



Marion County Farm Bureau
 “Bringing Value to our Members”
 Board Meeting; February 10, 2021 – 6:30pm
 Meeting is open to all MCFB members and guests

Zoom Conference Call

Minutes

Board Members	Jan	Feb	Mar	Apr	May	Jun	Aug	Sep	Oct	Nov	Dec
Anne Krahmer	X	X									
Bruce Chapin	X	X									
Dana Estensen	X	X									
Dylan Wells	X	X									
Greg Bennett	X	X									
Jessie DeJager	X	X									
Joe Ruef	X	X									
John Zielinski	X	X									
Kathleen Carl	X	X									
Keith Ditchen	X	X									
Lisa Stone	X	X									
Matt Dunbar	-	-									
Richard Hostetter	X	X									
Stuart Olson	X	X									

Staff: Jill Ingalls
 Ashley Christie

Guests: Andréa Kuenzi, *Oregon Century Farm and Ranch Coordinator*
 Aileen Kaye

President Dylan Wells called the meeting to order at 6:34pm

Consent Agenda

Minutes: Board reviewed minutes of January 13, 2021 meeting

Motion: John Zielinski moved to accept the minutes as presented; Joe Ruef seconded.

Motion passed unanimously

Financials: Additional CDs found at US Bank that had automatically renewed. Now shown on balance sheet everything has been reconciled.

Motion: Bruce Chapin moved to accept the financials; Anne Krahmer-Steinkamp seconded.

Motion passed unanimously

Special Presentation

Andréa Kuenzi, Oregon Century Farm and Ranch Coordinator, presented on the Oregon Century Farm and Ranch Program that celebrates ag history in the state and helps document farm history. Program continues to grow. Major focus is awareness of the program.

Old Business

Century Farm Program: Donation of \$250 is budgeted annually for the program. Board agrees the program is worth supporting.

Motion: Kathleen Carl moved to increase annual donation to \$750; Bruce Chapin seconded.

Motion passed unanimously

Legislative Update: OFB has begun a monthly zoom legislative update on the last Friday of the month at 7am. Next update will be Feb. 26.



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Membership

New Member Application: Michael Thompson, Voting

Motion: Greg Bennett moved to accept the member as slated; Kathleen Carl seconded.

Motion passed unanimously

President's Report

OFB conducting survey on overtime. Board would like us to be proactive in letting our view known. Issue discussed at state meeting and it is unlikely to pass in Oregon at this time.

Contacted by Willamette Intermodal Project, would like to make presentation at an upcoming meeting.

New Business

Dana Estensen has submitted Bob Dettwyler for the Diamond Pioneer Award.

MCFB Committee Reports

Scholarship Committee: A 2020 scholarship recipient, Juniper Cosner, had award sent to wrong school. Check has been returned to MCFB and a new award will be issued this month. Scholarships for 2021 are posted and information shared. Committee has received one applicant already.

Finance Committee: Financial Committee recommends keeping a year's worth of expenditures (\$75,000) in liquid form between checking and savings. Balance over that amount to transfer to Kuedell/Morrison for investment over the next 8 months. *(see attached)*

Finance committee planning to meet with Joel from Kuedell/Morrison to go over investments

Motion: Richard Hostetter moved that CD 71859, which matures in November, be rolled over into Money Market account; John Zielinski seconded.

Motion passed unanimously

Motion: John Zielinski moved to retain \$25,000 in checking and \$50,000 in savings and invest balance with Kuedell/Morrison over next monthly (\$12,492.59 per month); Richard Hostetter seconded.

Motion passed unanimously

OFB Advisory Committees

OFBF District 15 Director Report: John Zielinski reported from state meeting that financials are strong overall. Membership is down. Counties reported on their most pressing issues. See attached reports.

Meeting Adjourned at 7:57pm

NEXT MEETING MARCH 10, 2021
Zoom Conference Call

Membership Report 1/21/21

2021 Goal: 618 members

Renewed: 302(48.87%)

Needed: 316



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OFB Monthly Member Briefings started in January

To keep Farm Bureau voting members better informed about what’s going on in Salem and Washington D.C., OFB will host Monthly Member Briefings via Zoom starting in January.

These hour-long meetings will take place **the fourth Friday of the month at 7 a.m.** and will feature OFB Government Affairs staff giving need-to-know updates about the most pressing issues facing Farm Bureau members, with plenty of time for questions.

Join by Zoom: <https://us02web.zoom.us/j/85271307832>

Join by phone: 253-215-8782

Meeting ID: 852 7130 7832

Please mark your calendar for these informative briefings!

- Friday, Feb. 26 at 7 a.m.
- Friday, March 26 at 7 a.m.
- Friday April 23 at 7 a.m.
- Friday, May 28 at 7 a.m.
- Friday, June 25 at 7 a.m.
- Friday, July 23 at 7 a.m.



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Finance Committee Recommendation

Total Assets including CD's	\$242,440.78
Less CD's not liquid	\$83,325.20
Balance	\$159,115.58

Retain:

Checking	\$25,000
Savings (Money Market)	\$50,000
Total to retain in liquid form	\$75,000

Balance of Total Assets less liquid	\$ 84,115.58
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Total to invest:

Balance	\$84,115.58
Plus CD	\$15,825.00
Total to invest	\$99,940.58

Monthly transfer to KM investment

(Total / 8 months)	\$12,492.59
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**Oregon Farm Bureau Board of Directors Report
Mary Anne Cooper, Vice President of Public Policy
February 2021**

I. Regulatory Update

a. Water Quality:

Integrated Report: DEQ's 2018-2020 integrated report was approved by EPA, and we were successful in securing changes to the listing display so it doesn't look like all ag waterways are impaired. DEQ has been hosting a series of webinars and comment periods on the 2022 methodology this fall and winter. Thanks to our advocacy, we have been successful in securing additional changes that will make the methodology within basins much less problematic and should hopefully reduce the potential for the listings to negatively impact ag users. The comment period on the 2022 methodology is open through early March, and OFB is working with OFIC and our shared consultant on comments.

Pesticide General Permit: Since contacting us this fall, DEQ has not shared further plans for the PGP. They contacted me recently to say they would have an update soon, so I will keep you updated on this.

PFA's: There are changes starting at the federal level around PFA's, as well as recent PFA's issues around pesticide packaging in Oregon. This is going to continue to be a big issue in 2021.

Pesticide Stewardship Partnership Workgroup: I am representing OFB on a workgroup convened by ODA to review and comment on the Pesticide Stewardship Partnership. The group is primarily reviewing how the program should be administered now that it's been around several years – how should they prioritize where to spend resources, where to test, and how to decide when an area is clear and doesn't need any PSP resources. This workgroup is ongoing, and just met in January.

TMDL Development: DEQ is also kicking off work on a large number of TMDLs in the coming year, and OFB will engage in those processes. We want to talk to you further about engaging with an expert to engage with these TMDLs because of the potential significant impact on agriculture.

