

Overview of Board of Agriculture Resolutions under review in 2025

I. Introduction

During the December 2024 State Board of Agriculture meeting, the ODA staff provided an overview of the Board of Agriculture Resolutions scheduled for review in 2025. Staff have reviewed and provided recommendations to keep the background statement as written or recommend proposed edits to background statement for each Resolution.

II. Background

Based on the Board Policy and Procedures for Resolutions, the following resolutions are scheduled for review in 2025.

The State Board of Agriculture will be accepting public comment on these resolutions during public comment opportunities listed on the board agenda beginning at the 2025 Q1 meeting.

Proposed action beginning in 2025 Q1 meeting: Board members to review and determine what action needs to be taken on each resolution. Based on ODA review and public comments, board members will 1) accept/decline ODA review of background statement 2) determine if resolution statement should remain a) Active with no edits b) Active and review for possible edits c) No longer active and archive resolution.

For a list of State Board of Agriculture Resolutions go to:

<https://oda.direct/BOAResolutions>

III. Evaluation Process and Recommendations

Each of the following Resolutions, scheduled for review in 2025, have been reviewed by ODA staff members to determine if the Resolution background statements are complete or if the staff have any recommended edits for Board members to consider.

A. Resolution 107 – Priority for Agricultural Use of Water

Reviewed by: Isaak Stapleton, NRPA Division Director

This resolution was created in April 1984 and last reviewed in August 2022.

Recommendation: Review in 2025

Background Update:

- Include references to recent drought conditions and their impact on Oregon’s agriculture.
- Highlight the role of climate change in altering precipitation patterns and water availability, emphasizing its implications for agricultural sustainability.
- Incorporate specific examples of agricultural conservation initiatives, such as irrigation modernization projects, water banking efforts, or watershed restoration partnerships, to showcase proactive contributions by the agricultural sector.

Resolution Refinement:

- Advocate for increased state and federal investment in agricultural water infrastructure to support irrigation efficiency, water reuse, and storage capacity.
- Emphasize the importance of collaboration between agricultural, municipal, and environmental partners to balance water resource allocation and ensure equitable outcomes for all users.

B. Resolution 281 – Conservation Plan for the Oregon Coast Coho

Reviewed by: Isaak Stapleton, NRPA Division Director

This resolution was created in February 2007 and last reviewed in August 2022.

Recommendation: No changes recommended

C. Resolution 301 – Minimizing conflicts of coexistence in agriculture

Reviewed by: Jonathan Sandau, Deputy Director

This resolution was created in June 2011 and last reviewed in May 2022.

Recommendation: No changes recommended

D. Resolution 307 – Farmworker Housing

Reviewed by: Jonathan Sandau, Deputy Director

This resolution was created in September 2011 and last reviewed in November 2022.

Recommendation: Review in 2025

Background Update:

- Include updates on OR-OSHA’s proposed agricultural housing standards that address health and safety standards
- Highlight the Agriculture Workforce Housing Tax Credit (AWHTC) and the critical need for funding sources for improving farmworker housing.

Resolution Refinement:

- Reaffirm the Board's support for addressing the housing needs of Oregon’s agricultural labor force, emphasizing access to safe, affordable, and adequate housing.
- Employee housing standards should protect the health and safety of agricultural employees.
- Support increased funding and incentives, such as tax credits and grants, to help farm housing providers mitigate the capital costs associated with meeting updated standards and regulations.

E. Resolution 309 – Coordinated Streamside Management Approach to Water Quality

Reviewed by: Isaak Stapleton, NRPA Division Director

This resolution was created in March 2012 and last reviewed in May 2022.

Recommendation: Review in 2025

Background Update:

- Clarify that unlike Strategic Implementation Areas (SIAs), Focus Areas do not receive dedicated funding.
- Note that Focus Areas are no longer a requirement for SWCDs to receive their scope of work funding.
- Update the number of active Focus Areas to reflect the current count of 12.
- Emphasize that SIAs are now the primary vehicle for outreach, technical assistance (TA), monitoring, and restoration efforts.
- Remove or revise the term "Coordinated Streamside Management Approach," as it is not commonly used, but maintain references to ongoing coordination with DEQ, OWEB, and ODFW for streamside management.
- Formatting consistency

Resolution Refinement:

- Support integration of SIAs as the cornerstone of the Coordinated Streamside Management Approach, ensuring adequate funding and support for outreach, TA, monitoring, and restoration projects.
- Highlight the importance of leveraging multi-agency collaboration to maximize resources and enhance streamside management outcomes.
- Advocate for additional state and federal funding to strengthen SWCD and watershed council efforts in streamside restoration.
- Emphasize the critical role of ODA in compliance enforcement to support the effectiveness of the Agricultural Water Quality Management Program.

