

# THE AGRICULTURE QUARTERLY

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## Oregon State Legislature Short Session Recap

The Oregon Legislature adjourned on March 4, 2022, after 31 days in session. The legislature convenes a short session where policy bills and budget requests are limited every year. All public engagement was held virtually as in previous sessions due to COVID-19 precautions.

### BUDGET RECAP

Over the short session, legislators introduced 275 bills. With tax revenue surging, lawmakers had nearly \$2.7 billion to spend toward housing, homelessness, childcare, mental health services, and other priorities of the legislative assembly. Of the \$2.7 billion from the budget bill (SB 5202), the Oregon Department of Agriculture (ODA) received \$180,000 to support the Animal Rescue Entity (ARE) Program. Additionally, two limited duration position were approved as part of a National Animal Disease Preparedness and Response Program grant received from the U.S. Department of Agriculture.

### A FEW OF THE STATEWIDE INVESTMENTS ARE:

- Future Ready Oregon, a \$200 million funding package that will create new grant programs to assist underrepresented communities in accessing the training and resources needed to obtain jobs in Oregon's construction, manufacturing, and health care sectors.
- A \$100 million package for Community Mental Health Programs to increase the availability of behavioral health housing and residential treatment beds.
- A \$100 million package to fund more than 60 projects in rural districts across Oregon.

Oregon taxpayers will receive one of the largest "kickers" in Oregon's history when they file their 2021 taxes; more than \$1.4 billion will be sent back to taxpayers. Based on early economic forecasts, the Oregon Office of Economic Analysis (OEA) has confirmed that there will be a tax surplus or "kicker" for the next biennium as well.

### POLICY BILLS

During the short session, state agencies do not have the opportunity to introduce policy bills. Chairman of the House Agriculture, Land Use, and Water Committee, Rep. Ken Helm, introduced a priority bill from ODA regarding pesticide license types. An amended HB 4062 passed both chambers establishing a "noncommercial pesticide applicator license" and "noncommercial pesticide trainee's certificate." This change will help ODA serve pesticide applicators by offering a more accurate license that reflects the activity being performed. HB 4062 was signed into law on March 23, 2022 and goes into effect June 3, 2022. ODA will conduct

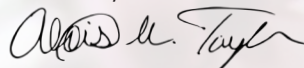
rulemaking prior to offering the new license available to applicators.

### SUMMARIES OF NOTABLE BILLS THAT PASSED:

- **HB 4002 - Agriculture Employee Overtime:** Oregon law initially excluded farmworkers from the Fair Labor Standards Act of 1938, the policy shepherding overtime pay. States have begun removing that exemption on the state level, and with HB 4002, Oregon became the seventh state to include farm workers in the overtime pay standard. HB 4002 was the highest debated bill during the session that will phase down overtime hours to 40 hours a week by 2027 and establish a tax credit to mitigate the expense of excess wages.
- **HB 4128 - Zoonotic Disease:** This primarily directs the Legislative Policy and Research Office to prepare a report concerning Oregon's current framework for preventing, monitoring, and responding to zoonotic disease. ODA, the Oregon Health Authority, and the Oregon Dept. of Fish and Wildlife were all assigned to contribute and participate in the report.
- **SB 1564 - Hemp Moratorium:** By the end of the session, SB 1564 was the only of many hemp bills that directly impacted ODA's Hemp Program. The bill establishes a process in which counties may declare a state of emergency and request that ODA temporarily pause issuing hemp grower licenses to persons who did not have a license in that county in either 2021 or 2020 seasons.
- **HB 4061 - Cannabis Water Enforcement:** The final bill amended the Oregon Water Resource Department's authorities and the penalties around water hauling to cannabis grows and illegal use of water.

ODA will now begin drafting the 2021-23 budget and priorities for the 2023 long session. Agency staff are eager to work with stakeholders in the process. ODA will focus on legislative and budget priorities to support our capacity to serve Oregon's farming, ranching, and fishing communities.