Willamette Mercury TMDL: EPA is in the process of issuing the final TMDL, and it is still pending.

b. Water Quantity:



Willamette Reallocation: The Willamette Reallocation has made it through Congress, and we are working on figuring out next steps on implementation and how to secure the changes we still need through either the Reclamation process or the comprehensive NEPA analysis on the Willamette System.

Instream Water Rights and Reservations: We have been tracking ODFW's applications for instream water rights they are in the process of filing around the state. ODFW recently filed on the South Coast, and we have been working to support Coos-Curry County Farm Bureaus as they work through figuring out what their next steps are. OFB has also been leading the charge to get ODA to pursue additional water reservations in key basins around the state as new instream water rights are filed in those basins. We are working to move forward our conversations with ODFW around potential global conditions on instream rights and how those rights relate to reservations.

OBC Water Project: The Oregon Business Council came and spoke with you all in September. Since that time, their work has gone in a concerning direction, and OFB has stepped back from that work.

c. Removal Fill:

HB 2437 Implementation: ODA, DSL and ODFW are working to implement the new ditch cleaning program developed in 2019. We participated heavily in the rulemaking, drafted comments on the rules, and sent action alerts to our members. There are a few pieces of follow up legislation to clarify program intent coming this year, but we do not expect those to be controversial. We are now working on getting members to sign up for the program, watching the study to make sure it turns out as anticipated, and working through some remaining rulemaking challenges with ODFW and ODA.

404 Assumption: We have been participating in DSL's workgroup exploring assumption of the Army Corp's permitting authority by the state. While we got agriculture and forestry written out of assumption for the underlying bill, environmental groups are using this process to push for changes (like a state NEPA process) that would have impacts across the program, so we are closely watching and engaging in the process. While they're reported to the legislature on their progress, we've yet to see any 2021 legislation on assumption.

d. Wetlands/Floodplains/Coastal Issues:

Tidegate workgroup: The tidegate workgroup has kicked back off recently, with a full time position in OWEB to help with this work, as well as a granting program kicked off through business Oregon. Our coastal county farm bureaus are working on getting NRCS funding for tidegate repair and replacement, and we are closely monitoring this week.



FEMA: We are working on a number of issues on the FEMA front – we are expecting the definition of development issue to rise to the top again with this administration. FEMA is also resuming its planning work to implement the 2016 Biological Opinion, with a number of meetings in the last several months with the, including an ag specific meeting, and we are working on getting some assurances through our region that BiOp implementation will not change how they expect counties to permit ag activities. We are also working with Congressman Schrader to get some key questions answered by the agencies.

e. Endangered Species Act/Fish and Wildlife:

Grey Wolf Delisting: The grey wolf delisting is now complete, and wolves are delisted across all of Oregon. There are already three lawsuits in the Northern District of California that have been filed, and AFBF is part of a coalition soliciting an RFP to get involved with the lawsuit. OFB and OCA are talking to WRLC about if we should intervene or file an amicus brief in that lawsuit due to unique issues in Oregon around delisting.

Beaver Workgroup: The Commission convened workgroups around beaver trapping and beaver management in the state should be kicking off soon, and I will be representing OFB on those workgroups. There are also two bills getting a lot of attention in Salem on these issues, that we will be engaging with heavily.

Predator Management: We continue to see attacks on predator management from advocates, whether its petitions to the ODFW (including the petition related to mink that was filed a few weeks ago, and which OFB will be engaging on) or bills brought to the legislature in Salem, the animal rights and anti-trapping groups are really heating up in Oregon.

II. 2021 Legislative Session:

I am continuing to head our lobby team for the 2021 legislative session. We have had a few issue area shifts and outside assistance we are pursuing to ensure we are able to continue to engage on the full breadth of issues we need to engage on for our members. I have attached an updated issue list. We are also working with LET on how to improve content for members, from a new format for the weekly updates to a monthly member update for all members.

I have attached my priority tracking list, and highlighted some of the bills we will plan to discuss at the board meeting. I have also attached a primer on environmental justice in preparation for our discussion of SB 286 and how these issues are unfolding in Oregon.

III. Legal Update:

- a. **Carbon Executive Order** – OFB has joined several other business groups to challenge the legal basis for the Governor’s Executive Order on Carbon. **We greatly appreciate Shane Otley for volunteering to be an**



individually named plaintiff, as we couldn't have filed the lawsuit without him. The court dismissed our initial lawsuit based on standing, but we filed an amended complaint to fix the issue that is pending, and will be exploring subsequent appeal ideas.

- b. **Willamette Reallocation** – OFB intervened in WaterWatch's Lawsuit on Willamette Reallocation, which sought to dedicate nearly all the water in the Willamette System to fish. After our first round of briefing was filed, WaterWatched asked the Court to stay the case because Congress was preparing to act on the reallocation. They have subsequently dismissed the case. **We want to talk to the board about whether we should ask the funding counties to transfer some of their funds raised for this case into asking to intervene in the ongoing case around the full Willamette System BiOp, which is at the remedy stage presently. Those remedies could potentially impact our interests, so we thought it was worth discussing.**
- c. **Pacific Power Rate Case** – OFB joined forces with the Klamath Water Users Association to intervene in the PacificPower rate case in front of the Public Utility Commission that would have raised power rates for irrigators. We were very successful, and got a great result (a rate decrease!) for our members!
- d. **Hammond Case:** OBF filed a protest with OCA and HCFB regarding the Hammond permit case – this was to preserve our right to appear in front of the BLM if the case moved through administrative appeals. Since the permit was issued by the Secretary, we are anticipating a case filed in the federal court which we may want to intervene in.

IV. Comments Filed:

- a. I have attached all of the comments I have filed since the September board meeting.

V. Local/County Issues/Notable Meetings:

- a. Attend CAFO Advisory Committee Meetings
- b. Quarterly meetings with ODFW leadership
- c. Quarterly meetings with OWRD Leadership
- d. Attend Ag Lobby and Timber Lobby Meetings
- e. Attend Environmental Quality Commission, Board of Ag, Water Resources Commission and Fish and Wildlife Commission Meetings as needed
- f. Speaker at Ag Law CLE, Water Law CLE, Dunn Carney Ag Summit, OSU Classes
- g. Attend County Farm Bureau Meetings as requested
- h. Attend WRLC Board Meetings and Attorney Advisory Committee Meetings.
- i. Attend Ag Water Quality PAC Meetings
- j. Speak at OCA Meetings



- k. Have committee meetings for water, livestock, wildlife, and ag production committees, and hemp subcommittee