F. Resolution 313 – Water Quality Strategic Implementation Areas (SIAs) and SWCD Focus Areas

Reviewed by: Isaak Stapleton, NRPA Division Director

This resolution was created in December 2014 and last reviewed in May 2022.

Recommendation: No changes recommended

G. Resolution 317 – Oregon Department of Agriculture’s role in the Food Safety Modernization Act Produce Rule Implementation

Reviewed by: Casey Prentiss, Ag Services Division Director

This resolution was created in June 2016 and last reviewed in November 2022.

Recommendation: Review in 2025

Background Update:

- Include an update on ODA’s initiatives in implementing the FSMA Produce Safety Rule, particularly efforts in outreach, education, and technical assistance to support compliance.
- Highlight the FDA’s final rule on pre-harvest agricultural water provisions, issued in July 2024, and its implications for Oregon’s produce industry.
- Describe ODA's collaborations with partners such as Oregon State University Extension to provide training and resources for producers.
- Provide an update on the voluntary farm inventory development and its progress under the cooperative agreement.

Resolution Refinement:

- Support ODA’s continued focus on outreach, education, and technical assistance as critical components of FSMA Produce Safety Rule implementation.
- Advocate for sufficient federal funding to ensure ODA can sustain its role in produce safety while minimizing financial burdens on farmers.

- Encourage engagement through collaborative partnerships and input to address implementation challenges and ensure compliance.
- Recommend that ODA reevaluate the potential for conducting on-farm inspections, considering available resources and stakeholder preferences, to enhance food safety efforts.

H. Resolution 318 – Siting of Energy Transmission and Generation Facilities on Agricultural Land

Reviewed by: Jonathan Sandau, Deputy Director

This resolution was created in June 2018 and last reviewed in August 2022.

Recommendation: Review in 2025

Background Update:

- Reference recent updates to LCDC’s administrative rules (OAR 660-033-0130(37) and (38)) designed to guide solar siting on EFU lands.
- Review language for consistency

Resolution Refinement:

- Review resolution language that DLCD’s solar siting updates since this policy was last updated.

I. Resolution 319 – Climate Change Policy Considerations

Reviewed by: Jonathan Sandau, Deputy Director

This resolution was created in December 2019 and last reviewed in November 2022.

Recommendation: Review in 2025

Background Update:

- Highlight Oregon’s leadership in producing over 250 diverse commodities and the importance of preserving this diversity amidst changing climate conditions.
- Reference USDA programs, such as the Climate-Smart Agriculture and Forestry Partnership Initiative, which promotes carbon sequestration and sustainable farming practices.
- Incorporate recent data on climate impacts in Oregon, including drought, wildfire, and water shortages, to underscore the urgency of addressing these issues.

Resolution Refinement:

- Review Oregon’s water management policies to address shifting water availability and prioritize irrigation modernization and water storage development.
- Evaluate the effectiveness and accessibility of current voluntary incentive programs for carbon sequestration and climate adaptation in agriculture.
- Ensure offset programs and climate incentives are inclusive and workable for farms of all sizes and production systems.
- Recommend sustained funding for climate resilience programs that support soil health, water conservation, and carbon-smart agricultural practices.

IV. Next Steps

The State Board of Agriculture will accept public comment on these resolutions during public comment opportunities listed on the board agenda beginning at the 2025 Q1 meeting.

Proposed action beginning in 2025 Q1 meeting: Board members to review and determine what action needs to be taken on each resolution.

Based on ODA review and public comments, board members will:

- 1) accept/decline ODA review of background statement
- 2) determine if resolution statement should remain
 - a) Active with no edits
 - b) Active and review for possible edits
 - c) No longer active and archive resolution

V. Public Comment

Written comments – All written comments received will be posted on the ODA website and will be provided to the Board in advance of the meeting. Submit your written comments by email to: Karla Valness at karla.valness@oda.oregon.gov by **5:00 PM on Tuesday, March 4, 2025**.

Verbal comments – Verbal comments are limited to three minutes and will be heard in the public comment period on Thursday, March 13, or Friday, March 14, 2025.

In-person	Remote
To provide verbal comments in-person you must sign-up, prior to the comment period on the agenda, at the meeting and provide your name and organization.	To provide verbal comment remotely, you must contact Karla Valness at karla.valness@oda.oregon.gov by 5:00 pm on Tuesday, March 4 , and provide the following information:
If you have written material as part of your public comment, please provide the board coordinator with 20 copies prior to your testimony. Comment time is limited to three minutes per person.	<ul style="list-style-type: none"> • Date you plan to provide verbal comments (March 13 or March 14) • Your first and last name • The topic of your comment • The telephone number you will be using when calling the meeting.

