



EJC ANNUAL REPORT 2023

Oregon Department of Agriculture



**OREGON
DEPARTMENT OF
AGRICULTURE**

Protect. Promote. Prosper.

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January 31, 2024

Environmental Justice Council
Office of the Governor
900 Court Street, Suite 254
Salem, OR 97301-4047

Sent via email: van.nguyen@deq.oregon.gov

Dear Environmental Justice Council Members,

The Oregon Department of Agriculture (ODA) appreciates the Environmental Justice Council (EJC) and its' members contribution to advancing EJ in Oregon. In fulfillment of the annual reporting responsibilities under ORS 182.550, the Department respectfully submits ODA's 2023 EJC report. If you have any questions regarding this report, please contact Christina Higby at 503.510.4907 or christina.higby@oda.oregon.gov.

Sincerely,

A handwritten signature in black ink that reads "Lisa Charpilloz Hanson".

Lisa Charpilloz Hanson
Interim Director

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AGENCY INTRODUCTION

Agency Description

With more than 37,000 farms and ranches spread across the state and stretching from the coast over mountain ranges and through plateaus and basins, agriculture is a \$50 billion dollar industry in Oregon that has a significant impact on the everyday lives of every person in our state. Over 300,000 jobs in Oregon are tied to the agricultural industry including farmers, fishers, ranchers, and food processors and a host of others who help bring Oregon's bounty to market. It is nearly 16% of the state's domestic gross product (GDP).

Approximately six percent (4,141) of Oregon's agricultural producers identify as Black, Indigenous and people of color (BIPOC). This diverse group represents approximately 3,785 farms on 1,441,869 acres of land (nine percent of all agricultural acres) and accounts for a market value of approximately \$626,110,000 of agricultural products sold each year.

The Oregon Department of Agriculture (ODA, Agency, or Department) is a diverse state agency and serves a variety of industries in Oregon. ODA is a working agency, which means staff are often in the field and community, directly engaging the public and partners. ODA's headquarters is in Salem, and the Agency has a combination of work models for the staff. ODA's headquarters maintains the core staff needed to provide excellent customer service to the public. ODA also has regional offices, where some permanent staff are based. Additional permanent staff, who moved to a hybrid model during COVID-19, routinely work out of their homes. The hybrid-stationed employees work in nearly every program within the Agency. Seasonal employees are positioned throughout the state, providing industry-requested inspection services for the fruit and vegetable industry, Animal Health and Identification programs, or pest detection services.

Agency Mission and Vision Statements

ODA's mission is to 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.

ODA's vision is to serve the changing needs of Oregon's diverse agricultural and food sectors to maintain and enhance a healthy natural resource base and a strong economy in rural and urban communities across the state.

Core Values

- 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
- Transparency
- Quality customer service

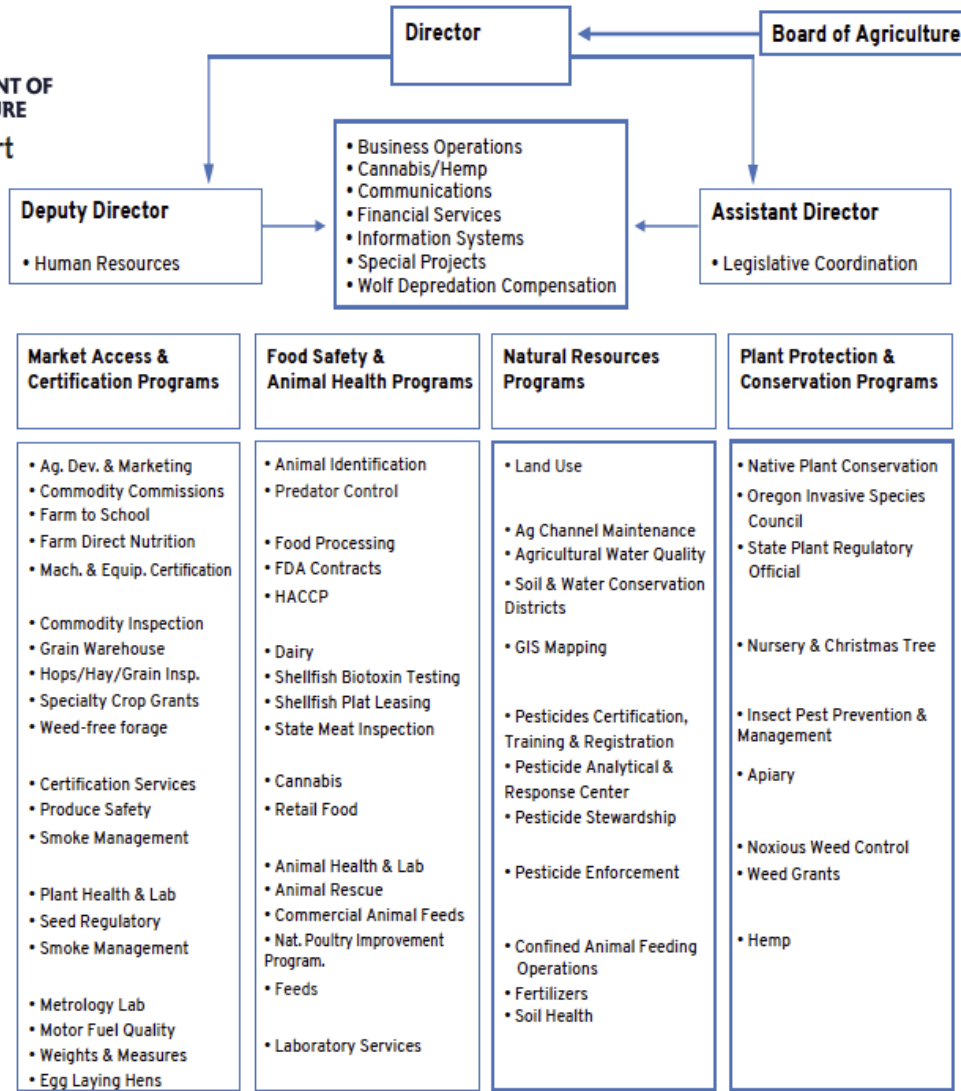
ODA is organized around this mission and is empowered primarily under the following Oregon Revised Statutes 561, 564, 568 and 570 through 635, and 315 and Oregon Administrative Rules 603 through 605, 607, 609, 611, 617, 619, 623, 642 through 648, 656 through 658, 664, 668 through 670, 678, and 972.

Agency Leadership

The Agency's Leadership Team provide the foundation to fulfill the Agency's statutory mandate and ensure the established mission and values are upheld.

- **Lisa Charpilloz Hanson**, ODA Interim Director
- **Lauren Henderson**, ODA Deputy Director
- **Jonathan Sandau**, ODA Assistant Director
- **Andrea Cantu-Schomus**, ODA Director of Communications
- **Jess Paulson**, Market Access & Certification Program Area Director
- **Casey Prentiss**, Market Access & Certification Assistant Program Director
- **Rusty Rock**, Food Safety & Animal Health Program Area Director
- **Isaak Stapleton**, Natural Resource Program Area Director
- **Chris Benemann**, Plant Protection & Conservation Program Area Director

ODA Organizational Chart



Agency Budget and Program Area Descriptions

The ODA is supported with General Fund, Measure 76 Lottery Funds, Other Funds, and Federal Funds. Measure 76 Lottery Funds secure and restore habitats for native fish and wildlife, and maintain diverse plants, animals, and ecosystems. The United States Department of Agriculture (USDA) and other federal agencies also provide funding for the Department’s budget. ODA’s adopted 2023-2025 budget of \$172,912,171 comes from \$54,006,785 General Fund, \$8,834,102 Measure 76 Lottery Funds, \$90,424,789 Other Funds expenditure limitation, and \$19,646,495 Federal Funds expenditure limitation. ODA received 521 positions (401.00 FTE) for the 2023-25 biennium.

Agency Programs

The ODA’s budget and budgeted organizational structure is comprised of four program/policy areas: Administration and Support Services; Food Safety/Consumer Protection; Natural Resources (including

Plant Protection & Conservation Programs); and Market Access Development & Certification/ Inspection.