Mary Anne Priority Bills

Report Date: January 28, 2021

Bill Number	Bill Sponsor	Current Committee	Bill Manager	Bill URL
HB 2018	Rep Owens; Rep Reardon (Pre-session filed)	Water (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2018/Introduced
<p>Relating to assessment of ground water resources.</p> <p>Instructs Water Resources Department to enter into agreement with United States Geological Survey to produce and publish ground water budgets for all major hydrologic basins in this state, contract for person to produce report on statewide consumptive water use, establish ground water level monitoring network and measure progress in estimating and monitoring ground water levels and ground water use.</p>				
HB 2020	Rep Owens (Pre-session filed)	Rules (H)	Mary Anne Cooper ; Samantha Bayer	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2020/Introduced
<p>Relating to declarations of emergency.</p> <p>Establishes durational limits for states of emergency declared under certain statutes.</p>				
HB 2022	Rep Owens (Pre-session filed) (at the request of Dag Robinson)	Rules (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2022/Introduced
<p>Relating to constitutional requirements for ballot measures.</p> <p>Makes district attorney, rather than county clerk, responsible for determining whether prospective petition for initiative ballot measure for county complies with requirements of Oregon Constitution.</p>				
HB 2032	Pre-session filed (at the request of Governor Kate Brown for State Department of Agriculture)	Agriculture and Natural Resources (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2032/Introduced
<p>Relating to authorizing regional implementation of traditionally maintained channels program; declaring an emergency.</p> <p>Establishes that Department of State Lands or State Department of Agriculture rules implementing traditionally maintained channels program may provide for implementation on region-by-region basis.</p>				
HB 2033	Pre-session filed (at the request of Governor Kate Brown for State Department of Agriculture)	Agriculture and Natural Resources (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2033/Introduced
<p>Relating to deputy state veterinary technicians.</p> <p>Authorizes State Department of Agriculture to deputize veterinary technicians to assist department in carrying out its duties.</p>				



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HB 2066	Pre-session filed (at the request of Governor Kate Brown for State Department of Fish and Wildlife)	Agriculture and Natural Resources (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2066/Introduced
<p>Relating to the Oregon Conservation and Recreation Fund; declaring an emergency.</p> <p>Delays sunset of Oregon Conservation and Recreation Fund.</p>				
HB 2142	Pre-session filed (at the request of Governor Kate Brown for Water Resources Department)	Water (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2142/Introduced
<p>Relating to fees charged by the Water Resources Department; declaring an emergency.</p> <p>Increases certain fees charged by Water Resources Department.</p>				
HB 2143	Pre-session filed (at the request of Governor Kate Brown for Water Resources Department, Department of Environmental Quality, Department of Fish and Wildlife)	Energy and Environment (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2143/Introduced
<p>Relating to annual fees for hydroelectric projects; prescribing an effective date.</p> <p>Changes annual fees for all power claimants to match annual fees for other hydroelectric projects.</p>				
HB 2144	Pre-session filed (at the request of Governor Kate Brown for Water Resources Department)	Water (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2144/Introduced
<p>Relating to changes to water storage rights.</p> <p>Requires Water Resources Department to study laws relating to transfers of, or other changes to, rights to store water.</p>				
HB 2145	Pre-session filed (at the request of Governor Kate Brown for Water Resources Department)	Water (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2145/Introduced
<p>Relating to the performance of work on wells.</p> <p>Limits time for Water Resources Commission to enforce standards related to wells against well constructor.</p>				
HB 2165	Pre-session filed (at the request of Governor Kate Brown for Office of the Governor)	Energy and Environment (H)	Jenny Dresler; Mary Anne Cooper ; Tucker Billman	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2165/Introduced
<p>Relating to alternative fuel transportation.</p> <p>Requires electric companies to collect amount from all retail electricity consumers, to be expended to support transportation electrification pursuant to plan accepted by Public Utility Commission.</p>				



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HB 2170	Pre-session filed (at the request of Governor Kate Brown for Office of the Governor)	Water (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2170/Introduced
<p>Relating to water project community engagement.</p> <p>Authorizes provider of water project support to make support available to local organizations and local governments for purpose of developing local community engagement plans for water projects.</p>				
HB 2179	Rep Evans; Rep Wilde (Pre-session filed)	Energy and Environment (H)	Jenny Dresler; Mary Anne Cooper ; Tucker Billman	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2179/Introduced
<p>Relating to electric farm equipment; prescribing an effective date.</p> <p>Modifies zero-emission and electric vehicle rebate programs to allow rebate for purchase or lease of electric farm tractor or repowering of farm tractor.</p>				
HB 2185	Rep Wilde (Pre-session filed)	Energy and Environment (H)	Jenny Dresler; Mary Anne Cooper ; Tucker Billman	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2185/Introduced
<p>Relating to a requirement for diesel fuel sold in this state to contain biodiesel.</p> <p>Requires diesel fuel that retail dealers, nonretail dealers and wholesale dealers sell or offer for sale in this state to contain at least five percent biodiesel during period that begins on October 2 of each year and ends on March 31 of following year and to contain at least 20 percent biodiesel during period that begins on April 1 and ends on October 1 of each year.</p>				
HB 2192	Rep Wilde (Pre-session filed)	Health Care (H)	Jenny Dresler; Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2192/Introduced
<p>Relating to pesticides.</p> <p>Establishes Interagency Science Review Panel on Pesticides within Oregon Health Authority.</p>				
HB 2217	Rep Gomberg; Rep Wilde (Pre-session filed)	Agriculture and Natural Resources (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2217/Introduced
<p>Relating to euthanasia of wild animals by law enforcement officers.</p> <p>Provides that law enforcement officer may euthanize wild animal that does not pose immediate danger to life or property only if law enforcement officer consults with licensed veterinarian before euthanizing wild animal or euthanizes wild animal in manner consistent with euthanasia guidelines established by rule by Oregon State Veterinary Medical Examining Board.</p>				



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HB 2218	Rep Evans; Rep Wilde (Pre-session filed)	Economic Recovery and Prosperity (H)	Mary Anne Cooper ; Samantha Bayer	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/2218/Introduced
<p>Relating to economic development; prescribing an effective date.</p> <p>Directs Department of State Lands to study impact of laws related to wetlands on economic development and to provide results of study in report to interim committees of Legislative Assembly no later than September 15, 2022.</p>				
HB 2229	Rep Wilde (Pre-session filed)	Agriculture and Natural Resources (H)	Jenny Dresler; Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/2229/Introduced
<p>Relating to state preemption.</p> <p>Exempts from state preemption Josephine County measure that banned production or cultivation of genetically modified crops.</p>				
HB 2238	Rules (H) (Pre-session filed)	Rules (H)	Mary Anne Cooper ; Samantha Bayer; Tucker Billman	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/2238/Introduced
<p>Relating to private property during emergency.</p> <p>Clarifies Governor's authority to use property during emergency.</p>				
HB 2244	Rep Wilde (Pre-session filed)	Water (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/2244/Introduced
<p>Relating to orders issued by the Water Resources Commission or Water Resources Department for which judicial review is pending.</p> <p>Provides that filing of petition appealing final order in other than contested case issued by Water Resources Commission or Water Resources Department in either circuit court or Court of Appeals may not stay enforcement of order of commission or department that regulated off use of water in favor of determined claim, in-stream water right held by state agency or water right held by, or held in trust for, federally recognized Indian tribe.</p>				
HB 2245	Rep Boshart Davis (Pre-session filed)	Agriculture and Natural Resources (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/2245/Introduced
<p>Relating to violations of removal-fill laws.</p> <p>Prohibits Department of State Lands from imposing civil penalty for violation of removal-fill laws in wetland if wetland was not listed on wetlands inventory and person committing violation did not have actual knowledge that site was wetland.</p>				