Oregon State Board of Agriculture Resolution	
Title: Priority for Agricultural Use of Water	Number: 107 Effective Date: 08/18/2022
Workgroup A: Harper, Allen, Miller, Orem, Santamaria ODA Staff Contact: Isaak Stapleton	Next Review Date: 00/00/2025 Date of Last Review/Revision: 08/18/2022 Original Resolution Date: 04/12/1984
Board Chair: Bryan Harper	Signature on file

Proposed action: Active Resolution under review

Background

- I. Agriculture is a major industry in Oregon, providing a vital and important economic base for citizens of the state.
- II. Agriculture is a water user in the state and must be recognized as being a beneficial use of water and in the public interest; and
- 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

The Board of Agriculture believes that agriculture, along with other beneficial uses and users of water, must be considered equally and coordinated with all water resource planning and management activities in the state; and

Current and future agricultural uses of water must be accounted for as the state develops new instream water rights. We support the continued use of reservations to ensure that agricultural needs are accounted for as the state develops new instream water right applications.

Summary

Agricultural uses of water should be considered equally with all other beneficial uses in water resource planning and management activities within Oregon.

Proposed action: Active Resolution under review

Oregon State Board of Agriculture Resolution	
Title: Conservation Plan for the Oregon Coast Coho	Number: 281 Effective Date: 08/18/2022
Workgroup A: Harper, Allen, Miller, Orem, Santamaria ODA Staff Contact: Isaak Stapleton	Next Review Date: 00/00/2025 Date of Last Review/Revision: 08/18/2022 Original Resolution Date: 02/23/2007
Board Chair: Bryan Harper	Signature on file

Proposed action: Active Resolution under review

Background

The state completed a Conservation and Management Plan for the Oregon Coast (OC) Coho Salmon in 2007 to ensure that coastal coho populations fully recover. This planning effort included considerable agency input and public involvement. In January 2007, then Governor Theodore Kulongoski requested that state natural resource agencies and their boards provide visible leadership, support, and endorsement to this effort. The status of OC Coho has been reviewed three times since the plan was completed, and while there have been positive trends in some areas, the status of the species is still listed as threatened under the Endangered Species Act. Oregon Department of Agriculture (ODA) will contribute to this effort through implementation of the CAFO, Agricultural Water Quality, Pesticides, Soil and Water Conservation Districts (SWCD), and Weeds and Invasive Species programs. Also needed are additional voluntary fish habitat improvements not covered under the existing regulatory programs.

When this resolution was passed in 2007, the 38 Area Plans and Rules that form the backbone of the ODA Agricultural Water Quality Program (AgWQP) had only been fully developed and in place for 3 years. From 2004 through 2012, AgWQP compliance efforts were predominantly complaint-based and supported by voluntary implementation of conservation efforts by farmers and ranchers. Coastal Area Plans and Area Rules are designed to meet the requirements of the Coastal Zone Act Reauthorization Amendments (CZARA) and to implement agriculture’s part of Oregon’s non-point pollution control plan. The need for more strategic approaches to water quality issues was recognized, resulting in the Focus Area and Strategic Implementation Area Initiatives (2012+). SIAs received additional support for monitoring and local partner capacity in 2014. Focus Areas concentrate delivery of SWCD landowner technical assistance in small geographic areas to promote voluntary efforts. The SIA initiative takes a similar voluntary, partnership approach but also has an ODA water quality rule compliance lens.

Resolution

Be it resolved that the Oregon State Board of Agriculture endorses the Oregon Department of Agriculture’s efforts toward assisting with state efforts to fully recover coast coho populations. The board in cooperation with the Director of the Department of Agriculture will provide leadership and support to this effort, including efforts to help landowners achieve voluntary fish habitat improvements not covered under the existing regulatory programs.

Summary

The Board supports efforts of the state to ensure the recovery of the Oregon Coastal Coho Salmon population. Resolution number: 281

Resolution title: Conservation Plan for the Oregon Coast Coho

Oregon State Board of Agriculture Resolution	
Title: Minimizing conflicts of coexistence in agriculture	Number: 301 Effective Date: 05/05/2022
Workgroup B: Boyer, Johnson, Lopez, Svaty, Zielinski ODA Staff Contact: Jim Johnson, Rusty Rock, Jess Paulson	Next Review Date: 00/00/2025 Date of Last Review/Revision: 05/05/2022 Original Resolution Date: 06/07/2011
Board Chair: Bryan Harper	Signature on file

Proposed action: Active Resolution under review

Background

Whereas a broad spectrum of production systems and technologies exist in agriculture;

Whereas farmers should, of their choosing, be able to pursue and utilize all available legal technologies and agriculture production systems to grow crops and raise livestock;

Whereas those engaged in production of agricultural crops or livestock are entrepreneurs, venturing their own knowledge, capital, resources, and ideals to bring products to market with the intent to make a profit;

