



MEMORANDUM

To: Board of Agriculture
From: Mary Anne Cooper, Oregon Farm Bureau
Date: May 2, 2022

Thank you for the opportunity to comment on the Board of Agriculture’s review of board resolutions. We appreciate your hard work over the past several months to review the existing resolutions and improve on the resolutions process.

It is exciting to be gathering together in person for the first time in over two years. Our membership has faced unprecedented challenges associated with the COVID-19 response, wildfires, farm labor shortages, and other challenges which have kept them busy on their farms and have created barriers to effective participation in Farm Bureau’s grassroots process. We are grateful that the Board of Agriculture is one of the first to return to in person meetings, and plan to offer this feedback in person at the public comment period on Wednesday as well.

Oregon Farm Bureau offers the following comments on the remaining Resolutions under consideration by the Board of Agriculture.

Workgroup A

Resolution 107 – Priority for Agricultural Use of Water

Water has never been more critical for Oregon agriculture. As our state grapples with its record investment in water resources and water planning, we believe it is critical for the Oregon Department of Agriculture to have a seat at the table to highlight and advocate for water solutions needed by the agricultural community. This need extends beyond instream water rights to every element of basin planning, water project development and project implementation.

With that in mind, we recommend rewording Item III and IV in the “Background” section to read as:

III. As our state faces unprecedented water supply challenges, it is critical that communities come together to engage in water supply planning and watershed investments that meet all needs in the basin.

IV. Oregon agriculture has a long history of engaging in conservation projects which have provided positive environmental benefits in all basins around Oregon. This work is valuable and should be continued.

Resolution 281 – Conservation Plan for the Oregon Coast Coho

OFB recommends updating the Coast Coho recovery policy. While the general principles behind the policy are sound and OFB supports ODA continuing to engage to support Oregon coast coho, significant work has happened to help recover Oregon coast coho since the resolution was first drafted. In fact, the species is considered “recovery ready” and is close to delisting eligibility. We think it is important to recognize the significant improvements that have happened to help recover Oregon coast coho, and agriculture’s role in helping aid that recovery.

Resolution 309 – Coordinated Streamside Management Approach to Water Quality & Resolution 313 – Water Quality Strategic Implementation Areas (SIAs) and SWCD Focus Areas

OFB encourages the adoption of these resolutions without changes. We support using ODA Strategic Implementation Areas and the SWCD focus areas to assess land conditions that are related to water quality while assisting landowners in protecting and improving water quality. The agricultural community remains proactive and engaged on this issue.

Resolution 319 – Climate Change Policy Considerations

Oregon agriculture has a positive influence on the climate and is a key stakeholder in sequestering carbon. This resolution was initially developed as the state legislature developed its cap and trade policy, a conversation that OFB was heavily engaged in. As the state continues to tackle climate policy, this resolution remains an important statement of the need to protect our agricultural community in these conversations and recognize the many climate benefits of Oregon agriculture. We strongly advise against weakening this policy given the ongoing conversations within the state, and we encourage the Board of Agriculture to continue to weigh the benefits and burdens of climate policies focused on a single state.

Workgroup B

Resolution 301 – Minimizing Conflicts of Coexistence in Agriculture

The Oregon Farm Bureau supports the coexistence of diverse production practices and methods, and recognizes that all production methods are critical to Oregon agriculture. We strongly support the co-existence resolution as drafted, and advise against significant changes to this policy.

As the advisory body to the Oregon Department of Agriculture, it is critical that the Board of Agriculture recognize the value of all production methods within the state, and support and encourage voluntary co-existence between producers.

Resolution 307 – Farmworker Housing

OFB recommends updating the numbers cited in the first sentence of the resolution from: *“Oregon’s agriculture, food, and fiber industry is economically linked to 13.8 percent, or 326,617, of full and part-time jobs in Oregon,”* which was cited in a 2015 analysis, to *“In Oregon, agriculture makes up 13% of the state’s gross product and 618,341 jobs are related to food and agriculture.”* These numbers come from the Oregon State Board of Agriculture 2021 Report.