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HB 2246	Rep Boshart Davis (Pre-session filed)	Agriculture and Natural Resources (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2246/Introduced
<p>Relating to violations of removal-fill laws.</p> <p>Prohibits Director of Department of State Lands from requiring enhancement of wetlands to correct violation of removal-fill law.</p>				
HB 2249	Rep Boshart Davis; Rep Drazan (Pre-session filed)	Rules (H)	Mary Anne Cooper ; Samantha Bayer	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2249/Introduced
<p>Relating to administrative rules.</p> <p>Expands definition of "rule" for purposes of Administrative Procedures Act.</p>				
HB 2251	Rep Owens; Rep Wilde (Pre-session filed)	Water (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2251/Introduced
<p>Relating to regional water management; prescribing an effective date.</p> <p>Appropriates moneys, out of General Fund, to Water Resources Department for purposes of planning water use on regional and local bases, developing system for identifying local and regional water use needs and prioritizing among local and regional water use needs and implementing local and regional water use strategies and plans.</p>				
HB 2256	Rep Owens; Rep Reardon (Pre-session filed)	Water (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2256/Introduced
<p>Relating to the forfeiture of water rights.</p> <p>Establishes that perfected and developed water right is not subject to forfeiture if owner of water right ceased to use all or part of water appropriated for period of five successive years because owner engaged in water conservation practices or distribution of water that owner received from water district was less than certificated maximum for period of at least five successive years.</p>				
HB 2257	Rep Owens (Pre-session filed)	Water (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2257/Introduced
<p>Relating to voluntary reduction of ground water use; declaring an emergency.</p> <p>Appropriates moneys to Water Resources Department for purposes of facilitating enrollment of lands in Harney Basin in federal Conservation Reserve Program, funding hydrologist position and measuring ground water levels in Harney Basin.</p>				



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HB 2258	Rep Owens (Pre-session filed)	Agriculture and Natural Resources (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2258/Introduced
<p>Relating to foods.</p> <p>Allows farm or ranch owner or operator to sell ownership interest in all or part of livestock to final consumer.</p>				
HB 2271	Rep Clem; Rep Evans (Pre-session filed)	Judiciary (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2271/Introduced
<p>Relating to state finance; declaring an emergency.</p> <p>Appropriates moneys from General Fund to Department of Justice for 2021-2023 biennium for purposes of resource prosecutor position dedicated to assisting prosecution of offenses involving detriment or risk of detriment to animals.</p>				
HB 2281	Rep Clem; Rep Evans; Rep Helm (Pre-session filed)	Agriculture and Natural Resources (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2281/Introduced
<p>Relating to hemp; prescribing an effective date.</p> <p>Directs State Department of Agriculture to administer Oregon Hemp State Program for production, processing and sale of hemp.</p>				
HB 2284	Rep Cate; Rep Clem; Rep Evans; Rep Helm; Rep Smith DB (Pre-session filed) (at the request of House Agriculture and Land Use Committee)	Agriculture and Natural Resources (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2284/Introduced
<p>Relating to hemp; prescribing an effective date.</p> <p>Establishes Oregon Hemp Commission.</p>				
HB 2291	Rep Wilde (Pre-session filed)	Energy and Environment (H)	Jenny Dresler; Mary Anne Cooper ; Tucker Billman	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2291/Introduced
<p>Relating to renewable portfolio standards; declaring an emergency.</p> <p>Requires Public Utility Commission to identify and compile projected percentages of electricity sold by each electric company to retail electricity consumers in 2025, 2030 and 2035 that will be qualifying electricity, and provide information in report to appropriate interim committees of the Legislative Assembly no later than September 15, 2021.</p>				



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HB 2296	Rep Morgan (Pre-session filed)	Agriculture and Natural Resources (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/2296/Introduced
<p>Relating to hemp.</p> <p>Allows State Department of Agriculture to enter into agreement with law enforcement agency to enable law enforcement agency to assist department in carrying out certain inspections of industrial hemp.</p>				
HB 2334	Rep Bonham; Rep Levy (Pre-session filed)	Economic Recovery and Prosperity (H)	Mary Anne Cooper ; Samantha Bayer	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/2334/Introduced
<p>Relating to effects of agency rulemaking on small businesses.</p> <p>Modifies provisions relating to statement of cost of compliance effect on small businesses required as part of agency rulemaking.</p>				
HB 2353	Rep Salinas; Rep Wilde (Pre-session filed)	Rules (H)	Jenny Dresler; Mary Anne Cooper ; Samantha Bayer	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/2353/Introduced
<p>Relating to agency rulemaking.</p> <p>Requires agency to include in rulemaking notice statement identifying how adoption of rule will affect racial equity.</p>				
HB 2357	Rep Holvey; Rep Pham; Rep Salinas; Rep Wilde; Sen Golden (Pre-session filed)	Agriculture and Natural Resources (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/2357/Introduced
<p>Relating to forest management.</p> <p>Eliminates Oregon Forest Resources Institute and Oregon Forest Resources Institute Fund.</p>				
HB 2379	Rep Holvey (Pre-session filed)	Agriculture and Natural Resources (H)	Mary Anne Cooper ; Samantha Bayer	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/2379/Introduced
<p>Relating to forestry; prescribing an effective date; providing for revenue raising that requires approval by a three-fifths majority.</p> <p>Imposes severance tax on owner of timber at time of harvest at five percent of value of timber.</p>				
HB 2386	Rep Holvey (Pre-session filed)	Agriculture and Natural Resources (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/2386/Introduced
<p>Relating to independent scientific review.</p> <p>Creates Oregon Independent Science Review Board.</p>				



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HB 2389	Rep Marsh (Pre-session filed)	Agriculture and Natural Resources (H)	Mary Anne Cooper ; Samantha Bayer	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2389/Introduced
<p>Relating to the taxation of the harvesting of forest products; prescribing an effective date; providing for revenue raising that requires approval by a three-fifths majority. Makes taxes levied upon taxpayers for privilege of harvesting merchantable forest products harvested on forestlands permanent.</p>				
HB 2470	Rep Stark; Rep Witt (Pre-session filed)	Water (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2470/Introduced
<p>Relating to ground water. Requires Water Resources Commission to conduct technical review of each well log submitted to commission.</p>				
HB 2479	Rep Power (Pre-session filed)	Energy and Environment (H)	Jenny Dresler; Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2479/Introduced
<p>Relating to black carbon; prescribing an effective date. Modifies definition of "global warming" to include certain aerosol air contaminants, including black carbon.</p>				
HB 2488	Rep Alonso Leon; Rep Dexter; Rep Helm; Rep Holvey; Rep Pham; Rep Power; Rep Schouten; Rep Wilde; Sen Dembrow; Sen Frederick; Sen Golden; Sen Prozanski (Pre-session filed)	Energy and Environment (H)	Mary Anne Cooper ; Samantha Bayer	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2488/Introduced
<p>Relating to addressing climate justice through land use planning; declaring an emergency. Requires Land Conservation and Development Commission to make changes to statewide land use planning goals by December 31, 2026, to address climate justice by addressing climate change adaptation and mitigation and environmental justice for disadvantaged communities.</p>				
HB 2531	Rep Reardon (Pre-session filed)	Agriculture and Natural Resources (H)	Jenny Dresler; Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2531/Introduced
<p>Relating to pollinator health. Adds State Forestry Department, Department of Transportation and State Department of Fish and Wildlife as consulting agencies for state pollinator health outreach and education plan.</p>				