Whereas all growers have the responsibility for good stewardship of natural resources, and farmers and ranchers must make management decisions that support such stewardship regardless of production system;

Whereas deliberate communication between neighboring producers about practices and cropping choices is essential to maintain crop integrity, resolve potential conflicts between neighboring operations, and help maintain successful farm operations;

Whereas Oregon farms vary in scale, organizational structure, and length of time in operation – some new, some over a century in the same family farm business – all contributing to the mosaic of agriculture in our state;

Whereas farmers have opportunities and responsibilities to many markets, including those nearby (local), regionally, and internationally, any of which may involve selling direct to consumers or wholesale, via contract or open market pricing;

Whereas those engaged in agricultural pursuits recognize that improvements in production processes require research, technological advances, and infrastructure to support adoption of new methods;

Whereas providing a sustained global food supply will require every available production methodology and technology, adapted to local conditions, that improves output while enhancing natural resources;

Resolution

Therefore, the State Board of Agriculture supports:

- a) Stewardship of all production systems on farmlands and agriculture applications, striving for economic viability, sound natural resource management, good neighbor and employee relations, and community connections;
- b) Ongoing, constructive communication between growers about farm management plans and practices to minimize coexistence conflicts;
- c) Growers retaining the legal and economic opportunity to choose production technologies and resources, size of operation, and business structures necessary to produce products that meet the markets they choose to serve.
- d) Growers using Best Management Practices (BMPs) to minimize conflict between production systems as necessary, such as communication and coordination, use of conflict resolution tools including the Farm Mediation Program; agronomic practices, and buffers and isolation in space/time;
- e) State and Federal programs that encourage a variety of agriculture production systems with appropriate research, data gathering, infrastructure, tax policies and marketing support; facilitate commerce; support efficiencies in inputs, production and yields; sustain natural resources; conduct regulatory work; and provide financial and technical assistance when available and appropriate.
- f) Participation by ODA in efforts to proactively prevent and resolve coexistence conflicts, including participation in broad and inclusive efforts to discuss and identify solutions, and promotion of the Farm Mediation Program as a tool to resolve conflict.

Summary

Supports stewardship of natural resources; ongoing communication; choice of production technologies, practices, and business structures; BMPs to minimize conflict, and state and federal programs that support a variety of production systems.

Proposed action: Active Resolution under review

Oregon State Board of Agriculture Resolution	
Title: Farmworker Housing	Number: 307 Effective Date: 11/17/2022
Workgroup B: Boyer, Johnson, Lopez, Svaty, Zielinski ODA Staff Contact: Jim Johnson, Rusty Rock, Jess Paulson	Next Review Date: 00/00/2025 Date of Last Review/Revision: 11/15/2022 Original Resolution Date: 09/07/2011
Board Chair: Luisa Santamaria	Signature on file

Proposed action: Active Resolution under review

Background

Whereas Oregon’s agriculture, food and fiber industry is economically linked to 326,617 (13.8% percent) of full and part-time jobs in Oregon;

Whereas a large portion of the agricultural workforce related to production agriculture is seasonal (an estimated 87,000 compared to 32,000 year-round) and the housing needs for this population of workers are unique;

Whereas the number of on-farm housing and community-based housing opportunities do not meet the demand of the seasonal agricultural workforce;

Whereas farmers are concerned about the growing number of houses traditionally used for farmworker housing being converted to short-term rentals;

Whereas the refundable and carry-Forward tax credits are an important tool to help address the availability and livability of housing for seasonal and year-round farm workers in Oregon.

Resolution

Be it therefore resolved that the State Board of Agriculture supports the Carry-Forward Tax Credit Program and continues to encourage farmers to help address the need for farmworker housing. Also, be it resolved that the State Board of Agriculture encourages the Oregon legislature to consider additional strategies that would provide further opportunities to address the need for farmworker housing.

Proposed action: Active Resolution under review

Oregon State Board of Agriculture Resolution	
Title: Coordinated Streamside Management Approach to Water Quality	Number: 309 Effective Date: 05/05/2022
Workgroup A: Harper, Allen, Miller, Orem, Santamaria ODA Staff Contact: Isaak Stapleton	Next Review Date: 00/00/2025 Date of Last Review/Revision: 05/05/2022 Original Resolution Date: 03/08/2012
Board Chair: Bryan Harper	Signature on file

Proposed action: Active Resolution under review

Background

Since 2012, the Department of Agriculture (ODA), as directed by the Board of Agriculture (BOA), has developed and implemented a strategy to more efficiently and effectively prevent and control water pollution from activities on agricultural lands. That strategy has included systematic identification of Strategic Implementation Areas (SIAs) and Focus Areas in Soil and Water Conservation Districts (SWCDs) to assess land conditions related to water quality and assist landowners in protecting and improving water quality. The approach has included: assessment based on existing public domain data, prioritization of need based on existing conditions, focused outreach, and enforcement action by the Department of Agriculture when warranted.

