



**Oregon**  
Department  
of Agriculture

# Oregon Department of Agriculture Government-to-Government 2017 Annual Report

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The Oregon Department of Agriculture's (ODA) mission is threefold:

- Ensure food safety and provide consumer protection,
- Protect the natural resource base for present and future generations of farmers and ranchers, and
- Promote economic development and expand market opportunities for Oregon agricultural products.

The 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 2017.

### **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.

The Tribal Liaison, housed in the Directors' Office, represents ODA at both the Cultural Resource Cluster and the Natural Resource Workgroup meetings. At the meeting, the Tribal Liaison shares 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.

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

The Tribal Liaison attended the Spring Gathering.

Director Taylor, Tribal Liaison, and Community Liaison attended the 2017 Tribal Summit.

The Cow Creek Band of Umpqua Tribe of Indians allowed ODA the opportunity to feature its ranch, K Bar Ranches, and farming enterprise in the 2017 edition of the [Growing Oregon](#) magazine. This magazine serves as a guide to the state's food, farms, and markets, and features stories about the state's top crops, livestock, agribusiness, tourism, food safety and local products. Although this is the fourth edition of the magazine, this was the first time for that the magazine to include tribal agriculture.

Director Taylor will also be meeting with Mr. Nathan Jackson, member of the Cow Creek Band of Umpqua Tribe of Indians, to tour of K-Bar Ranches in mid-December.

### **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 2017, ODA licensed and inspected devices at the following locations:

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

### **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.

The Agricultural Water Quality Program regulates agricultural activities to protect water quality throughout Oregon. With assistance from the 38 Local Advisory Committees (LAC), basin-level water quality management plans were developed across the state. The LACs also review and

update these plans as necessary. Five tribes have leadership and/or staff participating in the LACs. In 2018, ODA will be reaching out to the Natural Resource Workgroup to help build tribal representation on the LACs.

ODA's Community Partner Liaison (located in the Natural Resource Program Area) serves as a planning member of the 2017 Diversity and Inclusion Conference. Twenty-two department staff attended the conference. The Diversity and Inclusion Conference featured a presentation from the Confederated Tribes of Grand Ronde Ceded Lands Program Manager, Mr. Michael Karnosh. This presentation was very informative. Mr. Karnosh has been invited to share this presentation to Natural Resource Program Area staff in the new year.

ODA and DEQ worked with Confederated Tribes to the Umatilla Indian Reservation and the Confederated Tribes of Warm Springs when the Individual National Pollutant Discharge Elimination System CAFO permit was issued to Lost Valley Farm located in Boardman.

Upon the conclusion of the 2017 legislative session, ODA held a phone conference with the Confederated Tribes of the Umatilla Indian Reservation to discuss the outcome of SB 197. SB 197 bill did not move out of the assigned committee, but ODA was asked to provide information on dairy air quality emissions to Senator Dembrow. This information was also shared with the Tribe.

The regional Livestock Water Quality Specialist (LWQS) for the CAFO Program continues to work with the Cow Creek Band of Umpqua Tribe of Indians with their CAFO permit for K Bar Ranches. The LWQS provided Animal Waste Management Plan performed a routine inspection and provided compliance and planning assistance.

The Agricultural Water Quality Program regulates agricultural activities to protect water quality throughout Oregon. With assistance from Local Advisory Committees (LAC), basin-level water quality management plans were developed across the state. The LACs also review and update these plans as necessary. There are 38 LACs statewide. Five tribes have leadership and/or staff participating in the LACs. In 2018, ODA will be working with the Natural Resource Workgroup to increase tribal representation in the LACs.

In 2017, EPA asked ODA Pesticides Program staff to respond to a pesticide drift complaint at the Confederated Tribes of Umatilla Indian Reservation. This investigation was a federal investigation and the ODA staff person used their federal credentials for this case. The complaint was withdrawn but ODA staff did speak to staff of the Confederated Tribes of the Umatilla Indian Reservation.

ODA's Pesticide Licensing Team Lead provided a presentation to the Cultural Resource Cluster regarding pollinators.