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Bill Number	Bill Sponsor	Current Committee	Bill Manager	Bill URL
HB 2594	Rep Wilde; Rep Williams (Pre-session filed)	Water (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/2594/Introduced
<p>Relating to the protection of drinking water sources; prescribing an effective date.</p> <p>Requires private landowner to agree or decline to negotiate if water utility requests to negotiate acquisition by purchase or agreement of conservation easement, for purpose of protecting drinking water, over real property owned by private landowner.</p>				
HB 2600	Rep Helm; Rep Lively; Rep Power; Rep Reardon; Rep Wilde; Rep Witt; Sen Dembrow; Sen Frederick; Sen Prozanski (Pre-session filed)	Agriculture and Natural Resources (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/2600/Introduced
<p>Relating to funding activities outdoors; prescribing an effective date.</p> <p>Provides that stated percentage of revenue from state transient lodging tax be transferred to Oregon Conservation and Recreation Fund.</p>				
HB 2610	Rep Breese-Iverson; Rep Levy; Rep Nearman; Rep Reschke; Rep Smith DB (Pre-session filed)	Agriculture and Natural Resources (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/2610/Introduced
<p>Relating to fish passage.</p> <p>Provides that State Fish and Wildlife Commission may waive requirement that artificial obstruction in waters of this state provide for fish passage if commission determines that artificial obstruction will be repaired or replaced and is less than eight feet tall, or that artificial obstruction is dam that provides hydropower, drinking water or water for irrigation use, artificial obstruction provides fish habitat and providing for fish passage would increase cost of project by more than 10 percent.</p>				
HB 2612	Rep Breese-Iverson; Rep Nearman; Rep Post; Rep Smith DB; Rep Stark (Pre-session filed)	Agriculture and Natural Resources (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/2612/Introduced
<p>Relating to the sale of raw butter; prescribing an effective date.</p> <p>Directs State Department of Agriculture to establish state grades and standards of quality and identity for unpasteurized butter.</p>				
HB 2615	Rep Breese-Iverson; Rep Levy; Rep Nearman; Rep Reschke; Rep Smith DB; Rep Zika; Sen Knopp (Pre-session filed)	Water (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/2615/Introduced
<p>Relating to water measurement data.</p> <p>Directs Water Resources Department to review water measurement data collection, retention, use and reporting and report to committee or interim committee of Legislative Assembly related to water on or before September 15, 2022.</p>				



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Bill Number	Bill Sponsor	Current Committee	Bill Manager	Bill URL
HB 2652	Rep Owens; Rep Smith DB (Presession filed)	Agriculture and Natural Resources (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2652/Introduced
<p>Relating to decreasing barred owl population to conserve spotted owl population; prescribing an effective date.</p> <p>Finds that barred owls are known to prey on spotted owls.</p>				
HB 2654	Rep Cate; Rep Gomberg; Rep Leif; Rep Levy; Rep Marsh; Rep Owens; Rep Smith DB; Rep Smith G; Rep Wilde; Sen Beyer; Sen Findley (Presession filed)	Economic Recovery and Prosperity (H)	Mary Anne Cooper ; Samantha Bayer	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2654/Introduced
<p>Relating to use of easements for provision of broadband.</p> <p>Authorizes electric utility to use or allow for use of electric easement in provision of broadband services.</p>				
HB 2657	Rep Owens; Rep Smith DB (Presession filed)	Energy and Environment (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2657/Introduced
<p>Relating to permits issued by the Department of Environmental Quality; prescribing an effective date.</p> <p>Requires Department of Environmental Quality to approve or disapprove application for permit within 60 days of receipt or according to timeline established by Environmental Quality Commission for permits that require public participation.</p>				
HB 2660	Rep Smith DB (Presession filed)	Energy and Environment (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2660/Introduced
<p>Relating to amounts charged by the Department of Environmental Quality; prescribing an effective date.</p> <p>Requires Department of Environmental Quality to create list of charges for permits, licenses, authorizations or services provided by the department.</p>				
HB 2676	Rep Helm; Rep Nosse; Rep Pham (Presession filed)	Agriculture and Natural Resources (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2676/Introduced
<p>Relating to the trade of fur products.</p> <p>Prohibits sale, offer for sale, display for sale, trade or other distribution for consideration of fur product in State of Oregon.</p>				
HB 2689	Rep Rayfield (Presession filed)	Agriculture and Natural Resources (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2689/Introduced
<p>Relating to nonlethal deterrence of wildlife conflict species; prescribing an effective date.</p> <p>Directs State Department of Agriculture to establish grant program for purpose of facilitating nonlethal deterrence of wildlife conflict species by farmers and ranchers.</p>				



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Bill Number	Bill Sponsor	Current Committee	Bill Manager	Bill URL
HB 2723	Rep Wilde; Rep Witt (Pre-session filed)	Agriculture and Natural Resources (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2723/Introduced
Relating to management of predatory animals. Removes general prohibition on limiting times, places or amounts of taking of predatory animals.				
HB 2724	Rep Witt (Pre-session filed)	Agriculture and Natural Resources (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2724/Introduced
Relating to administration of the State Department of Agriculture. Requires State Department of Agriculture to establish advisory committee to advise department on policies related to Oregon crops.				
HB 2728	Rep Nosse; Rep Wilde; Rep Witt (Pre-session filed)	Agriculture and Natural Resources (H)	Mary Anne Cooper ; Tucker Billman	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2728/Introduced
Relating to wildlife. Prohibits person from conducting or participating in contest, competition, tournament or derby that has objective of taking coyotes for cash or prizes.				
HB 2814	Rep Dexter; Rep Helm; Rep Nosse; Rep Pham; Rep Prusak (Pre-session filed)	Energy and Environment (H)	Jenny Dresler; Mary Anne Cooper ; Tucker Billman	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2814/Introduced
Relating to indirect sources of air pollution; prescribing an effective date. Directs Environmental Quality Commission to establish and implement indirect source review program.				
HB 2821	Rep Evans; Rep Holvey (Pre-session filed)	Water (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2821/Introduced
Relating to water quality. Declares harmful algal blooms to be menace to public health and welfare.				
HB 2843	Rep Marsh; Sen Gorsek (Pre-session filed)	Agriculture and Natural Resources (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2843/Introduced
Relating to taking of beavers on federal land; prescribing an effective date. Prohibits taking of beavers on federally managed public land, in waters of this state as waters flow through federally managed public land or in pond, lake or water storage facility on federally managed public land.				