Administration and Support Services Program Area

The Administration and Support Services Program Area manages the executive functions of ODA through the Director's Office, the Information/Communication Office, and the Administrative Services Offices. These offices play an integral role in ensuring the successful operation of the ODA.

The Director's Office provides direction and management to all ODA programs and associated activities. The Director's Office works with the State Board of Agriculture and many other natural resource, industry, and consumer groups to support the mission and goals of the Agency. This program area also coordinates cannabis (marijuana and hemp) policy, farm mediation, and the Wolf Depredation Compensation and Financial Assistance Grant program.

The Information/Communications Office responds to public and media inquiries using a variety of platforms. The Administrative Services Office provides the critical core infrastructure for ODA programs and customers including accounting, financial management, human resources, payroll and benefits, information systems, licensing, fleet and facility management, and purchasing and contracts.

Food Safety/Consumer Protection Program Area

ODA's Food Safety/Consumer Protection Program Area comprises six core programs: food safety, meat inspection, animal health, livestock identification & predator control, laboratory services, and weights and measures/motor fuel quality. The programs within this area contribute to the safety and health of Oregonians by ensuring a secure food supply and the well-being of animals. Additionally, they promote a healthy environment through regulatory lab testing for ODA natural resource programs. Furthermore, these programs play a role in supporting Oregon's economy by ensuring fairness in commerce, maintaining an equitable business environment for Oregon enterprises, assuring the quality of Oregon's motor fuel supply, and preventing livestock losses due to disease, theft, and predation.

Natural Resources Program Area (including Plant Protection and Conservation Programs)

ODA's Natural Resources Program Area protects Oregon's natural resources for future generations, supports clean water and healthy fish, wildlife, and native plant populations, promotes soil health practices, keeps farm and ranch lands in agricultural use, reduces exposure to toxins, and maintains agriculture's economic sustainability. The seven (7) specific programs within this program area work with a variety of customers, including private agricultural landowners, public land managers, permitted Confined Animal Feeding Operations (CAFO), commercial pest control businesses, pesticide and fertilizer manufacturers and distributors, Tribes, federal, state, and local governments, and the public who benefit from the natural resource protection offered through these programs. These programs encompass Agricultural Water Quality, CAFO, Pesticide Compliance & Enforcement, Pesticide Registration & Licensing, Fertilizer, Pesticide Analytical & Response Center (PARC), and Soil & Water Conservation Districts (SWCD). It also encompasses the Citizen Advocate, Land Use & Water Planning Coordinator, and Geographic Information System (GIS) Staff.

The Plant Protection and Conservation Programs protect Oregon's agricultural industries and natural environment from harmful plant pests, diseases, and noxious weeds, enhance the value and marketability of exported nursery stock and Christmas trees, and support the conservation of threatened and endangered plants. Programs include Hemp, Insect Pest Prevention & Management (IPPM), Noxious Weed Control, Native Plant Conservation, and the Nursery & Christmas Tree.

Market Access, Development, Certification/Inspection Program Area

The Market Access and Certification (MAC) Program Area within ODA is a collection of diverse programs with a singular goal – to assist Oregon's agricultural producers in successfully selling and shipping products to local, national, and international markets. The MAC program area has a large and complex operational scope that combines the agency's foundation skills of market development, inspection, official certification, and scientific expertise. This program area can be grouped into five key programs: Agricultural Development & Marketing, Shipping Point Inspection & Certification, Produce Safety, Plant Health, and Seed Regulatory.

Agency Strategic Plan

ODA implements the Agency's mission and vision through a five (5) year strategic plan adopted in 2018. ODA's five-year Strategic Plan (2018-2023) continues to guide the Department towards fulfilling its role to serve the changing needs of Oregon's diverse agricultural and food sectors. The Department's core values described in the Strategic Plan include a commitment to diversity and inclusion. Oregon and Oregon agriculture is highly diverse ranging from large to small, rural to urban, experienced to new producers, located in a wide range of geography, and operated by people of many backgrounds, histories, cultures, and interests. Continued outreach efforts to increase representation of Oregon's diversity in agriculture has positively impacted participation on boards, committees, and commissions. ODA continues to adapt how to deliver clear, accurate, and practical information to Oregon's diverse public and implement the Agency's core values around diversity, equity, inclusion, and belonging that can help to identify and address environmental justice issues around the work we do.

The strategic plan is designed as a living document; to be adapted to the changing needs of Oregon agriculture that evolve over time. The department is embarking on developing a new strategic plan for 2024 and beyond. The current plan includes short and long-term tactics for each key objective that support the mission. These key objectives guide the department's business processes and goal setting.

There are three (3) key objectives in the current strategic plan that support environmental justice into our work. They include our Agency's ability to be a Role Model Organization (Key Objective #1); a role model organization embraces diversity and works to provide equitable outcomes for all. Second, the agency's commitment to embrace a Culture of Collaboration (Key Objective #3) from many different viewpoints and backgrounds. Key Objective #3 is supported by outreach work to include diverse backgrounds and perspectives on the various boards, commissions, committees, councils, and workgroups. The various makeup of members on these groups has provided viewpoints and considerations to help support the diversity of Oregon. The third key objective that supports EJ is Inclusive Communication (Key Objective #7); to ensure our communication and outreach is clear, concise, and inclusive. This objective is to ensure a wide outreach effort to Oregonians interested in

the work ODA does and provide a space where ideas and perspectives can be heard both in meetings and during the public engagement process.

The methods and means people receive information continues to grow along with the variety of services provided by the Agency. Because of this, the agency requested and received a position in its 2023-2025 budget to focus on Community Engagement and Equity (Package 120): an Operations and Policy Analyst 3 (OPA3) will provide the capacity to renew the Department's Strategic Plan, and prepare official communications and documents for the legislature, state agencies, and community partners.

ODA has several ways to conduct outreach including inviting interested parties to sign up for email listservs that provide program updates and opportunities to engage with ODA on activities and planned rulemaking. Engaging in Government-to-Government consultation with the federally recognized Tribes in Oregon is also a key tool ODA uses to ensure meaningful involvement. Social media, newspaper notifications, newsletters, mail distributions and radio (English and Spanish) are additional tools ODA uses to increase public participation and improve opportunities to engage with interested parties on activities and rulemaking conducted by the Agency. Multilingual outreach media are also used when known key groups are identified and could benefit from the translation services. The seven (7) key objectives of ODA's Strategic Plan (<https://oda.direct/StrategicPlan>) are:

Key Objective 1: Operate as a Role Model Agency

To operate as a role model organization, ODA must maintain a culture of excellence in all employees, work products, and customer service while achieving operational objectives and goals. Effective leadership, fiscal responsibility, an adaptive organizational structure, innovative use of technology, programmatic expertise, and a safe work environment are necessary elements for a role model organization.

Key Objective 2: Operate in a Culture of Compliance & Support

To operate in a culture of compliance and support, ODA must deliver all services in an open, proactive, professional, helpful, and respectful manner focusing on education, outreach and technical assistance while relying on a regulatory backstop. When pursuing program compliance and support, a variety of regulatory tools must be considered, innovative problem-solving process used, and communication completed in a clear, understandable, and flexible manner.

Key Objective 3: Embrace a Culture of Collaboration

To embrace a culture of collaboration, ODA engages and works with interested parties to evaluate and search for appropriate outcomes through trust, transparency, and respect for different points of view. We use program and project opportunities to grow existing partnerships and develop new partnerships.

Key Objective 4: Foster Employee Excellence

To foster employee excellence, ODA creates an atmosphere that encourages employees to excel as they incorporate ODA's mission and values in their day-to-day work. We encourage and challenge existing employees to grow professionally, and we attract and keep new employees who complement and enhance ODA.

Key Objective 5: Provide excellent customer service recognizing the diversity of Oregon agriculture.

To best provide excellent customer service that meets the unique needs of Oregon farmers, ranchers, and fishers. ODA embraces, supports, and promotes the diversity of all of Oregon agriculture regardless of crop type, production practice, size of operation, geography, land or water, market and the numerous other factors used to produce and process Oregon's 225 agricultural commodities.