The ODA Water Resources Program Lead has been collaborating with representatives of the Tribes on the following water resources related issues:

- Upper Grande Ronde River Watershed Partnership, one of the four state-funded Place Based Integrated Water Resources Planning Pilot Programs: The ODA Water Resources Program Lead has worked collaboratively with the representative from the Confederated Tribes of the Umatilla Indian Reservation to investigate streamflow temperature and precipitation data records for changes as well as for correlations and impacts to water rights; and to conduct a literature review.
- Harney County Place Based Planning Water Partnership, also one of the four Place Based Planning Pilots: The ODA Water Resources Program is working with a sub-group of stakeholders, including the representative of the Burns Paiute Tribe, on investigating vegetation management as a potential tool in water resources management in the Harney Basin. Hydrologic and climate data Investigations, similar to those being conducted for the Upper Grande Ronde, will begin soon for the Harney Basin.
- Salt Creek Collaborative Steering Committee: The ODA Water Resources Program is working with the co-conveners and other invited members on the Steering Committee, including a representative of the Confederated Tribes of Grande Ronde, to organize a collaborative process, similar to the Place Based Planning pilot programs, to address an array of water resources issues in the Salt Creek Watershed.

The Pesticide Stewardship Program is a partnership program with the Oregon Department of Environmental Quality. In 2017, the second year of a pilot monitoring project began in the South Umpqua watershed. Among the partners participating in the South Umpqua pilot is the Cow Creek Band of Umpqua Tribe of Indians. The Confederated Tribes of Warm Springs have also been supportive partners in the Hood River Pesticide Stewardship Partnership since the beginning (2006). In addition to being partners in this partnership, the Tribe has consistently provided financial support for Hood River Pesticide Stewardship Partnership monitoring activities.

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

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ODA Plant Protection and Conservation Programs includes Insect Pest Prevention and Management, Native Plant Conservation, 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.

Shared information with the Natural Resource Workgroup and Cultural Resource Cluster regarding the opportunities to remain engaged during the Japanese beetle eradication project in Cedar Mills.

ODA coordinated with the Oregon Department of Forestry regarding engagement efforts with the Tribes on the development of the emerald ash borer emergency response plan.

As part of ODA's work with USDA Animal and Plant Health Inspection Service, ODA staff completed surveys for grasshopper-Mormon cricket on ceded lands located in eastern Oregon (USDA identifies the land as 'BIA land'). ODA also does trapping for invasive species (e.g. Japanese beetle, Gypsy moth, Apple maggot) and a select few in other commodities however this work depends on priorities, and funding, established in the federal Farm Bill.

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 by Harney County Weed Control through Oregon State Weed Board Grant funding. During 2017 the weed infestation continued to be reduced within the treatment area and prevented from spreading to other areas through this cooperative effort.

The ODA Noxious Weed Control Program continues to work with Umatilla County to assist Confederated Tribes of Umatilla Indian Reservation in 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 the Confederated Tribes of the Umatilla Indian Reservation and the Umatilla National Forest in 2017 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. Also, ODA continues to work with Umatilla and Confederated Tribes of the Umatilla Indian Reservation and other land managers to control common bugloss and other noxious weeds in the Walla Walla River corridor.

ODA is also cooperating with Confederated Tribes of the Umatilla Indian Reservation 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 to work during the 2017 season with the Cow Creek Band of the Umpqua Indian Tribe to control of 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 Soil and Water Conservation District, and the Tribe.

During the 2017 season ODA Central Oregon Noxious Weed Control staff worked with BIA Warm Springs Tribal staff in Wasco County to control two isolated infestations of yellow starthistle, *Centaurea solstitialis*, a state B-listed noxious weed to protect surrounding lands that include Tribal Lands.

### **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.

The State Veterinarian, Dr. Brad LeaMaster, was invited and delivered a presentation called "*Horse Vaccinations and Other Animal Health Issues*" at the Northwest Intertribal Agriculture Council Conference. The conference was held September at the Tamastslikt Cultural Institute in Pendleton.

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

A Food Safety Inspector delivered a farm direct marketing presentation at a workshop held at Seven Feathers in Canyonville.

Food Safety Inspectors provided technical assistance to Sacred Waters Fish Company regarding state and federal fish processing requirements.

The Food Safety Program reached out to Oregon's nine federally recognized Tribes as it considered an application to lease state lands for oyster production in Netarts Bay.

The Food Safety and Animal Health Program Director participated in the Natural Resources workgroup and discussed (1) recreational shellfish work that protects public health from marine bio toxins; and (2) commercial shellfish work that focuses on protecting public health from point and non-point source pollution.

## **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.

Trade managers supported the work/development of Growing Oregon magazine (which featured Cow Creek Band of Umpqua Tribe of Indians' farming enterprise).

Confederated Tribes of the Umatilla Indian Reservation was part of "Team Oregon Food Processing", a statewide group individuals focused on economic development. This team is led by ODA and Business Oregon. This year team attended Expo West, an international food show.

ODA is in preliminary discussions with the Confederated Tribes of the Umatilla Indian Reservation about locating a FoodCorp program at the reservation in 2018.