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Bill Number	Bill Sponsor	Current Committee	Bill Manager	Bill URL
HB 2844	Rep Marsh; Rep Nosse; Rep Wilde; Sen Gorsek (Pre-session filed)	Agriculture and Natural Resources (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2844/Introduced
<p>Relating to the taking of beavers.</p> <p>Provides, for purposes of certain statutes relating to taking of predatory animals, that terms "predatory animal" and "rodent" do not include beavers.</p>				
HB 2913	Rep Helm (Pre-session filed)	Agriculture and Natural Resources (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2913/Introduced
<p>Relating to the Oregon Conservation and Recreation Fund; declaring an emergency.</p> <p>Repeals abolishment of Oregon Conservation and Recreation Fund.</p>				
HB 2924	Rep Nosse (Pre-session filed)	Agriculture and Natural Resources (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2924/Introduced
<p>Relating to industrial dairies.</p> <p>Prohibits Department of Environmental Quality and State Department of Agriculture from issuing or renewing license or permit to allow construction or operation of new industrial dairy, addition to or expansion of existing industrial dairy or addition to or expansion of dairy that would cause dairy to become industrial dairy.</p>				
HB 2995	Rep Marsh; Rep Power	Energy and Environment (H)	Jenny Dresler; Mary Anne Cooper ; Tucker Billman	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB2995/Introduced
<p>Relating to clean energy.</p> <p>Requires 100 percent of electricity sold in 2035 and each subsequent calendar year to retail electricity consumers to be clean electricity.</p>				
HB 3008	Rep Nosse	Agriculture and Natural Resources (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB3008/Introduced
<p>Relating to traveling animal acts.</p> <p>Prohibits person from using specified types of animals in traveling animal act.</p>				
HB 5006	Pre-session filed (at the request of Oregon Department of Administrative Services)	Ways and Means (J)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB5006/Introduced
<p>Relating to state financial administration; declaring an emergency.</p> <p>Appropriates moneys from General Fund to Emergency Board for allocations during biennium.</p>				



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HB 5009	Pre-session filed (at the request of Oregon Department of Administrative Services)	Ways and Means (J)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB5009/Introduced
<p>Relating to the financial administration of the State Department of Fish and Wildlife; declaring an emergency.</p> <p>Appropriates moneys from General Fund to State Department of Fish and Wildlife for certain biennial expenses.</p>				
HB 5025	Pre-session filed (at the request of Oregon Department of Administrative Services)	Ways and Means (J)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB5025/Introduced
<p>Relating to the financial administration of the State Parks and Recreation Department; declaring an emergency.</p> <p>Appropriates moneys from General Fund to State Parks and Recreation Department for biennial expenses.</p>				
HB 5037	Pre-session filed (at the request of Oregon Department of Administrative Services)	Ways and Means (J)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HB5037/Introduced
<p>Relating to the financial administration of the Oregon Watershed Enhancement Board; declaring an emergency.</p> <p>Directs Oregon Watershed Enhancement Board to allocate moneys from Watershed Conservation Operating Fund to various state agencies to implement Article XV, section 4b, of Oregon Constitution.</p>				
HCR 1	Rep Owens (Pre-session filed) (at the request of Eastern Oregon Border Economic Development Board)	Rules (H)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/HCR1/Introduced
<p>Designating onion as official state vegetable.</p> <p>Designates onion as official state vegetable.</p>				
SB 22	Sen Findley (Pre-session filed)	Natural Resources and Wildfire Recovery (S)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB22/Introduced
<p>Relating to a regional water management pilot program.</p> <p>Directs Water Resources Commission to develop and adopt by rule regional water management pilot program that allows regions to establish voluntary water management.</p>				
SB 23	Sen Findley (Pre-session filed)	Natural Resources and Wildfire Recovery (S)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB23/Introduced
<p>Relating to pilot programs for temporary use of water within a district.</p> <p>Extends sunset of pilot program for temporary use of water within district.</p>				



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Bill Number	Bill Sponsor	Current Committee	Bill Manager	Bill URL
SB 32	Pre-session filed (at the request of Governor Kate Brown for State Department of Agriculture)	Natural Resources and Wildfire Recovery (S)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB32/Introduced
Relating to livestock. Changes amounts or amount caps for various fees related to livestock branding and feedlot licensing.				
SB 33	Pre-session filed (at the request of Governor Kate Brown for State Department of Agriculture)	Natural Resources and Wildfire Recovery (S)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB33/Introduced
Relating to food safety program fees; declaring an emergency. Authorizes State Department of Agriculture to establish additional food safety program license fees for fiscal years beginning July 1, 2022, and July 1, 2023.				
SB 35	Pre-session filed (at the request of Governor Kate Brown for State Department of Agriculture)	Natural Resources and Wildfire Recovery (S)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB35/Introduced
Relating to hemp; prescribing an effective date. Directs State Department of Agriculture to administer Oregon Hemp State Program for production, processing and sale of hemp.				
SB 56	Pre-session filed (at the request of Governor Kate Brown for Department of Environmental Quality)	Energy and Environment (S)	Jenny Dresler; Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB56/Introduced
Relating to greenhouse gas emissions; prescribing an effective date. Authorizes Department of Environmental Quality to include amount estimated to equal economic benefit of violation when imposing civil penalty for violation of rule pertaining to a program to cap and reduce greenhouse gas emissions from large stationary sources, transportation fuels or other liquid and gaseous fuels, including natural gas.				
SB 130	Pre-session filed (at the request of Governor Kate Brown for Water Resources Department)	Natural Resources and Wildfire Recovery (S)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB130/Introduced
Relating to delaying the sunset of a pilot project regarding temporary transfers of place of use within an irrigation district. Delays sunset for pilot program allowing participating irrigation districts to change place of use for water within district boundaries without applying for temporary transfer.				
SB 286	Pre-session filed (at the request of Governor Kate Brown for Office of the Governor)	Energy and Environment (S)	Jenny Dresler; Mary Anne Cooper ; Samantha Bayer	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB286/Introduced
Relating to environmental justice; prescribing an effective date. Renames Environmental Justice Task Force as Environmental Justice Council.				