Key Objective 6: Connect & Promote Oregon food & agriculture as a valued experience for consumers & exciting career choice.

ODA raises awareness of the opportunities, diversity, and innovation of Oregon's agriculture and food sector by connecting Oregonians to the people responsible for farming, ranching, fishing, and food manufacturing in the state. ODA serves as an ambassador helping to inform Oregonians about the economic significance of Oregon's agriculture, food and beverage sectors to the state, the employment opportunities directly and indirectly available in agriculture, and agriculture's environmental investments to protect, preserve, and enhance Oregon's natural resources.

Key Objective 7: Strive for clear, concise, & inclusive communication

To strive for clear and concise communication with all Oregonians about agriculture and the department's programs, ODA uses the most effective tools available to give and receive information. ODA employees respond quickly, providing information directly or re-directing customers, consumers, and the public to the appropriate sources for that information. The strategic plan includes short and long-term tactics for each of the key objectives. The goal of this plan is to incorporate the mission and values into ODA's day-to-day work and encourage shared ownership throughout agency.

ODA has initiated the review process and will work towards updating the strategic plan in 2024 to incorporate the changing needs and goals of the Agency. Key considerations in the development of this plan includes Diversity, Equity & Inclusion and Environmental Justice.

Boards and Commissions

ODA's work is guided by various boards and commissions, influencing the agency, and setting industry standards to maintain Oregon agriculture's high competitiveness in local, national, and international markets. Over 30 boards, commissions, committees, and councils help support Oregon agriculture and are made up of volunteers dedicated to providing sound guidance and advice. As vacancies become available, ODA's recruitment process incorporates outreach to individuals and groups that represent diverse backgrounds and perspectives. This includes members or representatives of environmental justice communities that have expertise or expressed interest on the topic(s) being discussed. Included below are a couple of examples of what boards and commissions do to support ODA's work. To see the full list visit <https://oda.direct/BoardsCommissions>.

Board of Agriculture - The 10-member State Board of Agriculture advises the Agency on policy issues, develops recommendations on key agricultural issues, and provides advocacy for the state's agriculture industry in general. The board issues a biennial report to the Governor and Legislative Assembly regarding the status of Oregon's agriculture industry. The board meets quarterly at various locations around the state.

Oregon Commodity Commissions - At the request of growers, commodity commissions have been around since 1943. All 22 commodity commissions operate with oversight from the ODA. Commodity commissioners carry out important decision-making for their individual commodity. Each year, commissioners develop and submit a budget, for the ODA Director's approval, using their

commodity's assessments (and other funds that may be available) for projects including non-branded promotion, research, and education. Commissioners determine the projects that will best benefit the commodity.

Environmental Justice Personnel

Lisa Charpilloz Hanson, ODA Interim Director

Lauren Henderson, ODA Deputy Director

Jonathan Sandau, ODA Assistant Director

Christina Higby, ODA Environmental Justice and Tribal Liaison (Citizen Advocate)

Andrea Cantu-Schomus – ODA Communications Director

Isaak Stapleton, ODA Program Area Director, Natural Resources / DEI Committee Chair

ODA Equity Leader (Pending 2025-2027 Legislative Approval)

ODA's Directors offer leadership and support to Environmental Justice (EJ) work at the Agency. They consistently communicate with industry and consumer groups, non-governmental organizations (NGOs), community members, as well as other natural resource agencies and groups, including local, state, and federal partners.

The Communications Director manages ODA's Information/Communications Office, which aims to deliver clear and concise communication. The office focuses on informing Oregonians about the economic importance of Oregon's agriculture, food, and beverage sectors to the state. Additionally, it highlights the employment opportunities directly and indirectly linked to agriculture and emphasizes agriculture's environmental investments in protecting, preserving, and enhancing Oregon's natural resources.

The Communication Office works with ODA programs to communicate with diverse groups using a variety of media, including translation of notices and advisories into other languages. They respond to public and media inquiries through various platforms, issues news releases, and shares crucial information, including food recalls. The Information Office also operates as the primary point of contact for public records requests. This Office helps raise awareness of the opportunities, diversity, and innovation of Oregon's agriculture and food sector by connecting Oregonians to the people responsible for farming, ranching, fishing, and food manufacturing in the state.

The DEI Committee, established in 2019, works to look at ways ODA programs can improve inclusive language, translation services, and resources to support DEI opportunities. ODA's DEI Committee has supported programs aimed at enhancing access to preferred language access in written and verbal communications. Additionally, the committee promotes the use of gender-inclusive language in these communications. Major publications, news releases, and program information are being translated and shared across platforms to expand accessibility. For example, while official documents had to be received in English, additional languages were provided for easy understanding, mitigating potential access barriers. Internal and external support has improved and continues to strengthen ODA's DEI objectives and goals. DEI Committee goals include: expanding outreach efforts and translation of materials to reach customers who speak languages other than English; continue to expand social awareness and acceptance of DEI principles among staff and identify resources as needed to further those efforts; develop guidance for inclusive language use in ODA materials; work to ensure that ODA is an inclusive workplace, including a focus on recruitment and retention.

Additionally, ODA's program area directors, supervisors, and program staff each have an important role in supporting the advancement of EJ considerations at ODA and consult with ODA's Citizen Advocate and Liaison as needed for document review, considerations, and outreach efforts to maximize inclusivity in ODA activities. The Citizen Advocate and Liaison's position serves as the agency representative to the EJC and actively participates in meetings to report agency activities and inform the Department of EJ issues associated with ODA rulemaking and activities. ODA's website has a dedicated [Environmental Justice webpage](#) with resources and contact information for internal and external parties interested in ODA's EJ work.

ODA's Citizen Advocate also serves as the Agency's Tribal Liaison. This position is the point of contact for the federally recognized Tribes in Oregon; to advocate for and facilitate consultation and coordination efforts between Oregon's tribal nations and ODA. The Citizen Advocate works with ODA staff and the Director's Office to maintain good working relationships with tribal nations in Oregon and inform and encourage participation in activities and rulemaking opportunities provided by the Agency. ODA's website has a dedicated [Oregon Tribes](#) webpage to provide resources and contact information for interested parties. Staff throughout ODA work with tribal nations on a wide range of topics on a regular basis and are captured in ODA's [2023 Government-to-Government Annual Report](#).

ENVIRONMENTAL JUSTICE HIGHLIGHTS

ODA programs aim to be mindful when reaching out, providing resources, and engaging in activities. This ensures that potentially affected communities and interested parties are aware of, and can participate in, discussions about agency actions and activities. Staff have the expertise to determine the type of outreach to engage with the community based on a variety of factors including past experiences, recommendations, and feedback from actively engaged community partners, agencies, and local leaders. Engagement efforts include the most effective modes of communication (email, flyers, mailers, social media, presentations, radio and/or television) best suited for the type of activity, and demographic information such as language needs to maximize inclusivity efforts. Each program has a wide range of techniques to reach its target audiences, whether it be households in a specific ZIP code or landowners in a rural region. Programs over time have identified and developed good working relationships with local, state, and federal partners, industry groups, non-governmental organizations (NGOs), and others to help identify and reach out to target audiences based on the program area topic. ODA's Citizen Advocate may also be consulted and utilized to help improve outreach efforts to maximize inclusive participation in ODA's activities and rulemaking processes. Below are examples of work that highlights the Agency's environmental justice efforts in 2023. It also highlights the collaboration and coordination efforts routinely conducted with other partners including local, state, and federal agencies to accomplish these tasks. Most of the Agency's work is ongoing and future planned activities for the coming year may be included in the summary sections.

Integrated Pest Management Law:

The Pesticides Program works with Oregon State University (OSU) and Oregon Department of Education (ODE) to amplify awareness of the school Integrated Pest Management (IPM) law. Because children are more sensitive than adults to the potential toxic effects of pesticides, the school IPM law was designed to support children's safety in a school setting. Oregon law requires extra precautions and restrictions when pesticides (including baits) are used on a school campus. For example, pesticides may only be applied by properly licensed applicators and generally only "low impact" pesticides can be used on a school campus. During this past year, ODA's enforcement staff presented on the law at all ten 2023 OSU School IPM Coordinator Trainings around the state. The Pesticides Program also continued its effort to create short, narrated videos (5-10 minutes) called "school IPM law modules." These modules focus on IPM law requirements and are available on YouTube for school IPM coordinators and other school staff. The goal is to provide short, recorded trainings that pertinent staff can access year around. The first two modules were published on YouTube in June of 2023 before the summer training time. The Pesticides Program also translated both videos into Spanish (one in 2023 and the other in early 2024). Additional videos will be produced over time to add to the collection. The modules may be accessed, along with other resources at ODA's [IPM in Schools webpage](#) under the header "Resources."

