



# Oregon Department of Agriculture

## **Environmental Justice Task Force**

### 2019 Annual Report

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July 10, 2020

Amira Streeter  
Environmental Justice Task Force  
Office of the Governor  
900 Court Street, Suite 254  
Salem, OR 97301-4047

Re: Oregon Department of Agriculture 2019 EJTF Annual Report

Dear Governor's Office and Task Force Members,

On behalf of the Oregon Department of Agriculture, I want to thank the Environmental Justice Task Force and the Governor's Natural Resources Office for fostering a place to identify, address, and connect with others on environmental justice issues that intersect with the Department's activities.

In fulfillment of our annual reporting responsibilities under ORS 182.550, the Department respectfully submits our 2019 activities report. If you have any questions regarding this report, please contact Christina Higby at 503-986-5105 or [chigby@oda.state.or.us](mailto:chigby@oda.state.or.us).

Sincerely,

A handwritten signature in black ink that reads "Alexis M. Taylor". The signature is fluid and cursive, with the first name "Alexis" being the most prominent.

Alexis M. Taylor, Director  
Oregon Department of Agriculture

635 Capitol St. NE  
Salem, OR 97301  
[www.oregon.gov/oda](http://www.oregon.gov/oda)

Oregon Revised Statute 182.550 requires natural resource agencies to submit an annual report to the Environmental Justice Task Force (EJTF) and to the Office of 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 traditionally underrepresented communities; and (4) Improve plans to further the progress of environmental justice in Oregon.

The Oregon Department of Agriculture (ODA or Agency) is committed to addressing environmental justice issues and promoting public participation efforts related to the agency. ODA has policies and procedures in place to ensure it meets these efforts and supports progress on environmental justice. The following 2019 activities represent the agency's commitment to that effort:

ODA's five-year Strategic Plan (2018-2023) lays out the objectives and tools needed to serve the changing needs of Oregon's diverse agricultural and food sectors. The agency's core values described in the Strategic Plan include a commitment to diversity and inclusion. Oregon, and Oregon agriculture in particular, 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 in our Boards and Commissions. The strategic plan is available at <https://oda.direct/StrategicPlan>.

In September, ODA participated in the National Association of State Departments of Agriculture (NASDA) Annual Meeting where they officially adopted a new climate resiliency policy. ODA was a proud Co-Sponsor of this resolution. As a member of NASDA, ODA acknowledges the necessity of adaption to a changing climate to protect and enhance our nation's natural resources, while also building a resilient agricultural industry and food supply chain. In December 2019, the State Board of Agriculture, an advisory board to ODA, signed Resolution 319 addressing [climate change policy considerations](#). The resolution supports climate change policies that provide voluntary incentives for agriculture to mitigate and adapt to climate change; recognize agriculture's positive environmental and economic impacts; provide exemptions and compliance time frames to minimize adverse impacts to input costs and companion industries; support research into additional strategies; and support long-term planning, resource allocation and policy changes to help the state adapt to climate change. Additionally, ODA created a working Sustainability Plan in 2019 to advance internal efficiency improvements, and to define a process to identify additional actions that can support measurable advancements in internal practices and external program support for the environment, economy and community. ODA is part of the Climate Change Adaptation Framework workgroup, which is comprised of state agency partners, to support and advance climate change through our work.

ODA has committed a Citizen Advocate and Liaison position to serve as the agency representative to the EJTF. ODA actively participates in the EJTF meetings to report agency related environmental justice (EJ) activities and inform the agency of EJ issues. Additionally, the

Citizen Advocate regularly attends the Governor's Diversity & Inclusion/Affirmative Action bi-monthly meetings and was an integral part in updating the agency's Affirmative Action Plan. The Citizen Advocate seeks out training opportunities to improve the agency's work as it relates to environmental justice issues. In April 2019 the Citizen Advocate participated in an Environmental Justice EPA webinar on "Identifying and Prioritizing Environmentally Impacted Vulnerable Communities," as well as a presentation by Oregon Tilth on "Social Equity & Sustainable Food" in November. Additionally, ODA participates on the planning committee for Oregon's annual Diversity and Inclusion Conference, which provides relative training and education to state employees. ODA translates more and more documents into Spanish including "How we work for you," "Facts and Figures," and "Food Label Requirements."

