Manager serves as the Agency's Affirmative Action Representative to the Governor's Diversity & Inclusion/Affirmative Action office.

In February of 2016, ODA filled the Citizen Advocate and Liaison position, which also serves as the agency representative to the Environmental Justice Task Force. Additionally, this position serves as part of the Pesticide Analytical and Response Center (PARC), which assists individuals with pesticide-related concerns.

ODA has a designated Tribal Liaison. The role of this position is to inform and, when appropriate, consult with Oregon's nine-federally recognized tribes on ODA's activities. A report of ODA's government-to-government activities is prepared annually and can be found on the Legislative Commission on Indian Services website (<https://www.oregonlegislature.gov/cis/Pages/Gov-to-Gov-Annual-Reports.aspx>).

ODA directly supports and administers programs that benefit environmental justice (EJ) communities. Among these programs is the Farm to School Program, which leverages public and private resources to bring more locally grown and processed Oregon foods to school children. Improving access to locally produced foods is a proven pathway to improved school achievement and prosperity for communities. Additionally, ODA hosts FoodCorps, which is a national service program. There are ten (10) FoodCorps service members serving nine (9) communities in Oregon. Service members work in low income and under-resourced schools teaching kids where their food comes from, how to grow it, and how to make healthy choices every day through school garden, environmental and nutrition education.

The Farm Direct Nutrition Program (FDNP), jointly administered by OHA and ODA to provide eligible, low-income seniors and WIC (Women, Infants and Children Special Supplemental Nutrition Program) families with assistance to purchase fresh, locally grown fruits, vegetables and cut herbs from authorized farmers selling directly to consumers. This provides an additional source of nutritious food and education on selecting and preparing fresh produce to qualifying recipients while supporting local farm stands and farmers' markets.

ODA also has a number of regulatory and consumer protection-related programs that have a positive impact on EJ communities:

The Confined Animal Feeding Operation (CAFO) Program is operated in conjunction with the Oregon Department of Environmental Quality (DEQ) under a Memorandum of Understanding and overseen by EPA. The program issues permits to qualifying CAFOs and provides inspection oversight to protect Oregon's water quality by preventing animal wastes from entering surface and ground water. After an EJ-specific concern for a proposed new large CAFO in Morrow County was raised, ODA conducted additional outreach to EJ communities in that area to provide details about the permit process and encourage public participation. Outreach included presentations, bi-lingual flyers, news releases to local newspapers, and radio interviews. Additionally, the CAFO NPDES permit was translated into Spanish and made available online. The CAFO program has added additional EJ outreach activities to the CAFO Notice and Public Participation checklist for use in future noticing activities. The CAFO program also has native Spanish speaking staff to assist permittees and the public. The CAFO Program manager presented the EJ / CAFO Program interaction and outreach activity process at a 2016 National CAFO meeting.

The Insect Pest Prevention & Management Program (IPPM) works to protect Oregon's agriculture, horticulture, natural resources, and quality of life from invasive insect pests. In 2016, in conjunction with USDA and other federal and state agencies, IPPM conducted an eradication program to combat the invasive Asian Gypsy Moth (AGM) by aerial application of a biological control agent on approximately 7,000 acres in the Portland area. Outreach and education efforts were made to all who lived or worked in the treatment area including known houseless populations that would potentially be affected. Open houses and workshops providing information on the invasive pest and the eradication efforts were offered in several locations during evening hours and on weekends. Several varieties of media were also used including signs and electronic boards located in highly visible locations, mailings, and press releases in multiple languages. 211info was also utilized in an effort to provide

24-hour assistance to anyone seeking additional information or had a concern about the AGM eradication effort.

The Weights and Measures Program ensures that weighing and measuring devices used in commerce are accurate and correctly used. This service helps consumers receive an accurate amount of food, milk, gasoline or other products purchased. Although, it is important for all consumers to receive an accurate amount of goods, it is a particular hardship for low-income consumers to receive fewer goods than that believed to have been purchased. Therefore, this program particularly benefits Oregon's low-income community members.

Regulatory Lab Services provides laboratory analysis and technical support to ODA's regulatory enforcement programs in order to:

- Protect against food-borne illness and injury.
- Reduce exposures to toxics and potential impacts on human health and the environment.
- Improve water quality on agricultural lands, and
- Monitor waters for safe shellfish harvest.