We also recommend revisions to this policy to better focus in on the core issues around farmworker housing, and perhaps deleting the line about short term rentals. As drafted, this policy correctly focuses in on seasonal labor housing, which is highly regulated housing provided by farmers for their seasonal workforce. This housing is critical to provide a safe and convenient place to live for farmworkers while they are working seasonally on Oregon farms. Without these highly regulated housing options, farm workers could be forced into unregulated housing and have to bear increased commuting expenses.

Many farmers also provide free or reduced cost rental housing for their full-time employees. These are often second full homes on a farm site, and fall under state landlord tenant law. They are not eligible for the tax credits, and are distinct from traditional “farmworker housing” on farm. These homes have been increasingly being converted to short-term rentals, reducing the rental housing supply for the permanent agricultural workforce. While this is an issue, it feels distinct from the other challenges associated with providing farmworker housing, and should either be removed or treated separately under the resolution.

We strongly support the Farmworker Housing Tax Credit to help offset the costs of improvements to farmworker housing, and to encourage this investment in farmworker housing. However, we’ve also pushed for an operational tax credit for farmworker housing to help offset the ever increasing year-to-year operational costs associated with providing this type of highly regulated housing, and would encourage the Board to add support for that into the resolution. We strongly support the remainder of the resolution expressing broad support for increasing farmworker housing.

Resolution 317 – Oregon Department of Agriculture’s Role in the Food Safety Modernization Act Produce Rule Implementations

While Oregon Farm Bureau is appreciative of Oregon Department of Agriculture’s (ODA) FSMA review and preparation opportunities they offer to Oregon producers for FSMA inspections, we think it is essential that ODA reach further in this resolution, request to perform the FSMA audits on behalf of the FDA, and seek general fund dollars to help support this work. This proposed suggestion would go beyond the stated ODA “involvement in FSMA produce safety rule implementation.”

Currently, 46 states and one territory have entered into cooperative agreements with the U.S. Food and Drug Administration (FDA) to educate and/or regulate farms. These cooperative agreements provide the funding and support necessary to determine the current foundation of state law, the resources needed by states to implement the produce safety rule, as well as develop a timeline for successful implementation of the rule. We would implore Oregon’s Board of Agriculture to join those 46 states and have Oregon lead FSMA inspection agency for Oregon’s producers in implementing significant portions of FSMA, including: Produce Safety Rule, Preventive Controls for Human Food, and Preventive Controls for Animal Food.

With USDA remaining in charge of FSMA inspections and regulations in Oregon, it has created significant regulatory hurdles for producers, who have found the federal inspectors to be overreaching and difficult to work with, and have expressed a desire to be able to work solely with ODA, who they feel better understand the intricacies of Oregon’s produce farmers.

Resolution 318 – Siting of Energy Transmission and Generation Facilities on Agriculture Land

OFB policy opposes siting of non-agricultural solar panel facilities on productive agricultural lands when alternative sites are available.

OFB Policy on Solar Siting in EFU:

We oppose siting of non-agricultural solar panel facilities on 1 productive agricultural lands when alternative sites are available. We 2 define productive agricultural lands as lands that are locally significant for 3 the agricultural economy, have high productive value for that region, or 4 have other qualities that make them valuable for that region. This analysis 5 may be done on a county or regional basis, and can account for factors 6 such as presence of irrigation or drainage infrastructure, soil class, large 7 tracts of intact farmland, or other regionally relevant factors. Counties 8 should be allowed to exclude non-agricultural solar panel facilities in the 9 EFU zone

on productive agricultural lands. Counties should not authorize 10 projects that could result in forfeiture of irrigation rights or loss of 11 agricultural wetland exemptions. (18) We support bonding and a legal 12 requirement to ensure that future solar sites when decommissioned are 13 reclaimed back to farmland with comparable characteristics to the original 14 farmland. Solar facilities should be required to perform weed control. (See 15 Green Power at 12.305), (16) (19) 16 We oppose referring to solar facilities as “solar farms.” (19)

OFB has and continues to participate in ongoing work at the DLCD and within the legislature on the siting of renewable energy facilities, and encourages the Board of Agriculture to amend the resolution to request that ODA provide staff to assist with renewable siting policy development as it moves through the legislature and DLCD.

Please contact Mary Anne Cooper at maryanne@oregonfb.org with any questions