School IPM manuals were also distributed to hundreds of schools in 2023 to increase awareness of the school Integrated Pest Management (IPM) law, and to help school employees that apply pesticides to obtain the school IPM license category. This manual covers topics such as the school IPM law, potential risks to children, and IPM practices. While it was developed to be used as preparation for the school IPM license category examination, it is also a useful resource for school IPM coordinators and other school faculty, or staff involved with pest management in schools. The printing and distribution of the enclosed manual was funded through a grant from the United States Environmental Protection Agency (US EPA) (Grant Agreement #AA-01J98101-0).

Additionally, the Pesticides Program actively works on enhancing communication with our Spanish speaking customers. This includes translating documents and having in-house staff available for translation services when needed. Pesticide related documents translated in 2023 include pesticide advisories, the record keeping requirements flyer, and the treated seed label requirements. ODA is also working on translating into Spanish the "[What to Expect When You File a Complaint](#)" flyer that is provided to individuals who wish to file a complaint within the Natural Resource Programs Area.

Chlorpyrifos:

On December 15, 2020, ODA [adopted a rule](#) that significantly limited the use of chlorpyrifos and phased out nearly all uses by December 31, 2023. ODA worked with a diverse group of people including farmworker advocates, industry representatives, and other NGOs during the public rulemaking process. ODA's goal in adopting this rule was to limit risk by reducing exposure to workers and bystanders while retaining lower-risk critical uses crucial to protecting Oregon crops. Chlorpyrifos is an organophosphate insecticide, acaricide, and miticide used primarily to control foliage and soil-borne insect pests. Starting January 1, 2024, chlorpyrifos-containing products are not allowed to be used, delivered, distributed, sold, offered for sale, or exposed for sale in Oregon, except: when labeled for use as, and used as, a commercial pre-plant seed treatment; when formulated as, and used as, a granular product; or when formulated as, and used as, an impregnated cattle ear tag.

Forestry and Aerial Pesticide Applications:

In late August 2023, several state agencies, including ODA, received concerns related to a proposed aerial forestry application in Oregon's central coastal region. The concerns focused on water, and in particular, drinking water. Through discussions with state agency partners, the local water district, elected officials, and county commissioners representing concerned citizens in the area, it was determined that reliable resources and information about regulations and oversight on pesticides and water quality were needed. ODA partnered with Department of Environmental Quality (DEQ), Oregon Department of Forestry (ODF), and Oregon Health Authority (OHA) to develop a Frequently Asked Question (FAQ) document to address questions concerned citizens had relating to pesticide use regulations and water protections in a forestry setting. The document provides the reader with clear language on pesticide regulations in Oregon, various state agencies' authority on pesticides and water, resources, and agency contact information. Although language translation services were not requested at the time, the document can be translated upon request. It can also be used as a template for similar engagement opportunities in the future. The FAQ can be viewed at:

<https://oda.direct/PesticidesandForestry>.

Lower Umatilla Ground Water Management Area (LUBGWMA) Work:

Both the Confined Animal Feeding Operation (CAFO) and Agricultural Water Quality (AGWQ) programs continue to receive and respond to inquiries from the US EPA and media regarding work completed in support of the LUBGWMA. The AGWQ works in collaboration with the local Umatilla and Morrow Soil and Water Conservation Districts (SWCDs) to ensure consistent tracking and reporting of actions completed in support of the 2020 LUBGWMA Action Plan.

The CAFO Program continues to engage with EPA Region 10 drinking water and enforcement sections in quarterly meetings on ODA and partner agencies program implementation in the LUBGWMA. The CAFO program staff have fulfilled extensive data requests to EPA and have conducted additional information and programmatic review meetings with EPA staff. ODA and DEQ are working together to coordinate the review and harmonization of point source National Pollutant Discharge Elimination

System (NPDES) and Water Pollution Control Facilities (WPCF) permits. This includes permits issued jointly by both agencies and those issued solely by DEQ.

The AGWQ Program is working with partner agencies to find opportunities to adapt and improve the monitoring portion of the [Strategic Implementation Area](#) (SIA) initiative. The program identified four Strategic Implementation Areas (SIAs) for the 2023 cycle and is looking at identifying five for the 2024 cycle. One of the new SIAs for 2024 will be in the LUBGWMA and will focus on ground water improvements. This is the first time that the SIA process will be adapted to look at ground water rather than surface waters. The full scope is still in development but is expected to focus on education, outreach, and demonstration projects focused on irrigation practices and nutrient use efficiency. SIA Restoration Grants were made available to both Umatilla and Morrow SWCDs. These grants are primarily for improving riparian areas, such as keeping manure/fertilizer out of streams, vegetation establishment, etc. This is a pilot grant opportunity from the Oregon Watershed Enhancement Board (OWEB) for SWCDs who already participated in the SIA process.

[Pesticide Stewardship Partnership \(PSP\) Program:](#)

PSP works with local partners to monitor pesticide levels in waterways and enact solutions to protect water quality while managing pests and maintaining crop yield. Established in the early 2000s as an alternative to regulatory approaches, the PSP Program has successfully reduced pesticide related water quality concerns through targeted education, technical assistance, and pesticide collection events. The PSP works as a feedback loop with the water quality sampling data continuously being used to evaluate pesticides of concern, the effectiveness of education and collaborative projects on an annual basis. There are currently nine (9) PSP areas across the state that cover a range of land use and partner groups. The goals of the PSP program are to:

- Identify potential concerns and improve water quality affected by pesticide use around Oregon,
- Combine local expertise in water quality sampling results to encourage voluntary changes in pesticide use and management practices,
- Find ways to reduce pesticide levels while measuring improvements in water quality and crop management, and
- Work toward measurable environmental improvements, making Oregon waters safer for aquatic life and humans.

In 2023, DEQ received a \$6 million award from the US EPA's Columbia River Basin Restoration Funding Assistance Program. As part of this, \$750,000 will be allocated to ODA to support the PSP. DEQ and ODA plan to sub-award the grant funds to existing PSP Lead Partners (soil and water conservation districts, watershed councils, and/or Oregon State University), and to increase funding of locally led outreach, stewardship, and technical assistance programs designed to educate pesticide users on how to keep pesticides onsite and out of the aquatic environment.

Fertilizer Research Grants:

ODA offers funding of up to \$70,000 per year for research that furthers the understanding of how fertilizers, agricultural amendments, agricultural minerals, or lime products interact for improved environmental outcomes to groundwater or surface water quality in Oregon. Project outcome must be transferable to industry advisors, consultants, and the end users of fertilizer, agricultural amendment, agricultural mineral, or lime products. Proposed projects in Ground Water Management Areas (GWMAs) may receive a higher ranking in the Objectives in Relation to Research Focus section of the fertilizer research committee scoring sheet. In 2023, ODA received seven (7) proposals in

response to the Request for Proposal (RFP). The fertilizer Research Committee has completed its review and ranking of proposals and is working on getting the selected proposal(s) under contract.

Farm to School Program:

The [Farm to School Program](#) works to connect Oregon farmers, ranchers, seafood harvesters, and food processors with school cafeterias, early childcare centers, summer meal sites, and tribal meal programs. This enables more Oregon agricultural products to be served in the lunch line. It also helps connect youth to food production through school gardens, field trips to farms and ranches, and grower visits to the classroom. Farm to School programs serve locally grown, raised, harvested, or processed foods in school cafeterias; improve student nutrition, provide agriculture, health, and nutrition education opportunities; and support Oregon's agricultural economy. This program provides funds for equipment and infrastructure to persons who intend to sell food produced or processed in Oregon to schools, early childcare centers, summer food program sponsors, and tribal food programs. ODA recognizes the necessity of enhancing access to these funds and is actively working on updating application eligibility language to include Tribal processors and Tribal Enterprises for the 2024 grant cycle.