In November 2017, representatives of ODA and the Oregon Watershed Enhancement Board (OWEB) presented a concept to the Board of Agriculture to incorporate ODA's SIA and Focus Area activities into a more coordinated approach to streamside management that includes federal, state and local partners and is designed to leverage more resources for incentive-based conservation and monitoring, while sustaining ODA's role in compliance and enforcement of statutes and rules pertaining to agricultural water quality management. ODA and OWEB will jointly lead the coordinated approach.

Streamside areas have a significant influence on water quality and provide a variety of functions, including streambank stability, moderation of solar heating, and filtration of pollutants from overland flows. They are also a very visible sign of agriculture's commitment to protect water quality and implement the Agricultural Water Quality Program. Streamside areas also provide habitat for fish and wildlife.

While landowners have invested time and money to improve and restore their streamside areas, there are still areas in Oregon in need of improvement. Outreach, education, and technical assistance is essential to continue streamside restoration efforts along agricultural lands. Monitoring streamside conditions is also important to be able to show change in streamside conditions over time and evaluate the effectiveness of the Agricultural Water Quality Program. A regulatory backstop is provided by ODA to ensure compliance.

In a Coordinated Streamside Management Approach, improvements to the current SIA and Focus Area process will include: more funding for SWCDs and watershed councils for landowner outreach, technical assistance, and on-the-ground projects in SIAs; a multi-year framework for conservation and restoration work; watershed-scale monitoring of water quality trends; more support from state and federal agencies; and ability for ODA to focus on compliance in SIAs.

Resolution

Be it resolved that the Oregon Board of Agriculture supports integration of ODA's SIA and Focus Area activities into a Coordinated Streamside Management approach that expands multi-agency efforts focused on improvement of streamside areas through outreach and education, technical assistance and monitoring, and compliance enforcement to encourage streamside restoration and improve water quality in the agricultural community.

Summary

Recognizes the importance of streamside areas to water quality. Adopts a multi-agency coordinated approach to improving water quality and habitat for fish and streamside-dependent plants and animals in agriculturally-influenced areas. Directs resources towards outreach, education, technical assistance, monitoring, on-the-ground projects, and compliance enforcement to encourage streamside restoration in the agricultural community.

The Board of Agriculture supports ODA and OWEB jointly leading the coordinated approach, provided that ODA remain responsible for implementing the Agricultural Water Quality Management Program.

Proposed action: Active Resolution under review

Oregon State Board of Agriculture Resolution

Title: Water quality Strategic Implementation Areas (SIAs) and SWCD Focus Areas	Number: 313 Effective Date: 05/05/2022
Workgroup A: Harper, Allen, Miller, Orem, Santamaria ODA Staff Contact: Isaak Stapleton	Next Review Date: 00/00/2025 Date of Last Review/Revision: 05/05/2022 Original Resolution Date: 12/03/2014
Board Chair: Bryan Harper	Signature on file

Proposed action: Active Resolution under review

Background

Since 1993, the Board of Agriculture has been actively involved with guiding the department's efforts to establish and implement Oregon's Agricultural Water Quality Program. Recognizing the need to provide quantitative measures of agricultural efforts to improve land condition, the Board passed a resolution in March of 2013 supporting development of a systematic approach to assess conditions on agricultural lands that may impact water quality. The Board also supported development of a mechanism for the program to strategically focus and prioritize resources to improve water quality associated with agricultural lands and activities. With the help of Soil and Water Conservation Districts (SWCD), the department has successfully developed a systematic approach using ODA Strategic Implementation Areas and SWCD focus areas to assess land conditions that are related to water quality and assist landowners in protecting and improving water quality.

Resolution

- 1) The Board of Agriculture supports the department's systematic approach to assess critical conditions on agricultural lands that may impact water quality. This includes both the assessments of focus areas by SWCDs and the department's use of Strategic Implementation Areas to focus compliance efforts.
- 2) The Board of Agriculture recommends that ODA in concert with other Natural Resource Agencies through the Coordinated Streamside Management Approach prioritize watersheds and develop an accelerated schedule for full-scale statewide implementation of the department's SIA and SWCD Focus Area approach. The schedule should describe what resources are needed to achieve that schedule, what actions are needed to acquire those resources, and how the Board can be of assistance.
- 3) The Board of Agriculture recommends that ODA remain the lead agency responsible for ensuring that both incentive-based and regulatory actions are taken in accordance with Oregon's Agricultural Water Quality Management Act (ORS 568.900 to 568.933) to address landscape conditions that could affect water quality and that could cause water pollution. ODA may utilize data and information from other natural resource agencies as part of the Coordinated Streamside Management Approach.
- 4) The Board of Agriculture recommends ongoing investment of resources by the department in widespread outreach efforts to inform farmers and ranchers of SIA and focus areas assessment results and what actions they can take to protect and enhance water quality on their land.