The Food Safety Program ensures food is safe for consumption. Activities that particularly benefit EJ communities include the following:

- ODA Food Safety Inspectors check expiration dates on certain products, including baby formula, during inspections to ensure they are not beyond the expiration date. Low-income communities, out of economic necessity, tend to shop more often at discount food stores that may offer products for sale nearing the expiration date. While this is often more of a food quality than a food safety issue, it is a food safety issue with certain perishable products, such as baby formula.
- The Food Safety program tracks the number of businesses whose preferred language is other than English. There are approximately 80 businesses where the operator prefers Spanish, Chinese, Vietnamese, Thai, Burmese, Korean, or Russian. Many ODA food safety inspectors speak multiple languages, and inspectors provide educational assistance to all the firms they inspect to help them understand and meet food safety requirements.
- Some EJ communities purchase foods predominantly from small neighborhood convenience stores and markets that focus on certain ethnic or cultural groups. Some smaller establishments may need extra assistance in proper food handling and storage, including keeping foods out of the temperature danger zone, handling and preparing food safely, and purchasing food from approved (licensed) sources. ODA provides this extra assistance when needed.
- ODA commonly provides food recall information in several languages

and tries to provide the information in a way that reaches affected businesses and consumers.

- The Food Safety program continues to translate materials into Spanish including the Brand Registration Application Form. ODA also collaborated with OSU Extension to translate and publish the new food safety licensing exemption for home bakers.

The Animal Health Program tracks livestock movement in and out of the state, establishes disease testing and vaccination requirements for interstate movement, conducts outreach and education about livestock disease prevention, and investigates reports of certain livestock diseases. Outreach and education including materials are available in multiple languages.

The Smoke Management Program administers the rules for field burning in the Willamette Valley in an interest of public health and welfare.

- Based upon the “Summary of the 2016 Field-Burning Season” document, there were a total of 21 days when burning was conducted; six of the 21 days resulted in impacts to municipalities, either light or moderate. For the second consecutive year, nephelometers were placed in Detroit and Mill City. This was done in response to concerns that residents in both cities had of being adversely impacted over other Oregon cities. Detroit was either lightly or moderately impacted on two of 21 days. Mill City was either lightly or moderately impacted on three of 21 days of burning.

The Pesticide Program continues to increase efforts to reach and serve Spanish-speaking pesticide applicators and workers.

- ODA partnered with KUNP Univision in Portland to provide two television Public Service Announcements (PSA) on pesticide safety outreach to Spanish speaking communities that work in landscape maintenance settings, and on agricultural establishments such as nurseries, greenhouses, forestry tract operations, and field crops. The PSAs will be 60 seconds each, and run 10 times a week for 6 months starting in January 2017. The agricultural establishment PSA will focus on Worker Protection Standards (WPS) that agricultural workers are entitled to (especially PPE, training, and anti-retaliation provisions), while the PSA directed toward landscape maintenance workers will emphasize reading the pesticide label (or finding someone who can read it for you), protecting your family from “take home” pesticide exposure, drift prevention, and prevention of pesticide contamination of water resources.
- ODA partnered with OSU Extension to provide WPS Train-the-Trainer trainings across the state for 3 months starting in December 2016. There will be a total of 8 trainings free of charge to individuals

involved in agriculture and pesticide safety education so that they may more effectively train workers and handlers. The goal is not only to help agricultural employers come into compliance with new regulations, but to also better protect workers and handlers from pesticide exposure.

- Continued discussions with the Department of Administrative Services regarding translation and procurement strategies.
- Continued assistance with Worker Protection Safety Hands-on-Handler trainings conducted in Spanish.
- Participated in a Washington State Department of Agriculture sponsored Train-the-Trainer course. The training was in Spanish.
- Assisted Oregon State University Extension with an online learning class designed to help Spanish speaking farmworkers prepare for pesticide exams.
- Worked with the United States Environmental Protection Agency, Oregon Occupational Safety and Health Division, and the forestry industry to produce an educational video for forestry workers. Workers who view and understand this video will be considered trained on the newly revised Worker Protection Standards. The video is also available in Spanish and features workers from diverse backgrounds.

The Pesticide Analytical and Response Center (PARC) is mandated to collect pesticide-related incident information and coordinate in making appropriate referrals to PARC member agencies. In 2016, PARC contracted with 211info to provide a 24-hour hotline to receive pesticide-related calls. The hotline provides assistance to customers with access to an interpreter service with more than 140 languages.