Oregon Native Seed Strategy Working Group:

ODA's Native Plant Conservation Program is part of a regional coalition of agencies and organizations dedicated to native plant conservation in Oregon. A top priority for the coalition is the development and implementation of an Oregon Native Seed Strategy. Modeled after the National Seed Strategy, the Oregon Native Seed Strategy (Strategy) will be a guiding document that supports ecological restoration through the procurement, preservation, and production of native seed in Oregon. The goal of the Strategy is to identify seed needs in Oregon with priority placed on rare and culturally important species, as well as workhorse native species essential for ecological restoration. ODA, in partnership with several other state and federal agencies, and NGO's, began working on developing the Oregon Native Seed Strategy guidance document in 2023. The guidance document will build on achievements made by existing Oregon native seed partnerships, address native seed challenges and knowledge gaps Oregon faces, and identify resources and decision tools required to aid people in creating and sustaining healthy native plant ecosystems. Through inclusion of a diverse working group, including representatives from Tribes in Oregon, local land managers, and native seed producers, we hope to develop a better understanding of Oregon's native seed supply chain. The working group will continue to meet monthly in 2024, with a goal of addressing tribal nursery needs and barriers, first foods, and culturally significant plants directly. Members of the working group plan to present progress on the Strategy at the upcoming virtual National Native Seed Conference in February 2024.

Specialty Crop Block Grants

ODA continues to use an equity lens in the selection of [Specialty Crop Block Grants](#) (SCBGP) and Farm to School Infrastructure Grants applicants during their review process, with an emphasis on considering woman or Black, Indigenous, and People of Color (BIPOC)-owned business, veterans and socially disadvantaged farmers as a priority. 2023 Grants approved through SCBGP includes \$155,235 for Growing Gardens, a program that works with incarcerated youth and adults in 14 correctional facilities in Oregon. Growing Gardens trains incarcerated individuals for agricultural and horticultural jobs upon release. Program participants learn diverse horticultural skills through a four-class series with curriculum developed in partnership with OSU Extension and Chemeketa Community College. The curriculum includes learning to grow and manage specialty crops in prison gardens and

greenhouses and is accompanied by post-release assistance in joining the labor pool through partnerships. In the Oregon State Correctional System, inmates who have graduated from this program (now over 1,500) have a four percent (4%) recidivism rate compared to the Oregon state recidivism rate of 30%. For a full list of grant recipients, visit: <https://oda.direct/SCBGProjects2023>.

General Agency Access:

ODA offers a phone prompt for customers who could benefit from speaking directly to Spanish-fluent staff. ODA also has a staff directory for in-house translation support to remove language barriers for other languages including Mandarin Chinese and Thai. Moreover, ODA employs a translation service for languages other than Spanish, especially when in the field, to assist as needed. The translation service offers multiple languages to help provide quality service to those in need.

DEI Committee:

The Agency's Diversity, Equity, and Inclusion (DEI) Committee continues its effort to create accountability, provide direction and oversight on DEI efforts, and communicate agency-wide on their progress. The committee has worked towards integrating DEI goals and strategies within the Department's strategic plan and programs. The Department's DEI Committee has provided support to programs in improving preferred language access in both written and verbal communications as well as the use of gender inclusive language. The 2022 and 2023 annual agency DEI surveys helped to identify current knowledge and understanding of DEI and identify areas of focus to help improve staff understanding. In 2023, the DEI committee began to send DEI education topics to ODA staff based on the survey results.

ADDRESS ENVIRONMENTAL JUSTICE ISSUES (ORS 182.550 SECTION 1)

Program area directors, managers, and staff collaborate to find outreach and communication methods that enhance participation from a diverse audience. They also aim to identify potential impacts ODA's decisions may have on others during the public process. Staff regularly work with many partners including local, state, and federal agencies, organizations, community groups and well as ODA's Environmental Justice and Tribal Liaison (Citizen Advocate) to identify ways to improve outreach, increase citizen involvement, and identify environmental justice communities. When presented with an EJ issue, ODA staff work with interested parties to address it. Although the Agency strives to address the needs and recommendations provided, ODA's ability to incorporate all of them is limited to its mandated authority.

Environmental Justice Consideration Process

- *Does the agency have a defined process for incorporating environmental justice factors into agency operations and decision-making?*

ODA does not currently have a written, defined process for incorporating environmental justice factors into our agency operations and decision-making. However, ODA does adhere to the public outreach and engagement process, government-to-government tribal engagement and consultation, and encourages diverse groups and environmental justice representatives to be part of the Agency's boards, commissions, committees, councils, and workgroups. Representation and having a voice provide an avenue for environmental justice considerations at the decision-making table. ODA also uses an equity lens when reviewing grant fund applications to elevate projects that benefit tribes and historically disadvantaged groups.

- *How does your agency keep track of environmental justice issues that have been identified?*

Each program area has its own system for identifying areas of concern or issues related to program activities and rules. Programs collaborate with their supervisor and program area director to address the issue. They also notify the Director's Office to ensure awareness and guidance when needed. If necessary, ODA's Citizen Advocate representative may work with the program area to facilitate an acceptable resolution.

Environmental Justice Community Considerations

- *How does your agency define environmental justice communities?*

ODA follows the definition of environmental justice communities found in [ORS 182.535 \(3\)](#).

- *What tools does your agency use to identify and prioritize environmental justice communities?*

ODA utilizes a variety of resources to identify environmental justice communities including EPA Environmental Justice Screening and Mapping Tool ([EJScreen Tool](#)), local canvassing, knowledge from local, state and federal agencies, NGOs and other local organizations familiar with the area of activity. For example, the Insect Pest Prevention & Management (IPPM) Program has worked with a significant number of local, state, and federal agencies, community partners, environmental groups, NGOs, and other interested parties on an eradication program to combat the destructive Japanese Beetle (JB) found in Northwest Portland since 2017. Outreach and education efforts were initially made to the approximately 2,500 properties located within the

proposed treatment area. Open house meetings and workshops providing information on the invasive pest and the eradication efforts were offered in several locations during evening hours and on weekends. Several types of media were used, including signs and electronic boards located in highly visible locations, mailings, and press releases in multiple languages. A dedicated website was set up to update citizens on the JB eradication project's progress. The program regularly assesses its outreach methods and adjusts as necessary to keep the affected community informed when activities occur.

PUBLIC PARTICIPATION AND MEANINGFUL INVOLVEMENT (ORS 182.535 SECTION 2)

Community Outreach and Engagement

ODA is continuously looking at ways to increase outreach and engagement opportunities with Oregonians that are interested or may be impacted by ODA's decisions. ODA regularly engages with community-based organizations, private and public sectors, K-12 schools, higher education institutions, and other organizations to model an inclusive environment. ODA staff attend meetings, local, county and state fairs, and conferences such as Future Farmers of America (FFA) to engage with citizens and expand network access to work we do in the community. Part of the engagement process is to identify and reach out to partners, community members, and organizations when conducting rulemaking and activities. Rules Advisory Committees (RACs) recruitments are targeted to create diverse representation. ODA's commitment to community engagement encompasses short-term and long-term initiatives.

ODA's Diversity, Equity, and Inclusion (DEI) Committee Outreach

ODA's DEI Committee has worked with the Cultivating Change Foundation to increase awareness of the needs of LGBTQ+ people in Oregon agriculture. The Cultivating Change Foundation is a national organization with the mission of valuing and elevating LGBTQ+ agriculturists through advocacy, education, and community. Work with Cultivating Change has included a member presenting to the Oregon Board of Agriculture on the important work they are doing as well as the collegiate chapter at Oregon State University (OSU) presenting to the Board of Agriculture about the work they are doing for up-and-coming members of the agricultural community. ODA has supported regional gatherings of the Cultivating Change Foundation since it was established in 2015.