- 5) The Board of Agriculture recommends that the Memorandum of Agreement (MOA) between ODA and the Department of Environmental Quality (DEQ) be reviewed every biennium and updated as needed, and that the Board be briefed on changes to the MOA when they occur.

Summary

The Board supports accelerated implementation of ODA's systematic approach to identify and document existing conditions and changes on agricultural lands that could impact water quality over time using outreach, assessment and prioritization of geographic areas to address the most serious water quality problems and achieve agricultural TMDL (Total Maximum Daily Load) allocations.

The Board also supports ODA remaining responsible for documenting and controlling pollution on agricultural lands and using data and information from other natural resource agencies as part of the Coordinated Streamside Management Approach to document conditions on the landscape, including water quality impacts, and using this information to prioritize program activities. The Board recommends that the MOA between ODA and DEQ be reviewed every biennium and updated as needed.

Proposed action: Active Resolution under review

Oregon State Board of Agriculture Resolution	
Title: Oregon Department of Agriculture’s role in the Food Safety Modernization Act produce rule implementation	Number: 317 Effective Date: 11/17/2022
Workgroup B: Boyer, Johnson, Lopez, Svaty, Zielinski ODA Staff Contact: Jim Johnson, Rusty Rock, Jess Paulson	Next Review Date: 00/00/2025 Date of Last Review/Revision: 11/15/2022 Original Resolution Date: 06/08/2016
Board Chair: Luisa Santamaria	Signature on file

Proposed action: Active Resolution under review

Background

Whereas, the new Food and Drug Administration (FDA) Food Safety Modernization Act (FSMA) produce safety rule will have tremendous impacts to Oregon agriculture.

Whereas, Oregon’s produce industry has not been previously regulated with respect to food safety.

Whereas, these new rules will require, produce farms to have produce safety measures in place and may be inspected for compliance with the rule.

Whereas, ODA has the opportunity to participate in implementation of the FSMA produce safety rule in several ways.

Whereas, ODA has applied for cooperative agreement funding to support the following implementation activities:

- Capacity building
- Outreach
- Education
- Technical assistance
- Developing an inventory of covered farms (this is a required part of the cooperative agreement)

Whereas, if ODA chooses to participate in on-farm produce safety inspections and develop a produce safety regulatory program in future years, ODA would need either (1) statutory authority to conduct the inspections; or (2) to conduct inspections under FDA authority as commissioned officials.

Whereas, ODA has received a variety of feedback from stakeholders about the department’s role in inspections. Many stakeholders prefer for ODA to gain the authority to do produce safety inspections in Oregon, while others prefer to leave this responsibility to the FDA. Those in support of ODA-led inspections have indicated they believe ODA understands agriculture and has a good track record of successfully regulating Oregon farms in other areas.

Resolution

Be it resolved that the Oregon State Board of Agriculture:

1. Supports ODA's participation in produce safety rule implementation only if federal resources are available to support this work.
2. Recommends that ODA focus on capacity building, outreach, education, and technical assistance to help prepare Oregon's produce industry for FSMA.
3. Recommends that ODA develop the farm inventory required as part of the cooperative agreement using voluntary approaches.
4. Recommends that ODA consider applying for inspection funds if and when more information is available.

Summary

Supports ODA's involvement in FSMA produce safety rule implementation as long as federal resources are available to fully cover the cost of the department's work. Recommends initial focus on outreach and education and recommends that ODA wait until more information is available. Recommends a voluntary approach to developing an inventory of covered farms.

Proposed action: Active Resolution under review

Oregon State Board of Agriculture Resolution	
Title: Siting of energy transmission and generation facilities on agricultural land	Number: 318 Effective Date: 08/18/2022
Workgroup B: Boyer, Johnson, Lopez, Svaty, Zielinski ODA Staff Contact: Jim Johnson, Rusty Rock, Jess Paulson	Next Review Date: 00/00/2025 Date of Last Review/Revision: 08/18/2022 Original Resolution Date: 06/07/2018
Board Chair: Bryan Harper	Signature on file

Proposed action: Active Resolution under review

Background

WHEREAS, the State Board of Agriculture has heard from the agricultural community about concerns related to the location and development of power transmission facilities through agricultural lands, including underground and above ground transmission lines and land intensive generation facilities on highly productive agricultural lands.

WHEREAS, energy produced from renewable sources is an important part of the future for our state and nation.

WHEREAS agriculture is both land and soil dependent, while the siting of energy related facilities does not require soils with a high capability for agricultural production.

