



Oregon
Department
of Agriculture

Oregon Department of Agriculture Government-to-Government 2019 Annual Report

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Mission

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

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

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 2019.

Administration

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.

ODA's Tribal Liaison represented ODA at both the Cultural Resource Cluster and the Natural Resource Workgroup meetings. At the meetings, 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.

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

ODA staff were invited and encouraged to attend Tribal Governments Legislative Day "Who We Are" held at the state capitol building in February to learn more about Oregon's Nine Federally Recognized Tribes. Several staff reported attending.

ODA's Tribal Liaison and a Natural Resources Water Quality Specialist participated in "Honoring Our Roots" partnership celebration in May, an event hosted by the Confederated Tribes of Grande Ronde and the Willamette Partnership.

In May, ODA's Cannabis Policy Coordinator met with six (6) members of the Warm Springs Tribes Prevention group to discuss cannabis (hemp & marijuana), ODA's role related to cannabis, and the 2014 and 2018 Farm Bills.

The Cannabis Policy Coordinator presented on a panel at the September 5, 2019 Marijuana Summit in Portland, Oregon to discuss hemp and state regulations. Multiple Oregon Tribal members were in attendance.

In September, ODA's Director and Natural Resources Program Director participated in a State of Oregon/Klamath Tribes government-to-government meeting regarding natural resource issues of interest to the Tribes. Governor's Natural Resource staff and other natural resource agency directors (DEQ, ODFW, OWRD, OWEB, BLM Indian Affairs and DOJ) were present to discuss topics related to water quality, water quantity, and hunting & fishing.

The Board of Agriculture (BOA) and Environmental Quality Commission hosted a joint meeting in Mardas in September and toured Pelton Dam where the Confederated Tribes of Warm Springs presented on the project.

The Tribal Liaison was assigned as ODA's Tribal Cultural Items Liaison to Executive Order 17-12 and participated in the May 2019 training and monthly Tribal Cultural Items Brown Bag lunches. A workgroup was created to compile information from agency staff and complete the initial Draft EO 17-12 Inventory Report that was submitted in November 2019.

The Tribal Liaison represented the agency at the December 2019 Tribal-State Government-to-Government Annual Summit hosted by the Confederated Tribes of the Umatilla Indian Reservation.

Internal Service & Consumer Protection Programs

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 2019, ODA licensed and inspected devices at the following locations:

- Cow Creek Band of Umpqua Tribe of Indians (multiple devices, multiple locations)

Natural Resources Programs

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 Confined Animal Feeding Operation (CAFO) program had on-going conversations and discussion with the Confederated Tribes of Umatilla Indian Reservation (CTUIR) around a large permitted CAFO in Boardman (formerly known as Lost Valley Farm) and its status as it works through federal bankruptcy trustee oversight of the facility wind-down and cleanup, and purchase of the sight to a new owner. ODA ensured timely sharing of documents and updates.

A regional Livestock Water Quality Specialist (LWQS) from the CAFO Program continued work with the Cow Creek Band of Umpqua Tribe of Indians with their CAFO permit.

Confederated Tribes of Warm Springs and Confederated Tribes of Umatilla Indian Reservation attended North & Middle Forks John Day River biennial review meeting held on March 12, 2019.

Agriculture Water Quality Specialists (AWQS) have reached out to invite tribal participation on Local Advisor Committees (LAC) that review Agricultural Water Quality Management Area Plans, Rules, and Program Implementation. AWQS will continue to reach out to tribes

throughout the state as vacancies on the LACs become available. A staff member from the Klamath Tribes has joined both the Klamath Headwaters and Lost River Subbasin Local Advisory Committees.

AWQS 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 Research Station staff has been participating as part of a technical team to evaluate water quality data around the lake, develop projects with local landowners, and seek implementation funding.

An AWQS provided links and contacts to staff from the Coquille Indian Tribe regarding their inquiry into abalone aquaculture.

A Confederated Tribe of the Umatilla Indian Reservation (CTUIR) joined the Pesticide Stewardship Partnership (PSP) Advisory Committee. PSP identifies potential concerns and improve water quality affected by pesticide use around Oregon.

Plant Protection and Conservation Programs

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.

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 2019 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 (OSWB) grant.

ODA continued work with CTUIR and the Umatilla National Forest in 2019 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 continuing to cooperate 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.

In 2019, 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. Due to this cooperative control efforts Paterson's curse populations are down over 95% from 15 years of control efforts. 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.

The Native Plant Conservation Program has been consulting with the Burns Paiute Tribe Natural Resource Department about their recovery work with Oregon semaphore grass (*Pleuropogon oregonus*). This extremely rare plant is listed as threatened in Oregon, where it occurs in only a few locations east of the Cascade Range. ODA issued a permit for the Burns Paiute Tribe to work with this listed plant to continue an ODA-Burns Paiute Tribe collaborative effort of establishing a healthy, self-sustaining population on Tribal land, promoting the overall recovery of this unique native plant.

In October the Oregon Invasive Species Council (OISC) met in Boardman. Members from the Columbia River Intertribal Fish Commission, representatives from the Burns Paiute Tribe and Confederated Tribes of the Umatilla Reservation presented on local and regional issues of invasive species. ODA's Noxious Weed Program Manager gave updates on the collaborative efforts to fight flowering rush, on *Arundo* and other noxious weed issues in eastern Oregon. Field tours included the CTUIR Wildlife Conservation site in Hermiston on biocontrol efforts of various noxious weeds, the Irrigon Wildlife area with invasive crayfish, and the US FWS Umatilla refuge along the Colombia river with noxious weed management issues.

The Hemp Program Manager worked with the Cow Creek Band of Umpqua Tribe of Indians to discuss and obtain a hemp grower registration.

Food Safety and Animal Health and Identification Programs

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.

In February, a Food Safety Specialist met with various tribes in conjunction with staff from Oregon Tribal Preparedness Coalition to discuss ODA's Food Safety program.

A staff member from the Columbia River Inter-Tribal Fish Commission sits on ODA's Food Safety Program Advisory Committee.

In May, the Animal Health Laboratory performed Equine Infectious Anemia testing for the Confederated Tribes of the Umatilla Indian Reservation and Confederated Tribes of Warm Springs.

Confederated Tribes of Warm Springs brand inspectors participated in the brand inspection training meetings in Hermiston and Madras.

The Animal Identification Program Manager assisted a representative of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw to address stray cattle on tribal trust lands.

The Brand Records Clerk worked with Warm Springs Tribal Police on a large public records request.

ODA's Shellfish Specialist provided information to a representative of Coquille Indian Tribe regarding aquaculture production.

Market Access and Certification Programs

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.

The Specialty Crop Block Grant Program (SCBGP) Coordinator gave a presentation at the November Natural Resources Workgroup (NRWG) meeting in Salem.

Market Access Commodity Inspection office in Hermiston reached out to representatives of the Confederated Tribes of the Umatilla Indian Reservation on job opportunities during the peak potato harvest season.