ODA has long-standing relationships with many partners to engage with the public on rulemaking and activities associated with the agency. Below are a few examples of our work:

- ODA has a contract with the Immigrant & Refugee Community Organization (IRCO) for interpretations services to allow staff to better serve customers whose first language is not English. This is an on-demand service allowing for real time in the field language support.
- Implementation and utilization of the agency-wide Spanish phone line.
- Noxious Weed Program released their Priority Noxious Weed Grant materials in Spanish and English. This included the request for proposal announcement, complete application guidelines, application form, and budgetary documents. The Oregon Department of Agriculture (ODA) received \$400,000 of general funds to award to priority noxious weed grant projects for the 2021-2023 biennium. The funds were directed towards projects that develop innovative noxious weed projects, build on existing projects, or for programs to build a cooperative weed management area (CWMA) or other partnerships. By providing the grant materials in Spanish, the ODA hoped to reach a wider audience and create a more equitable playing field for proposals.
- The Insect Pest Prevention and Management Program (IPPM) produced pest informational brochures that were translated into Spanish and Russian to expand the audience receiving this information. The program recognizes these are groups that may normally not be receiving these messages about invasive insect pests, but who often are working in industries (i.e., agricultural fields) where they may encounter these organisms.

Food Safety Program Outreach

- The Program has fostered Tribal outreach through partnership with the Columbia River Intertribal Fish Commission.
- The Program continues to build relationships with tribal liaisons to encompass safe food practices and lanes of communication with roadside sales locations.
- Program staff attended Oregon State University Career Fair events and Oregon State Fair booth (female veterinarian staff representation).
- Program staff participation on Advisory Board for Salem-Keizer Schools Sustainable Agriculture curriculum development at the Career Technical Education Center (CTEC).

Additionally, ODA's 2023-2025 Affirmative Action Plan Goal 5 is to continue to operate in a culture of compliance and support while recognizing the diversity of Oregon's agricultural community and will endeavor to inform and make available its programs, services activities, practices, assistance, resources, skills, knowledge, scientific expertise, grants and funding opportunities to those producers, clients or customers who are from traditionally underrepresented groups. Although the positions identified below were not ultimately included in the legislative approved 2023-2025 budget, ODA will continue to identify ways to improve access to its programs and services and advocate for them in future budget requests:

- New positions for the Agricultural Water Quality Program (Package 320) to assist disadvantaged communities regarding the impacts from environmental conditions. More efficient and effective compliance and response and program reporting can improve water quality outcomes and transparency. Improved water quality means drinkable, fishable, swimmable water for all Oregonians.
- Requesting Agricultural Opportunity Grant funds (Package 360) that would expand ODA's ability to work with producer groups, including underserved and tribal communities, to identify needed trainings such as grant writing and performance reporting to improve access to available resources.

Public Engagement Policy and Processes

- *Does your agency have a public engagement process for promoting community participation in agency decision-making processes?*

While ODA does not have a written policy on public engagement, staff use various practices when initiating outreach and engagement opportunities with the public for rulemaking and activities across the state. This includes working with ODA staff, local, state, and federal agencies, NGOs, industry and environmental groups, and community partners to identify and encourage interested environmental justice communities to participate on rules advisory committees (RACs), holding public hearings during evenings and weekends as able, translating relevant documents to Spanish and other languages as identified, and reviewing and considering each public comment received. Additionally, ODA encourages organizations, groups, and individuals to sign up for electronic notifications from relevant program areas. This helps them stay informed about upcoming activities.

- *Describe the current level and quality of public participation?*

There is a wide variety of interested parties who participate in public engagement opportunities at ODA. Each program collaborates with local, state, and federal agencies, as well as NGOs and local community partners, to enhance outreach and engagement efforts, maximizing public participation. ODA has an expansive electronic notification system for program areas where individuals and interested parties can sign up to receive updates and upcoming public

engagement opportunities. Advertisements and notifications are posted in quarterly newsletters, newspapers, and social media sites. Emphasis on identifying underserved communities is a regular part of the engagement process. Below are a couple of examples of recent public engagement processes programs engaged in:

Example: : The Native Plant Conservation Program created an interested partners group comprised of approximately 20 agencies and organizations across Oregon, including a variety of state and federal government agencies (OSU, Portland State University (PSU), State Lands, State Parks, Fish and Wildlife, Transportation and Forestry) and representatives from the Confederated Tribes of the Siletz Indians, the Coquille Indian Tribe, and the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Tribes. The main goals of this partners group are to communicate the efforts and successes of native plant projects, create open dialogue for issues of concern for rare plants, and receive input on high priority species to review for the State List of Threatened and Endangered Plants. ODA used its extensive network to invite interested parties to participate in this process.

Targeted Audiences

- *Has the agency performed a stakeholder analysis to determine the stakeholder groups impacted by agency decisions?*
ODA has not performed an analysis to determine the groups impacted by agency decisions. However, ODA has had long-term relationships with people affected or interested in activities and rulemakings associated with ODA programs. ODA leadership, program managers, and staff communicate with many of our partners on a regular basis to discuss ODA's rules and authority related to its work.
- *With which stakeholders does your agency engage?*
ODA engages with a wide variety of people including community-based organizations, private and public sectors, K-12 schools, higher education institutions, local, state, and federal agencies, tribal nations, environmental justice groups, industry groups & organizations, NGOs, and countless other organizations to model an inclusive environment. ODA staff attend meetings, county and state fairs, and conferences such as Future Farmers of America (FFA) to engage with people interested in ODA's work. Many programs at ODA have unique and specific groups they regularly engage with. ODA programs also have electronic notifications systems (listservs) to inform people on program-specific work and ODA staff encourage people to sign up to stay up to date on program activities.

Public Engagement Policy

ODA does not currently have a Public Engagement Policy, however, will work towards creating one in 2024.

Meaningful Engagement

What is the extent of meaningful engagement?

Meaningful engagement provides people the opportunity to be heard and engage with ODA on rulemaking and other activities that may impact them. It provides reflection on actions being taken based on feedback, and why or why not an action was taken. It involves dialogue between ODA and interested parties.

Criteria

What criteria triggers public participation?

ODA is an open and transparent natural resource agency that encourages connecting with the public on our work and how we can improve our processes when issues arise. ODA initiates the public participation process for rulemaking and activities conducted by ODA staff as identified in statute and rules.

Follow-up

Does your agency follow-up with participants after decisions are made?

ODA staff regularly engage with, and respond to, partners on rulemaking and activities being conducted by the agency. This involves responding to inquiries from interested parties who contact ODA regarding a specific topic and have questions or concerns about the work we undertake.

AGENCY ENVIRONMENTAL JUSTICE IMPACTS (ORS 182.550 SECTION 3)

Does your agency measure the impacts of agency decisions on environmental justice in Oregon communities? Why or why not?

ODA currently lacks measurement standards to comprehensively understand all the impacts our work may have on environmental justice communities in Oregon. However, the Agency actively works to address identified concerns or impacts within the limits of ODA's authority. For example, in January 2023 ODA invited tribes in Oregon to consult on policy development for pesticide licensing associated with individuals and corporations doing business for, or on behalf of a federally recognized tribe that engage in the application of pesticides upon the property of another, excluding "Indian country", as defined in federal law. This was in response to inquiries made the previous year that identified barriers to ODA's licensing authority on tribal sovereign nations. Concurrently, during the 2023 legislation session, [HB 2687](#) was introduced, and subsequently signed into law. This law grants ODA the authority to issue public applicator licenses to employees of federally recognized tribes in Oregon that apply pesticides on lands other than "Indian country" (as defined in law), such as "fee" lands. It also requires ODA to enter into a mutually acceptable agreement with a tribe before issuing or renewing a pesticide license. ODA has added a tribal-related question to the online license renewal system and license application forms to comply with HB 2687. ODA conducted outreach on this topic in a variety of ways including: a consultation letter in January, written and verbal updates during the State-Tribal Natural Resources Workgroup (NRWG) meetings, email notification to key tribal staff in June, and a presentation at the August NRWG meeting. ODA Pesticide Licensing staff have also met or corresponded with multiple tribal representatives on how this may impact their pesticide application practices and has successfully entered into Memoranda of Agreement (MOA) with at least two. ODA is actively working with other tribes that may be impacted by this change.