ODA's Citizen Advocate also serves as ODA's Tribal Liaison. The role of this position is to inform and, when appropriate, consult with Oregon's nine (9) federally recognized tribes on ODA's activities. The Citizen Advocate works with ODA staff to maintain good working relationships with tribal nations in Oregon. ODA's website has a dedicated Oregon Tribes webpage that provides resources and contact information for interested parties. Multiple ODA staff from all program areas work with tribal nations on a wide-range of topics throughout the year. Some of these activities are captured in this report, however to see a full report of ODA's annual government-to-government activities, please visit ODA's Oregon Tribes webpage at <https://oda.direct/Tribes>. One particular activity to highlight is the work ODA has been doing to fulfill Executive Order 17-12 related to identifying and providing a pathway for Oregon's Nine Federally recognized tribes to have access to items within ODA's procession that may be of interest to tribal nations.

ODA directly supports and administers programs that benefit EJ communities. In January 2019, ODA's Director was appointed to the Oregon Food Bank Board. The Oregon Food Bank "collects food from farmers, manufacturers, wholesalers, retailers, individuals and government sources and distribute that food through a Statewide Network of 21 Regional Food Banks and approximately 1,200 food assistance sites serving all of Oregon and Clark County, Washington."<sup>1</sup> Other programs include the [Farm to School Program](#), which leverages public and private resources to bring more Oregon grown and processed foods to school children. The Farm to School Program, in conjunction with the National Farm to School Network, supports the ability to serve locally grown, raised, harvested or processed foods in school cafeterias; improve student nutrition; provide agriculture, health, and nutrition education opportunities while supporting Oregon's agriculture economy. ODA partners with the Department of Education's Farm to School Education Grants to deliver food along with information about nutrition and agricultural production to Oregon schoolchildren. In 2019, the Farm to School Grant Program bill expanded the program from just over \$4 million during the previous biennium to \$15 million.

Although the [FoodCorps](#), which is a national service program, is no longer hosted by ODA, the Agency continues to serve as a state advisor to FoodCorps Oregon. There are ten (10)

<sup>1</sup> <https://www.oregonfoodbank.org/about-us/our-story/>

FoodCorps service members serving nine (8) communities in Oregon. Service members work in low income and under-resourced schools teaching kids where their food comes from, how to grow it, and how to make healthy choices every day through school garden, environmental and nutrition education. ODA also participates in the Oregon Hunger Task Force which was established to end hunger before it begins by addressing root causes.

ODA staff volunteer their personal time to assist in repackaging food at a local foodbank. In 2019, a total of 98 volunteers packed food to feed those in need at the Marion Polk Food Share location. Additionally, ODA participates in the Governor's State Employee Food Drive, an annual event that collects non-perishable food items and monetary support that goes to help those in need in our state. In 2019, ODA employees donated 2,032 pounds of food and contributed \$10,796.50 to help support those in need.

The Farm Direct Nutrition Program (FDNP), is jointly administered by the Oregon Health Authority (OHA) and ODA to provide eligible, low-income seniors and WIC (Women, Infants and Children Special Supplemental Nutrition Program) families with assistance to purchase fresh, locally grown fruits, vegetables and cut herbs from authorized farmers selling directly to consumers. This provides an additional source of nutritious food and education on selecting and preparing fresh produce to qualifying recipients while supporting local farm stands and farmers' markets.

ODA also has regulatory and consumer protection-related programs that may intersect with EJ communities:

The Weights and Measures Program (WMP) provides consumer protection, fair competition among businesses, and facilitates interstate commerce and international trade by assuring the accuracy of all licensed commercial weighing and measuring devices in Oregon. The WMP inspects approximately 61,800 devices in approximately 13,600 businesses each year which are used to weigh or measure an estimated \$107 billion worth of goods and products in Oregon. This program also maintains custody of Oregon's mass and volumetric standards for measurement, which are used to provide precision calibration and traceability for Oregon's commercial weighing system. Calibration services are provided to over 141 private businesses annually in order to help strengthen Oregon industry's competitiveness.

The Motor Fuel Quality Program (MFQP) provides consumer protection by ensuring that the estimated 2.1 billion gallons of motor vehicle gasoline and diesel fuel sold in Oregon each year meet national standards for quality and comply with Oregon's Renewable Fuel Standard (10% ethanol in gasoline and 5% biodiesel in diesel fuel). Annually, inspectors screen approximately 3,600 samples of gasoline for octane levels, inspect 5,500 fuel storage tanks for excessive water and other contaminants, and pull approximately 120 official fuel samples that are tested at a private lab for state and national specification compliance.

The ODA Regulatory Laboratory Program

ODA's Regulatory Laboratory Program provides laboratory chemistry and microbiology analysis for ODA in the areas of food, dairy, shellfish, foliage, soil, fertilizer, pesticides, water, and various food products destined for domestic and international markets. Throughout the year, many of the samples received by the Lab for testing purposes are directly related to potential human health issues.