WHEREAS, deliberations regarding designation and treatment of agricultural lands under the statewide land use planning program have included consideration of actions that designate or treat differently lands zoned exclusive farm use based solely on soil quality without accounting for other factors that are conducive to the production of high-value agricultural products, including livestock.

WHEREAS numerous applications to develop solar energy generation have been approved or are under review throughout the state on highly productive agricultural lands.

WHEREAS the existing state “exceptions process” provides for the consideration and location of land uses otherwise not permitted when reasons merit

WHEREAS, the State Board of Agriculture has in the past been contacted by the State Soil and Water Conservation Commission regarding concerns it has related to the increased development of agricultural lands by solar energy generation facilities. In response to the letter from the Soil and Water Conservation Commission the Board discussed issues related to the siting of solar energy generation facilities on productive farmland and expressed several concerns related to location on productive agricultural lands. The discussion by the Board resulted in a written request to the Land Conservation and Development Commission (LCDC) asking that LCDC initiate an evaluation of the current administrative rules related the siting of solar facilities on lands zoned exclusive farm use.

WHEREAS the Department of Land Conservation and Development has since developed rules (see [OAR 660-033-0130\(37\) and \(38\)](#)) for solar energy siting on designated agricultural lands. These rules are intended to

Resolution number: 318

Page 1 of 2

Resolution title: Siting of energy transmission and generation facilities on agricultural land

direct energy development to lands that have limited value to wildlife and farming. For example, in the Willamette Valley solar panels are allowed up to 12 acres in areas with the best soil for farming. Up to 320 acres of land may be used for solar in areas with poor soils and no water rights. While these rules have had some impact in discouraging placement of large facilities in the Willamette Valley, they have not precluded the serial development of solar facilities. They have also not precluded the placement of solar facilities on productive irrigated cropland in Oregon outside the Willamette Valley.

Resolution

Be it resolved that the Oregon State Board of Agriculture is concerned about the conversion of high-value and productive farmland and the implications to ongoing and future agricultural operations by energy facility development on lands zoned exclusive farm use.

The Board:

1. Recognizes that energy produced from renewable sources is an important part of the future for our state and nation. We support developing renewable energy facilities at appropriate locations.
2. Recommends the Land Conservation and Development Commission continue to evaluate and monitor the effectiveness of existing administrative rules related to the siting of energy facilities on land zoned exclusive farm use.
3. Supports establishing review criteria to evaluate not only the individual impact of proposed energy development on agricultural lands, but also the cumulative impacts of existing and potential similar nonfarm land use on agricultural operations.
4. Supports the evaluation of the impacts of proposed linear energy transmission facilities on agricultural operations that focuses on individual segments of a linear facility that are comprised of similar agricultural characteristics.
5. Supports better definition of highly productive farmland (instead of “high-value farmland”) based on multiple factors such as soils, crop types, operational characteristics, and developed agricultural infrastructure.
6. Supports land use regulations that afford greater protection for highly productive farmland including, land use requirements that preclude the location of energy facilities on highly productive or less valuable farmland when otherwise reasonable alternatives exist.
7. Supports evaluation and reconsideration of existing land use regulation that promotes serial development of energy facilities to skirt other more stringent review standards.

Proposed action: Active Resolution under review

Oregon State Board of Agriculture Resolution	
Title: Climate Change Policy Considerations	Number: 319 Effective Date: 11/17/2022
Workgroup A: Harper, Allen, Miller, Orem, Santamaria ODA Staff Contact: Isaak Stapleton	Next Review Date: 00/00/2025 Date of Last Review/Revision: 11/15/2022 Original Resolution Date: 12/05/2019
Board Chair: Luisa Santamaria	Signature on file

Proposed action: Active Resolution under review

Background

WHEREAS, climate change is adversely impacting Oregon agriculture including the well-being of farmers, ranchers, seafood producers and resource reliant communities because of intensifying extreme weather resulting in drought, wildfire events, water shortages, changing ocean conditions, and other impacts.

WHEREAS, activities with the potential to be net carbon sinks provide opportunities for farmers and ranchers to contribute to greenhouse gas mitigation and promote climate resilience and can provide co-benefits such as soil health, water quality, improved water retention and filtration on farms, and reduced energy input costs.

WHEREAS, improving soil health across Oregon lands improves soil security to sustain functionality for current and future generations, agricultural resilience, nutrient retention while reducing inputs, and provides ecosystem services including water quality and quantity, flood mitigation, air quality, and may be a net carbon sink.

WHEREAS, clean and abundant ground and surface water is critical for agriculture, and climate change is affecting annual rainfall and snowpack that provides water for agriculture.

WHEREAS, Oregon's agriculture industry is diverse in numerous ways, producing over 250 different commodities in various landscapes and climatic conditions, operating diverse production systems using a variety of inputs, depending on diverse markets both domestically and internationally, and partnering with numerous agriculture and food businesses to produce and process products.