AGENCY ENVIRONMENTAL JUSTICE PROGRESS (ORS 182.550 SECTION 4)

- ODA strives to engage and include diverse perspectives on ODA-related boards, commissions, committees, councils, and workgroups. This includes members or representatives of environmental justice communities that have expressed interest on the topic or area being discussed. ODA plans to continue this practice. Ensuring diverse representation enhances our comprehension of ODA statutes, rules, and policies and their impact on diverse people in Oregon. These groups play a vital role in identifying barriers and influencing necessary changes.
- Some ODA programs track trends or issues that may help improve processes associated with ODA's authority and work to make improvements. For example, when ODA saw an increase in calls received from residents of apartment on pesticide application laws, the Pesticide Analytical and Response Center (PARC) created a pesticide advisory sheet that was sent to licensed pesticide applicators and operators on best practices when applying pesticide near or inside apartment complexes.
- ODA is consistently enhancing outreach efforts through language translation services. This includes routine translation of documents into Spanish and other languages, as well as the recruitment of bilingual staff.
- ODA staff are increasing their network outreach by participating in culturally diverse conferences and celebrations, creating relationships to encourage stakeholder engagement with underserved communities.
- The full-time position for the Worker Protection Standard (WPS) allocated in the 2021-2023 budget requires a bilingual candidate. This is intended to enhance outreach and education efforts targeting marginalized groups and contribute to the promotion of health and safety for farm workers.

How is EJ built into agency strategic plans?

In 2018, ODA adopted a five (5) year Strategic Plan. The Strategic Plan supports the Agency's mission and vision and includes short and long-term tactics for each key objective that support the mission. There are seven (7) key objectives that guide the department's business processes and goal setting. The Strategic Plan was created as a living document to be adjusted to the ever-changing business needs and goals of ODA. In 2024, the Agency will be working on reviewing and modifying the Strategic Plan to address the changing needs of the Agency. Environmental Justice will be a leading consideration while undergoing this task. While ODA does not currently have an environmental justice policy, we will be working on one to help guide our work in this area.

Below are three (3) key objectives in the current Strategic plan that compliment environmental justice into our work. They include our Agency's ability to be a role model organization that embraces diversity and works to provide equitable outcomes for all. ODA also welcomes a culture of collaboration from many different viewpoints and backgrounds to ensuring our communication and

outreach is clear, concise, and inclusive. Click the link below to see a full version of ODA's current Strategic Plan (<https://oda.direct/StrategicPlan>).

Key Objective 1: Operate as a Role Model Agency

To operate as a role model organization, ODA must maintain a culture of excellence in all employees, work products, and customer service while achieving operational objectives and goals. Effective leadership, fiscal responsibility, an adaptive organizational structure, innovative use of technology, programmatic expertise, and a safe work environment are necessary elements for a role model organization.

Key Objective 3: Embrace a Culture of Collaboration

To embrace a culture of collaboration, ODA engages and works with interested parties to evaluate and search for appropriate outcomes through trust, transparency, and respect for different points of view. We use program and project opportunities to grow existing partnerships and develop new partnerships.

Key Objective 7: Inclusive communication

To strive for clear and concise communication with all Oregonians about agriculture and the department's programs, ODA uses the most effective tools available to give and receive information. ODA employees respond quickly, providing information directly or re-directing customers, consumers, and the public to the appropriate sources for that information. The strategic plan includes short and long-term tactics for each of the key objectives. These tactics will be used to guide the department's business processes. Metrics for these tactics will be developed to document work around the implementation of the strategic plan. The goal of this plan is to incorporate the mission and values into ODA's day-to-day work and encourage shared ownership throughout agency.

What does your agency need to further develop and implement environmental justice policies at the agency?

After an extensive national recruitment Governor Kotek appointed Lisa Charpilloz Hanson as the ODA Director (pending Senate confirmation). This new appointment enables ODA's leadership team to assess all aspects of ODA's work, including environmental justice. However, the limited timeframe between the Director's appointment and the submission of this report hinders ODA's ability to thoroughly reflect on this topic. The ODA EJ representative will collaborate with the ODA Director and Leadership Team to examine current environmental justice initiatives within the agency and identify areas for improvement, including training needs and funding to support these efforts.

AGENCY ENVIRONMENTAL JUSTICE MAPPING TOOL INVOLVEMENT (ORS 182.550 SECTION 5)

How is your agency participating in the development of the environmental justice mapping tool?

ODA is not directly engaged in the development of the environmental justice mapping tool. However, the Agency has supplied a summary of pertinent data sources utilized or collected in the course of its work, as requested by the EJ Mapping Tool work group. ODA's Environmental Justice representative has actively participated in some of the initial discussions related to EJ mapping.

AGENCY ENVIRONMENTAL JUSTICE COUNCIL ENGAGEMENT 2024

How would your agency like to engage with the EJC in 2024?

The Oregon Department of Agriculture appreciates the expertise of the EJC members and welcomes the opportunity to learn how to improve EJ at ODA. Below is a list of areas where ODA would welcome assistance in 2024:

- Identifying environmental justice communities, NGOs, and community organizations to improve outreach and engagement opportunities.
- Presentation and training opportunities for ODA staff to better understand EJ and how they can help to improve processes and engagement opportunities.
- Examples of environmental justice policy and public engagement process (policy) statements supported by EJC.
- Guidance to improve ODA's engagement and outreach initiatives.

AGENCY ENVIRONMENTAL JUSTICE COUNCIL LEGISLATION CITATIONS

The agency did not have any legislation from the last legislative session where EJC or EJ Task Force engagement is cited. The following summaries provide a highlight of the 2023 legislative session that incorporate environmental justice considerations into ODA's work.

Agriculture Workforce Housing Grant:

[House Bill 2001](#) passed in 2023 directs ODA to provide grants to improve health and safety conditions for existing agriculture workforce housing as defined in ORS 315.163, for agricultural workers and their families. ODA activities are contingent on the Occupational Safety and Health Division of the Department of Consumer and Business Services (OR-OSHA) rule revisions relating to housing for agricultural labor. ODA was appropriated \$524,762 to develop and administer the grant program and \$5,000,000 in grant money to distribute to eligible grant recipients.

Pesticide Applicator Licensing:

In January 2023 ODA invited tribes in Oregon to consult on policy development for pesticide licensing associated with individuals and corporations doing business for, or on behalf of a federally recognized tribe that engage in the application of pesticides upon the property of another, excluding "Indian country", as defined in federal law. This was in response to inquiries made the previous year that identified barriers to ODA's licensing authority on tribal sovereign nations. Concurrently, during the 2023 legislation session, [HB 2687](#) was introduced, and subsequently signed into law. This law grants ODA the authority to issue public applicator licenses to employees of federally recognized tribes in Oregon that apply pesticides on lands other than "Indian Country" (as defined in law), such as "fee" lands. It also requires ODA to enter into a mutually acceptable agreement with a tribe before issuing or renewing a pesticide license. ODA has added a tribal-related question to the online license renewal system and license application forms to comply with HB 2687. ODA conducted outreach on this topic in a variety of ways including: a consultation letter in January, written and verbal updates during the State-Tribal Natural Resources Workgroup (NRWG) meetings, email notification to key tribal staff in June, and a presentation at the August NRWG meeting. ODA Pesticide Licensing staff have also met or corresponded with multiple tribal representatives on how this may impact their pesticide application practices and has successfully entered into Memoranda of Agreement (MOA) with at least two. ODA is actively working with other tribes that may be impacted by this change.

CAFO Program, Senate Bill 85:

ODA will be going through rulemaking to implement [Senate Bill 85](#) (SB 85) that was passed during the 2023 Legislative Session. SB 85 makes several regulatory changes to the Confined Animal Feeding Operations (CAFOs) permitting process that require updating the existing CAFO Program rules under OAR 603.074. These changes include: creating new definitions; requiring a pre-application consultation between applicants and relevant agencies; notification requirements to Oregon's federally recognized tribes; requiring water supply plan, construction approval, and pre-population inspections; creation of a nutrient application permit for producers receiving animal nutrients from a permitted CAFO and applying to land in a Ground Water Management Area; and limiting exempt stock water use for new or expanding CAFOs to 12,000 gallon per day. ODA sent out consultation letters to Oregon's nine federally recognized tribes in late December 2023. The Rules Advisory

Committee is expected to begin in early 2024. The program and partners are also focused on CAFO activities in the LUBGWMA and responding with EPA, DEQ and OHA to the ground water nitrate emergency declared in the region.