#### The Country of Origin Labeling Program (COOL)

Designated retailers are federally mandated to notify their customers of the country(ies) of origin and method(s) of production (wild or farm raised-as applicable) of covered commodities. Covered commodities include muscle cuts of lamb, chicken, and goat; ground lamb, ground chicken, and ground goat; wild and farm-raised fish and shellfish; perishable agricultural commodities; macadamia nuts; pecans; ginseng; and peanuts. The USDA contracts with ODA to perform COOL audits of several food retailers each year for compliance.

#### The Wolf Depredation Grant Program

ODA provides pass-through grants to 17 qualified county wolf advisory committees. These county committees can then distribute compensation to persons who suffer loss or injury to livestock or working dogs as a result of wolf depredation and provide financial assistance to persons who implement livestock management and/or nonlethal wolf deterrent techniques designed to discourage wolf depredation of livestock.

The Insect Pest Prevention & Management (IPPM) Program works to protect Oregon's agriculture, horticulture, natural resources, and quality of life from invasive insect pests. In 2019, IPPM continued its' third year of the multi-year eradication program to combat the destructive Japanese Beetle (JB) found in Washington County. From January to March, IPPM staff worked hard to inform residents and businesses in the treatment area about the importance of protecting Oregon from JB, as well as gather consent from residents to allow IPPM to treat the properties. To inform residents about the project, letters were mailed, notices were posted on doors, and articles were included in homeowner's association and industry newsletters. In addition, three open house events were held in collaboration with partner agencies and stakeholders in the area to provide residents an opportunity to learn about the project, ask questions, and have conversations about their concerns. In total, about 8,500 residences, six schools, eight parks, three shopping centers, and one golf course were treated, totaling approximate 3,000 acres. Additional information about 2019 activities can be found in ODA's Plant Program's annual report can be found at <https://oda.direct/PlantAnnualReport>.

The Food Safety Program ensures food is safe for consumption and works with food establishments to prevent foodborne illness, which can be a particular concern in low-income and other EJ communities. Several studies (<https://consumerfed.org/pdfs/Child-Poverty-Report.pdf>; <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3774461/> ) have documented higher rates of foodborne illness; higher bacterial numbers in several food products; and an increase in food safety violations in high-poverty areas in the United States, underscoring the

importance of regular food safety inspections in EJ communities to protect the public. The Food Safety Program remains committed to support its clients' diversity.

Additionally, ongoing Food Safety Program activities that particularly benefit EJ communities include the following:

- ODA Food Safety Inspectors check expiration dates on certain products, including baby formula, during inspections to ensure they are not beyond the expiration date.
- The Food Safety program tracks the number of businesses whose preferred language is other than English. There are approximately 80 businesses where the operator prefers Spanish, Chinese, Vietnamese, Thai, Burmese, Korean, or Russian. Many ODA food safety inspectors speak multiple languages, and inspectors provide educational assistance to all the firms they inspect to help them understand and meet food safety requirements.
- Some smaller convenience stores and markets, including those who serve EJ communities, may need extra assistance in proper food handling and storage, including keeping foods out of the temperature danger zone, handling and preparing food safely, and purchasing food from approved (licensed) sources. ODA provides this extra assistance when needed, with a focus on educating store managers and employees on strategies to comply with Oregon's food regulations.
- ODA commonly provides food recall information in several languages and tries to provide the information in a way that reaches affected businesses and consumers.

The Animal Health Program tracks livestock movement in and out of the state, establishes disease testing and vaccination requirements for interstate movement, conducts outreach and education about livestock disease prevention, and investigates reports of certain livestock diseases. Outreach and education materials are available in multiple languages. The program has especially focused on poultry producers, ranging from backyard poultry to large-scale poultry operations, providing information on how to prevent avian influenza and other serious avian diseases.

The Livestock Identification Program works to deny a market for stolen livestock through registration of brands and brand inspections. The program's brand application has been translated into Spanish, and the program communicates with customers who are more comfortable receiving written correspondences in Spanish.

The Market Access, Certification and Inspections Programs address the development and marketing needs of Oregon's agricultural industries to promote and create demand for Oregon agricultural products in local, domestic, and international markets through trade and business development activities; provide third party inspection and certification services that add value to products by making them more marketable; and conduct field surveys and provide laboratory testing of seed and plant material to detect pests and diseases. In April 2019, ODA staff held a Produce Safety Rule training in Spanish and translated hand-washing signs into Spanish. The Shipping Point Inspection program reached out to the Confederated Tribes of the Umatilla Indian Reservation to offer inspection help and one individual participated.

The Natural Resource Program Areas aim to conserve, protect, and develop natural resources on public and private lands in order to ensure that agriculture will continue to be productive and economically viable in Oregon. Natural Resources Programs work to do the following: address water quality and natural resource conservation on agricultural lands; protect Oregon's environment and public health by ensuring the proper and legal sale, use, and distribution of pesticide products; and assist local soil and water conservation districts as they help landowners properly manage Oregon's natural resources.