Sincerely,




# Grasshopper and Mormon Cricket Survey and Cost Share Program

ODA continues to work on establishing a per-acre cost share program to assist landowners in suppressing grasshoppers and Mormon crickets. The Oregon Legislature passed Senate Bill (SB) 5561, that includes a \$5 million investment to help ODA fund additional staff and resources to support a grasshopper/Mormon cricket survey and cost share program (\$4,196,793 for suppression and \$803,207 for survey). The funding is in response to the 10 million acres economically infested with grasshoppers in 2021.

To participate in the survey program:

- Requests must be made through the grasshopper and Mormon cricket outbreak reporting form online.
- Requests must be from the current year's grasshopper and Mormon cricket hatch and outbreak. Please do not report previous outbreaks.
- The form must be filled out by both private and public land managers to request a grasshopper and Mormon cricket survey.

The online form will go live April 1, 2022.

<https://oda.direct/IPPMGrasshoppersCrickets>

For private land managers, once ODA receives the request for survey, a surveyor will be sent out to the area and draw up the boundaries of the infestation. If treatment is requested on the reporting form, a treatment recommendation map will be provided to the private landowners based on this survey. Reimbursement through

the cost share program will be based on the treatment recommendations.

It is the private landowner's responsibility to schedule a pesticide applicator. The applicator must follow the treatment plan recommendation.

The product recommended and reimbursed is Dimilin 2L. Private landowners do not have to treat all the recommended area, it is up to the landowner to decide what to treat. It is estimated the program can treat up to nearly 60 percent of the total affected acreage.

ODA will need to be notified when the treatment has been completed. The department will schedule an efficacy check two weeks after treatment. An efficacy check is required to participate in this program.

Details on the cost-share program are in development. More information to follow.



## SB 892 Oregon Disaster Assistance Program (ODAP) Update



With the support of the Oregon Legislature and Governor Kate Brown, the Oregon Department of Agriculture (ODA) is working to deliver \$40 million in much needed relief to Oregon's farmers and ranchers. As ODA administer this

assistance, the department remains guided by goals to:

- streamline the application process and reduce the burden on producers,
- prioritize the hardest hit, and
- include those under-resourced producers who have been left out of past relief efforts and encourage participation.

To help administer the Oregon Disaster Assistance Program (ODAP), ODA is partnering with local agricultural lenders. This contracting process is currently in process.

### BACKGROUND

On December 13, 2021, the Oregon Legislature passed SB 892, which established a unique forgivable disaster loan program for Oregon's farmers and ranchers recovering from natural disasters in 2021. The forgivable loan program will provide direct assistance payments to producers experiencing gaps in federal funding or act as a bridge loan until the USDA FSA Disaster Program begins.

\$40 million has been appropriated to the relief assistance, with \$5 million dedicated to the producers in Jefferson

County. By incorporating public engagement, ODA continues to administer ODAP in a manner consistent with legislative intent and applicable laws.

### 4-WEEK APPLICATION PERIOD

ODAP will accept applications for 4 weeks beginning in mid-April, before awarding assistance. Payments will be prioritized based on loss reported starting with the hardest hit. ODAP will make assistance payments until available funds cannot meet the approved requests. ODA may conduct a second application period based on available funds.

### MORE INFORMATION

You can find a sample of the application on the ODA Drought and Disaster Resource webpage (<https://oda.direct/ODAP>). Official applications may contain edits and will be provided by participating lenders. In efforts to reduce the burden on producers, a sample independent verification form is available on the website that a certified CPA, tax attorney, or similar may complete on behalf of the applicant.

USDA recently announced information on the upcoming federal assistance program. That program will be administered in two phases with both crop and livestock provisions. ODA encourages everyone who has been impacted by adverse weather to contact their local FSA office for additional information.

Sign up for email updates on this program at: <https://oda.fyi/DAP>

For more information please contact Alan Hanson, ODAP Program Manager  
[Alan.Hanson@oda.oregon.gov](mailto:Alan.Hanson@oda.oregon.gov), 503.949.2993

# High Path Avian Influenza in the Pacific Flyway

For the first time since 2015, highly pathogenic avian influenza (HPAI) is now confirmed in North America's Pacific Flyway. On March 2, the World Organization for Animal Health (OIE) confirmed the HPAI Eurasian strain H5N1 in a bald eagle found dead in British Columbia, Canada.