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SB 289	Pre-session filed (at the request of Governor Kate Brown for Office of the Governor)	Energy and Environment (S)	Jenny Dresler; Mary Anne Cooper ; Samantha Bayer	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB289/Introduced
<p>Relating to environmental equity; prescribing an effective date.</p> <p>Directs office of Governor, in consultation with Racial Justice Council's Environmental Equity Committee, to study laws related to environment and provide results to interim committees of Legislative Assembly no later than September 15, 2022.</p>				
SB 341	Sen Golden (Pre-session filed)	Natural Resources and Wildfire Recovery (S)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB341/Introduced
<p>Relating to water resources; prescribing an effective date.</p> <p>Directs Water Resources Department to study water resource management and provide results of study in report to interim committees of Legislative Assembly no later than September 15, 2022.</p>				
SB 342	Sen Golden (Pre-session filed)	Natural Resources and Wildfire Recovery (S)	Jenny Dresler; Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB342/Introduced
<p>Relating to pesticide regulation; prescribing an effective date.</p> <p>Directs State Department of Agriculture to study and make recommendations for pesticide regulation and provide results of study in report to interim committees of Legislative Assembly no later than September 15, 2022.</p>				
SB 344	Sen Golden (Pre-session filed)	Natural Resources and Wildfire Recovery (S)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB344/Introduced
<p>Relating to prescribed burns; prescribing an effective date.</p> <p>Requires State Forestry Department to study and make recommendations to interim committee of Legislative Assembly regarding efficacy of prescribed burns.</p>				
SB 346	Sen Golden (Pre-session filed)	Finance and Revenue (S)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB346/Introduced
<p>Relating to the Oregon Forest Resources Institute; prescribing an effective date.</p> <p>Directs Department of Revenue to study taxation from which funding for Oregon Forest Resources Institute derives and to report its findings to interim committees of Legislative Assembly related to revenue on or before September 15, 2022.</p>				



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SB 367	Sen Boquist (Pre-session filed)	Natural Resources and Wildfire Recovery (S)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB367/Introduced
<p>Relating to maintenance of the Willamette River.</p> <p>Allows State Parks and Recreation Department to enter into agreement with Willamette River Channel Maintenance Group for performance of maintenance needed to improve river navigability and safety, to improve marine access to public parks, landings and other accesses and to encourage tourism and transportation.</p>				
SB 379	Sen Boquist (Pre-session filed) (at the request of former Senator Herman Baertschiger, Jr.)	Judiciary and Ballot Measure 110 Implementation (S)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB379/Introduced
<p>Relating to the Attorney General.</p> <p>Prohibits Attorney General from accepting funds from sources other than public bodies of this state to pay cost of employing special legal assistants or private counsel.</p>				
SB 387	Sen Dembrow; Sen Gorsek (Pre-session filed)	Natural Resources and Wildfire Recovery (S)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB387/Introduced
<p>Relating to stock watering; declaring an emergency.</p> <p>Limits exemption from requirement of obtaining water right application, permit or certificate to use of surface water for livestock watering that does not exceed 5,000 gallons a day.</p>				
SB 393	Sen Golden (Pre-session filed)	Natural Resources and Wildfire Recovery (S)	Mary Anne Cooper ; Samantha Bayer	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB393/Introduced
<p>Relating to forest taxation; prescribing an effective date.</p> <p>Directs Department of Revenue to study possible methods of taxation for funding forest management and to report its findings to interim committees of Legislative Assembly related to revenue on or before September 15, 2022.</p>				
SB 404	Sen Prozanski (Pre-session filed) (at the request of Oregon Organic Coalition)	Education (S)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB404/Introduced
<p>Relating to organic food production.</p> <p>Instructs Oregon State University Extension Service to establish certain new positions related to organic production and maintain certain existing position related to organic production.</p>				



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Bill Number	Bill Sponsor	Current Committee	Bill Manager	Bill URL
SB 529	Sen Findley; Sen Girod; Sen Thatcher (Pre-session filed)	Judiciary and Ballot Measure 110 Implementation (S)	Mary Anne Cooper ; Samantha Bayer	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB529/Introduced
Relating to judicial review of agency actions. Modifies standards for judicial review of agency rules and orders.				
SB 541	Sen Findley; Sen Girod; Sen Thatcher (Pre-session filed)	Energy and Environment (S)	Jenny Dresler; Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB541/Introduced
Relating to carbon sequestration. Declares that policy of state is to include atmospheric carbon sequestered by lands and waters of state in calculation to determine progress towards greenhouse gas reduction goals.				
SB 583	Sen Dembrow (Pre-session filed)	Energy and Environment (S)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB583/Introduced
Relating to industrial dairies; declaring an emergency. Prohibits Department of Environmental Quality and State Department of Agriculture from issuing or renewing license or permit to allow construction or operation of new industrial dairy, addition to or expansion of existing industrial dairy or addition to or expansion of dairy that would cause dairy to become industrial dairy.				
SB 630	Sen Hansell (Pre-session filed)	Natural Resources and Wildfire Recovery (S)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB630/Introduced
Relating to landowner damage tags. Authorizes use of landowner damage tag to take elk on adjacent property with consent of owner of adjacent property.				
SB 633	Sen Hansell (Pre-session filed)	Natural Resources and Wildfire Recovery (S)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB633/Introduced
Relating to requirements for membership on the State Fish and Wildlife Commission. Revises requirements for membership on State Fish and Wildlife Commission.				
SB 642	Sen Hansell (Pre-session filed)	Natural Resources and Wildfire Recovery (S)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB642/Introduced
Relating to appropriations for livestock loss; declaring an emergency. Appropriates moneys from General Fund to State Department of Agriculture for deposit in Wolf Management Compensation and Proactive Trust Fund.				



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Bill Number	Bill Sponsor	Current Committee	Bill Manager	Bill URL
SB 643	Sen Hansell (Pre-session filed)	Natural Resources and Wildfire Recovery (S)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB643/Introduced
<p>Relating to county elections concerning methods of taking wildlife; providing for criminal sentence reduction that requires approval by a two-thirds majority. Provides that county is exempt from applicability of statute banning use of dogs to hunt or pursue cougars if voters approve county measure proposed by initiative petition or referred to people by governing body of county.</p>				
SB 661	Sen Linthicum (Pre-session filed)	Natural Resources and Wildfire Recovery (S)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB661/Introduced
<p>Relating to diffuse surface water; declaring an emergency. Exempts collection, storage or use of diffuse surface water from falling rain, melting snow or other precipitation from requirement to obtain water right permit or certificate.</p>				
SB 662	Sen Linthicum (Pre-session filed)	Natural Resources and Wildfire Recovery (S)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB662/Introduced
<p>Relating to water rights. Establishes criteria for determining existence or lack of new ground water use impairment or interference with water right having earlier priority date.</p>				
SB 5502	Pre-session filed (at the request of Oregon Department of Administrative Services)	Ways and Means (J)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB5502/Introduced
<p>Relating to the financial administration of the State Department of Agriculture; declaring an emergency. Appropriates moneys from General Fund to State Department of Agriculture for certain biennial expenses.</p>				
SB 5503	Pre-session filed (at the request of Oregon Department of Administrative Services)	Ways and Means (J)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB5503/Introduced
<p>Relating to state financial administration; declaring an emergency. Approves certain new or increased fees adopted by State Department of Agriculture.</p>				
SB 5516	Pre-session filed (at the request of Oregon Department of Administrative Services)	Ways and Means (J)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB5516/Introduced
<p>Relating to the financial administration of the Department of Environmental Quality; declaring an emergency. Appropriates moneys from General Fund to Department of Environmental Quality for certain biennial expenses.</p>				



Mary Anne Priority Bills

Report Date: January 28, 2021

Bill Number	Bill Sponsor	Current Committee	Bill Manager	Bill URL
SB 5545	Pre-session filed (at the request of Oregon Department of Administrative Services)	Ways and Means (J)	Mary Anne Cooper	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SB5545/Introduced
Relating to the financial administration of the Water Resources Department; declaring an emergency. Appropriates moneys from General Fund to Water Resources Department for biennial expenses.				
SJR 5	Sen Golden (Pre-session filed)	Energy and Environment (S)	Jenny Dresler; Mary Anne Cooper ; Samantha Bayer	https://olis.leg.state.or.us/liz/2021R1/Downloads/MeasureDocument/SJR5/Introduced
Proposing amendment to Oregon Constitution relating to right of people to clean and healthy environment. Proposes amendment to Oregon Constitution establishing right to clean and healthy environment and to preservation of natural, cultural, scenic, recreational and healthful qualities of environment.				