Soil and Water Conservation District Directors:

[Senate Bill 775](#) passed in the 2023 Legislative Session modified ORS 568.560 relating to the local governing body of the soil and water conservation district director eligibility status to allow a more equitable representation of all people in the district. The law no longer mandates owning or managing 10 or more acres of land in the represented zone for eligible individuals in counties with a population of 250,000 or more. Instead, if the person has served at least one year as a director associate of a district and had a conservation plan approved by the district, they qualify.

Place-Based Water Planning Resources:

[House Bill 2010](#) (2023) provides funding to support place-based water planning resources within ODA's AGWQP. It directs the Water Resources Department (WRD) to work in close cooperation with the Department of Environmental Quality (DEQ), the Oregon Watershed Enhancement Board (OWEB), the ODA and the State Department of Fish and Wildlife (ODFW) to develop the integrated state water resources strategy, in consultation with other state, local and federal agencies, with Indian tribes, with partners and with the public. The WRD, in close cooperation with the DEQ, the ODA and the ODFW, shall develop data on an ongoing basis to forecast Oregon's in-stream and out-of-stream water needs, including but not limited to in-stream, [underground] ground water, human consumption, irrigated agriculture and water supply needs, for the purpose of developing and updating the integrated state water resources strategy. Included are provisions to ensure communication and partnership and engagement with the public. This includes promoting meaningful engagement with environmental justice communities, as defined in ORS 182.535, consistent with the requirements of ORS 182.545.

Oregon Meat Processing Grant

The Oregon Legislature allocated \$9 million to the Agency to support the State Meat Inspection Program and administer a grant program to improve the infrastructure and operating capacity of Oregon meat processors. ODA is reviewing applications for \$8.2 million in grant funding to bolster the meat processing industry's capacity in Oregon and further strengthen the state's agriculture sector through projects that enhance capacity, efficiency, and innovation. Applicants may request funding for equipment, physical improvements, technical assistance, processing hardware/software, on-site waste handling and education/training. <https://oda.direct/MeatGrant>

The following summaries outline additional planned activities for 2024 that are directly related to the environmental justice work ODA programs will be undertaking in the coming year.

Noxious Weed Program:

ODA will be reaching out to tribal partners across the state in 2024 to seek input on multiple projects and program activities including invasive annual grass strategy, aquatic noxious weed inventories, and to request tribal presence and presentations at program events like the 2024 Interagency Noxious Weed Symposium.

USDA Resilient Food System Infrastructure:

ODA is administering grant funding from the United States Department of Agriculture (USDA) Agricultural Marketing Services (AMS) [Resilient Food Systems Infrastructure Program](#). The purpose of the Resilient Food Systems Infrastructure Program (RFSI) is to assist U.S. states and territories to build resiliency in the middle of the supply chain and strengthen local and regional food systems by creating new revenue streams for their state's producers. An emphasis will be made to fund projects that benefit small and emerging farms and food businesses from historically disadvantaged groups.

AGENCY MEANINGFUL ENGAGEMENT RELATED LEGISLATION

How do agencies collaborate when multiple agencies are listed?

Place-Based Water Planning Resources:

[House Bill 2010](#) (2023) provides funding to support place-based water planning resources within ODA's AGWQP. It directs the Water Resources Department (WRD) to work in close cooperation with the Department of Environmental Quality (DEQ), the Oregon Watershed Enhancement Board (OWEB), the ODA and the State Department of Fish and Wildlife (ODFW) to develop the integrated state water resources strategy, in consultation with other state, local and federal agencies, with other states, with Indian tribes, with partners and with the public. The WRD, in close cooperation with the DEQ, the ODA and the ODFW, shall develop data on an ongoing basis to forecast Oregon's in-stream and out-of-stream water needs, including but not limited to in-stream, [underground] ground water, human consumption, irrigated agriculture and water supply needs, for the purpose of developing and updating the integrated state water resources strategy. Included are provisions to ensure communication [and partnership] and engagement with the public. This includes promoting meaningful engagement with environmental justice communities, as defined in ORS 182.535, consistent with the requirements of ORS 182.545.

ODA has a representative actively engaged in the integrated state water resources strategy that includes other participating agencies listed. In the Winter and Spring of 2023, OWRD worked with Oregon's Kitchen Table to engage with the public throughout Oregon. This included seven (7) in person conversational community meetings and many other methods of engagement connecting with approximately 1,900 people from every county in Oregon and in seven (7) different languages. ODA staff participated in multiple community conversation meetings and are involved in the development and review of the updated integrated water resources strategy.

ODA is also part of the Oregon Water Data Portal (OWDP) administrative team. The purpose of the OWDP is to create a pathway to make all water data within the State of Oregon available online to the public. This will allow disadvantaged and marginalized groups to access this information more readily and provide more opportunity to engage with state agencies on water-related issues and concerns that may affect communities impacted by agencies' work. As part of the OWDP project, informational letters were sent to the federally recognized Tribes in Oregon.

DEFINITIONS

Environmental Justice: (ORS 182.535 Section 3)

“Environmental justice” means the equal protection from environmental and health risks, fair treatment and meaningful involvement in decision making of all people regardless of race, color, national origin, immigration status, income or other identities with respect to the development, implementation and enforcement of environmental laws, regulations and policies that affect the environment in which people live, work, learn and practice spirituality and culture.

Environmental Justice Community: (ORS 182.535 Section 4)

“Environmental justice community” includes communities of color, communities experiencing lower incomes, communities experiencing health inequities, tribal communities, rural communities, remote communities, coastal communities, communities with limited infrastructure and other communities traditionally underrepresented in public processes and adversely harmed by environmental and health hazards, including seniors, youth and persons with disabilities.

Meaningful Involvement: (ORS 182.535 Section 7)

“Meaningful involvement” means:

- (a) Members of vulnerable populations have appropriate opportunities to participate in decisions about a proposed activity that will affect their environment or health;
- (b) Public involvement can influence a decision maker’s decision;
- (c) The concerns of all participants involved are considered in the decision-making process; and
- (d) Decision makers seek out and facilitate the involvement of members of vulnerable populations.

Environmental Burdens: (ORS 182.535 Section 2)

“Environmental burden” means the environmental and health risks to communities caused by the combined historic, current and projected future effects of:

- (a) Exposure to conventional pollution and toxic hazards in the air or in or on water or land;
- (b) Adverse environmental conditions caused or made worse by other contamination or pollution; and
- (c) Changes in the environment resulting from climate change, such as water insecurity, drought, flooding, wildfire, smoke and other air pollution, extreme heat, loss of traditional cultural resources or foods, ocean acidification, sea-level rise and increases in infectious disease.

APPENDIX

House Bill 4077 (2022)

Legislation establishing the Environmental Justice Council, the Council's responsibility to develop an environmental justice mapping tool, develop a biannual report to the Governor, and the requirement for natural resource agencies to submit an annual report to the Environmental Justice Council.

Senate Bill 420 (2007)

Legislation establishing the Environmental Justice Task Force, the predecessor for the Environmental Justice Council. It also includes requirements for the Task Force to submit biannual reports to the Governor and the requirement for natural resource agencies to submit an annual report to the Environmental Justice Task Force.

ORS 182.550 Reports by natural resource agencies

All directors of natural resource agencies, and other agency directors as the Governor may designate, shall report annually to the Environmental Justice Task Force and to the Governor on the results of the agencies' efforts to:

1. Address environmental justice issues;
2. Increase public participation of individuals and communities affected by agencies' decisions;
3. Determine the effect of the agencies' decisions on environmental justice communities;
4. Improve plans to further the progress of environmental justice in Oregon; and
5. Utilize the environmental justice mapping tool developed under section 12 of this 2022 Act.