HPAI is a serious, highly contagious, deadly disease in domestic poultry. According to the U.S. Centers for Disease Control (CDC) and Prevention, HPAI detections do not present an immediate public health concern. No human cases of these avian influenza viruses have been detected in the United States.

The most recent HPAI detection on the west coast follows several discoveries in the Atlantic Flyway. In mid-January, the United States Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) confirmed the HPAI Eurasian strain H5N1 in wild waterfowl on the east coast. This was the first time since 2015 that a Eurasian strain of HPAI was found in the United States. Since that time, the USDA has confirmed HPAI infections in 16 US states in both backyard and commercial flocks. The first case was detected in a commercial poultry flock on February 8, 2022, with new detections announced every week.

While the CDC and the USDA have confirmed that the recent H5N1 strain does not pose an immediate public health concern, it does pose a significant risk to the backyard and commercial poultry producers. Therefore, ODA is working closely with the USDA, other federal partners, neighboring states, and poultry producers to prevent the introduction of HPAI into Oregon poultry flocks while also preparing to respond if an introduction occurs.

ODA is also working to inform the public and working with commercial poultry producers to enhance regular surveillance testing of their flocks and promote awareness of this virus's movement. Finally, ODA veterinarians also respond to reports of sick or dead birds, conduct risk assessments, and perform on-site investigations and testing.

Before the detections of HPAI this year, ODA has been making long-term investments to enhance the agency's ability to prevent and respond to foreign animal diseases in Oregon. Investments include:

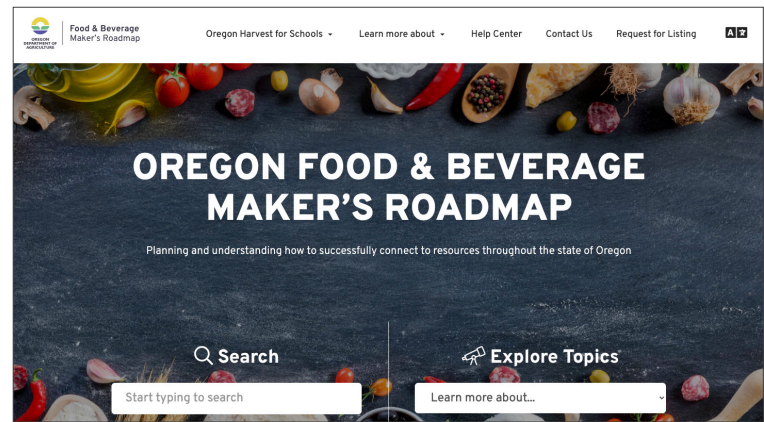
- The addition of a third ODA district veterinarian.
- Working regionally to support the state veterinarian in disease surveillance and control efforts.
- Reducing the geographic area that the existing district veterinarians cover.
- Significantly decreasing response times to disease reports.

In addition, ODA's Animal Health Program was also recently awarded three grants by the USDA to improve the agency's disease response capacity. The work will include:

- Developing new surveillance tools.
- Enhancing existing response plans and outreach efforts.
- Developing strategies to ensure business continuity for Oregon livestock producers during an animal health emergency.

For more information about HPAI and how you can protect your flock please visit ODA's Avian Influenza web page online at <https://oda.direct/AI>.

# ODA's New Resource Website



The Oregon Department of Agriculture (ODA) is excited to announce a unique, new business resource website at [www.oregon.gov/odaroadmap](http://www.oregon.gov/odaroadmap) that serves agricultural producers and small to mid-sized food and beverage companies in Oregon who want to grow and become more successful. Additionally, through a partnership with the Oregon Department of Education (ODE), the new site also includes the launch of Oregon's Harvest for School's web presence at <https://oda.direct/OH4S>.