WHEREAS, policies intended to help the state in adapting to changing climate conditions, such as policies to address water shortages and water quality issues, will affect agriculture and need to weigh the burden and benefits of such policies.

WHEREAS, Government and private sector programs, policies, and investments can help agriculture adapt and become more resilient to climate impacts and contribute to greenhouse gas mitigation and promote climate resilience and can provide co-benefits such as soil health, water quality, improved water retention and filtration on farms, and reduced energy and input costs.

WHEREAS, policies to address greenhouse gas emissions may also affect agricultural production, even if agriculture is exempted from these policies.

WHEREAS, policies that regulate greenhouse gas emissions will affect the costs of agricultural inputs including fuels, electricity, and fertilizer, impacting the cost of production as well as the cost of moving agriculture and food products to market.

WHEREAS, competition and regulatory issues can cause emissions intensive trade exposed industries to explore out of state or overseas opportunities, potentially affecting industries that add value to Oregon agricultural products and contribute to Oregon's agricultural and food economies.

WHEREAS, climate change policy may also benefit agriculture by mitigating some of the most serious impacts of climate change, and by providing incentives and tools to help agriculture reduce its emissions and adapt to climate change.

WHEREAS, offsets are one type of incentive, but the costs to measure and verify the mitigation benefits of offset projects can be prohibitive for certain project types.

WHEREAS, Oregon's Land Use Planning program is a major contributor to the protection of agricultural land that preserves the viability of Oregon agriculture by protecting farm and rangeland from development and thus ensuring soils and vegetation can continue to sequester carbon.

WHEREAS, other jurisdictions have experienced good participation from the agricultural sector in flexible, accessible, voluntary programs that invest allowance revenue into activities that help agriculture reduce its carbon footprint and adapt to climate change.

Resolution

Be it resolved that the Oregon Board of Agriculture recommends any climate change related policies should:

- Maintain a healthy agricultural economy, including processing and infrastructure that adds value to Oregon agricultural production, and retain agriculture's ability to grow crops and livestock, harvest seafood, pack and process agricultural products economically in Oregon.
- Consider the well-being of farmers, ranchers and rural communities and the need to sustain a resilient food supply, rural economy, and quality of life.
- Support Oregon's land use planning program's protection of natural and working lands as foundational for Oregon's agricultural viability and their contribution to climate mitigation through soil carbon sequestration.
- Balance the need to reduce emissions from intensive and trade exposed industries with the goal of retaining these industries in the state.
- Recognize that if processing or other facilities leave the state because of higher costs due to carbon policy, we have not achieved the goal of reducing carbon and have simply moved emissions to another location while harming our economy and industry.

- Provide compliance assistance, including longer compliance time frames, technical assistance, and low-cost compliance instruments, for energy intensive trade exposed industries that are at risk of loss to overseas or out of state competitors.
- Support exemptions or rebates for fuel used in on-farm activities.
- Consider the costs of transportation to move agricultural and food products to market, both within the state, domestically, and internationally, and maintain affordable transportation methods to move agricultural products to market both within and beyond the state.
- Structure offset programs so they are as workable and accessible as possible for farmers and ranchers with diverse farm sizes, crop types, and production systems. An aggregation or cooperative effort of small and mid-size operations should be allowed under any offset program.
- Structure programs to incentivize carbon sequestration and resilience on Oregon's agricultural lands to be as workable and accessible as possible for farmers and ranchers with diverse farm sizes, crop types, and production systems.
- Create sustained funding for voluntary incentive programs to assist Oregon agriculture in adapting to and mitigating the impacts of climate change.
- Provide incentives to address the potential impacts of climate change to water supplies and water quality, and support agricultural practices that support soil health, conserve water, modernize irrigation techniques, and develop water storage capacity.
- Consider adapting the state's water management policies to recognize the changes in climate conditions and water availability.
- Create flexible funding programs, recognizing the diversity in Oregon's commodities, production methods, farm size, and changing and evolving technologies and strategies used.
- Ensure both natural and working lands are included in climate policy and programs and position the state to leverage state and federal lands and investments to do so.
- Design incentive programs to be as accessible as possible, including a straightforward and simple application process, delivery systems that use local partners such as Soil and Water Conservation Districts, and simple reporting requirements.
- Support research into strategies that help agriculture adapt to impacts from climate change.
- Recognize the net carbon sequestration opportunities in agriculture and the benefits that longstanding stewardship activities such as protecting the soil, set aside lands with native or non-invasive vegetation.

Summary

Recommends that any climate change policies 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 equitable long-term planning, resource allocation and policy changes to help the state adapt to climate change.

Proposed action: Active Resolution under review