The Confined Animal Feeding Operation (CAFO) Program is operated in conjunction with the Oregon Department of Environmental Quality (DEQ) under a Memorandum of Understanding and overseen by EPA. The program issues permits to qualifying CAFOs and provides inspection oversight to protect Oregon's water quality by preventing animal wastes from entering surface and ground water. The CAFO program has incorporated EJ outreach activities to the CAFO Notice and Public Participation checklist for use in all of its noticing activities. Additionally, the CAFO National Pollutant Discharge Elimination System (NPDES) Permit, Water Pollution Control Facilities (WPCF) Permit, and public notice documents also have been translated into Spanish and are available online. The CAFO program also has native Spanish speaking staff to assist permittees and the public. In 2019, the CAFO Program Manager and Citizen Advocate & Tribal Liaison provided regular updates to one of Oregon's federally recognized Tribes regarding a CAFO with significant compliance issues in their region of interest, and the Citizen Advocate also provided regular updates to the EJTF regarding this operation.

The Smoke Management Program administers the rules for field burning in the Willamette Valley to reduce smoke impacts to populated areas in the interest of public health and welfare. Based upon the "Summary of the 2019 Field-Burning Season" document, there were a total of 23 days when burning was conducted during the 2019 season; three of the 23 days resulted in impacts to municipalities. Nephelometers, which measure particulate in the air, are located in Carus, Detroit, Eugene, Lyons, Mill City, Portland, Salem, Silverton, Springfield, and Sweet Home. Lyons experienced two hours of moderate impact over two days and four hours of light impact on three days. Mill City experienced one hour of light impact on one day. A total of 75 complaints were received for the season. The full report can be accessed at: <https://www.oregon.gov/ODA/shared/Documents/Publications/NaturalResources/FieldBurningSummary2019.pdf>

Agricultural Water Quality Program staff continue to work with multiple partners, including the Klamath Tribe, to address water quality concerns from agricultural activities adjacent to Klamath Lake. The Klamath Tribe has been participating as part of a technical team to evaluate water quality data around the lake to develop projects with local landowners. The technical work group for Upper Klamath Lake Agricultural Water Quality improvements met several times in 2019. Tribal 303(d) funding from the EPA was solicited and received to assist a farm adjacent to Upper Klamath Lake with their tailwater recirculation system to reduce phosphorous loading and improve lake conditions for the endangered sucker species. Klamath Tribes Environmental Scientist was also added to the Lost River and Klamath Headwaters Local Advisory committees.

The Pesticide Program continues to increase efforts to reach and serve Spanish-speaking pesticide applicators and workers. The following are highlights of these efforts:

- In March 2019, ODA staff participated in a Spanish-language WorkSource training in Woodburn to give an overview of ODA, Pesticides 101, and the Pesticide Analytical and Response Center (PARC).
- Translation of documents into Spanish including: Oregon Pesticide Record Keeping Requirements; helped review and edit several ODA informational brochures and materials.
- Provided interpretation services for ODA clients including a mediation case between a Spanish-speaking employee and their employer.
- In November 2019, ODA assisted in promoting and participated in the Oregon OSHA's first Spanish-language conference addressing workers and their needs.
- Collaborated with OSU's Pesticide Safety Education Program (PSEP) on the delivery of Spanish-language trainings during a series of events.
- Continued WPS outreach and compliance assistance to diverse audiences.
- Participated in discussions with Oregon Law Center and Oregon Employment Department to develop methods for providing pesticide safety outreach to Spanish speaking agricultural workers.
- An ODA staff member is on the general advisory committee and the bilingual subcommittee for the development of OSU's Solve Pest Problems resource, which aims to reduce the impacts of pests and pest management practices on people and the environment in non-agricultural settings. The resource will be rolled out in both English & Spanish.
- Actively participated in events and workshops throughout the state that emphasize minority groups to provide outreach and education about pesticide safety and pollinator protection.
- Continued participation on the Oregon Bee Project steering committee conducting pesticide and pollinator outreach in English and Spanish, and development and translation of printed resources addressing pesticide and pollinator topics.
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The Pesticide Analytical and Response Center (PARC) is mandated to collect pesticide-related incident information and coordinate in making appropriate referrals to PARC member agencies. PARC contracts with 211info to provide a 24-hour hotline to receive pesticide-related calls. The hotline provides assistance to customers through access to an interpreter service with more than 140 languages.



ODA will continue to make improvements to its processes by increasing knowledge and understanding about environmental justice issues that intersect with our agency. ODA welcomes any feedback that could help support these efforts.