ODA used state grant funds to create the dual-focused website to expand opportunities for Oregon food and beverage businesses and agricultural producers. The Oregon Harvests for Schools Program connects Oregon producers with schools to provide healthy, local products. The new site includes:

- A toolkit of resources to help producers get started selling Oregon products in the ODE Farm to Child Nutrition Program.
- Information on how to get listed in the Oregon Harvest for Schools Directory where schools can find and buy local food.
- Regional contacts to make it easier for producers to build relationships with local school buyers.
- Upcoming announcements and events for producers and food businesses interested in school markets.
- Resources for farm and agricultural education.

On the business roadmap side of the site, visitors will find an online resource guide and expert articles. Oregon's small to mid-sized food and beverage businesses face many obstacles in growing their business. Although many resources are available throughout the state, knowing and finding what you need can be challenging. The roadmap design helps a business by pulling together many statewide, regional, and national resources in one place.

Micah Elconin, founder of Season to Taste, a regional food system consulting firm, and Hannah Kulberg, a regional food and beverage mentor, assisted ODA in the organization and content, ensuring the needs of the food and beverage industry are addressed. ODA will continue to update the information to best serve the focused visitors in Oregon food and agriculture.

For more information about Oregon Harvest for Schools, don't hesitate to get in touch with Amy Gilroy at [Amy.Gilroy@oda.oregon.gov](mailto:Amy.Gilroy@oda.oregon.gov).

For more information about the Roadmap, please contact Erick Garman at [Erick.Garman@oda.oregon.gov](mailto:Erick.Garman@oda.oregon.gov).

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## **ODA'S SALEM OFFICE reopens MAY 1**

The State of Oregon continues to move forward with plans to reopen all state office buildings to the public on May 1. The Oregon Health Authority helped determine the date for reopening using scientific modeling of the COVID-19 virus in our communities. Using this information, the state is now beginning to move from an emergency response to managing the COVID-19 response, shifting to the next chapter of the pandemic.

With safety as the focus, ODA has made changes to how employees and the public access the ODA building in Salem. Beginning May 1:

- ODA customers and visitors must check-in at the reception window on the first floor, east side of the building.
- Visitors will sign in and receive a visitors' badge. The person at the reception window will notify the appropriate ODA staff member that a visitor has arrived.
- The staff member receiving the visitor will escort them to complete their business. At the end of their business, the ODA staff member will accompany the visitor back to the reception desk.
- The visitor will log out and return the visitors' badge.

The new visiting protocol will also be followed when visitors attend meetings and hearings held at ODA.

ODA is excited to welcome the public back into the building after two years of appointment-only access. Please know it is not the department's intent to cause visitors and customers any inconvenience while doing business with ODA. Safety will continue to be a high priority as we reopen to the public, and the cleaning protocols for all state facilities established during the pandemic will continue.

## **COMING SOON**

### **CAFO ADVISORY COMMITTEE MEETING**

APRIL 14, 2022 • 1:30 PM - 3:30 PM

Virtual meeting

<https://oda.direct/Meetings>

### **AG WATER QUALITY PROGRAM ADVISORY COMMITTEE MEETING**

APRIL 20, 2022 • 1:00 PM - 5:00 PM

Virtual meeting

<https://oda.direct/Meetings>

### **OREGON STATE BOARD OF AGRICULTURE MEETING**

MAY 3 - 5, 2022

Corvallis, OR • In-person & virtual meeting

See website for meeting agenda and details

<https://oda.direct/BoardAgriculture>

### **SOIL AND WATER CONSERVATION COMMITTEE**

MAY 17, 2022 • TBD

Willow Lake Wastewater Treatment Plant

5915 Windsor Island Road N, Keizer, OR 97303

Virtual participation also will be available.

<https://oda.direct/Meetings>

### **PESTICIDE ANALYTICAL & RESPONSE CENTER (PARC) BOARD MEETING**

MAY 18, 2022 • 9:00 AM - 12:00 PM

Location TBD

<https://oda.direct/PARC>