What is Environmental Justice?

Environmental Justice, as the term is used in proposed legislation in Oregon, means the fair treatment and meaningful involvement of all people regardless of race, color, national origin or income with respect to the development, implementation and enforcement of environmental laws, regulations and policies. Generally, Environmental Justice is based on the idea that poor or minority communities are more likely to be negatively affected by poor air quality or water quality. While closely linked to racial justice and equity conversations, environmental justice tends to have a broader lens than just race, looking at economic and regional equity. To that end, some literature has recognized rural communities as environmental justice communities due to the significant wealth disparity seen between urban and rural areas in many parts of the nation. Impacts of Environmental Justice proposals could change criteria for a wide range of regulations and funding. These efforts may also change who is required to be involved in the advising or decision-making processes.

Where will we see Environmental Justice raised in Oregon?

Oregon has had a focus on Environmental Justice for a number of years, starting with the [passage of legislation](#) creating the [Environmental Justice Task Force](#) in 2007. However, the focus on Environmental Justice has magnified significantly during 2020 alongside the focus on racial justice. Environmental Justice and racial justice are the keystone of several key priorities, including the [governor's recommended budget](#), [the governor's state of the state address](#), and priorities for the [House](#) majority leadership. We have also seen natural resources agencies begin to prioritize Environmental Justice in their work and outreach and budget proposals in the past year.

While there are several avenues where these discussions are happening in Oregon, our engagement will most immediately focus around the suite of bills and funding priorities begin pursued by the governor in 2021. Chief among these is a reform of the Environmental Justice Task Force through [SB 286](#), which would make Environmental Justice a part of all state natural resource decision making, the related [SB 289](#), and [HB 2488](#), which would make Environmental Justice a cornerstone of land use decisions.

How will Environmental Justice impact our work in Washington, DC?

Environmental Justice is becoming a national issue in scope, with conversations that originated largely on the two coasts gaining traction in Washington, DC. The Biden Administration has made Environmental Justice [one of the top environmental issues the administration plans to tackle](#), and it was prominently discussed in one of his first [executive orders](#). While we are less likely to see legislation federally, we anticipate that Environmental Justice considerations will become a focus of rulemaking and regulatory action across key natural resource agencies such as the EPA, Department of Interior, and United States Department of Agriculture.

OFB Issue Allocation and Staffing – January 2021

Mary Anne Cooper—Vice President of Public Policy

Water Quality	Water Supply	Forestry – WQ	Land-use, assist SB
Agency Budgets	ESA	Public Lands	Fill and Removal (Ditch/404)
Public Lands	Livestock	Hemp, state	Animal Welfare, state
NEPA	Air quality, reg.	Goose	Power Rates
Willamette Dams/Reallocation		Board/Comm. Appts.	Wildlife
Land acquisition	WOTUS	FEMA	Pesticides and Carbon Assist
EPA	OSU/Statewides	Agency Budgets	Right to Farm
Legal strategy, Oregon	Law Clerks and Externs	Licensing	Tidegates
OFB Policy Process	Team Management	Weekly Updates	Environmental Justice, pol.

Committees: Ag Production, Livestock/Public Lands, Water, Aggregate, Fill and Removal, Wildlife, Goose

Samantha Bayer—Associate Public Policy Counsel

Land-use	Agriculture Tax Policy	OSHA Policy	COVID-19 Response
Labor Policy	Wildfire	Energy Siting	Legal Tracking
Farmworker Housing	General Liability	Business Policy	Emergency Response
Policy Development	Conservation Assist	Personal Property Tax	Agency/Member casework
Legal Research	LINC	Federal Regulation Tracking/Assist	

Committees: Labor, Tax, Land Use

Gail Greenman—Director of Federal Affairs

Farm Bill	Immigration	Taxes	FSA/NRCS
Federal Budget	Health Care	Rural Development	Federal Labor Law
Trade	Federal Transportation	Labeling	Federal Energy
Animal Welfare, fed	Infrastructure	Congressional Relations	
Food Safety, state and fed		Hemp, fed	

Committees: Government/National Affairs, Farm Direct

Tucker Billman – Leadership and Engagement Facilitator

Transportation, legislative tracking and regulatory
Town Halls

Dave Dillon--EVP

Ballot measures	PAC fundraising	PAC strategy	Candidates
Coalitions	AGPAC	Legal strategy	Commissions
Political strategy	Legislator contacts	Testimony Assist	Legal fundraising
Congress/federal assist	AFBF Coordination	PAC fundraising	Regional FB coordination
Elections	Tax/Business Assist		

Committees: OSU Committee, Ralph Smiley Committee

Outside Contracts

Legal – briefing
Water Quality – Technical
Environmental Justice - Regulatory

Jenny Dresler—Contract Lobbyist

Pesticides	Climate/Carbon	Labor Political	Biotech
Animal Antibiotics	Vote Counts	Strategy/Political	Business Coalition
PAC Strategy	Government Revenue	Transportation, pol.	Strategy/Election assist
Ag Taxes Political	Air quality, pol.		

Committees: Report Out to Committees as Needed



Oregon Water Resources Department Proposed Fee Increase

HB 2142

Chair Helm and Members of the Committee,

Thank you for the opportunity to discuss HB 2142, which would raise water rights transactions fees from current levels for the Oregon Water Resources Department. While our respective organizations will each weigh in independently on the merits of the proposed fee increase, we wanted to voice our collective support for increased transparency and accountability within the Oregon Water Resources Department for its investment of these fee dollars.

Our organizations strongly support a well-funded, fully functional Water Resources Department. We recognize the many challenges the Department faces in managing Oregon's most complex and valuable resource, and do not envy the Department's task in managing its increasing workload in the face of shrinking natural resource agency budgets. We understand that in the course of managing the resource, the Department incurs costs that inevitably rise over time. However, the Department has struggled to articulate the basis for its fee increase, particularly as applications for water rights transactions are decreasing and workload in other program areas appears to be occupying staff resources. Compounding these issues, the Department is facing significant resource constraints across all program areas, which when combined with its ever increasing litigation costs, make our organizations concerned for the future viability of the Department.

We strongly encourage the House Water Committee and the Ways and Means Subcommittee on Natural Resources to work closely with the Department to increase transparency in its budget and begin to solve some of the critical issues that plague the Department. As it relates to HB 2142, we strongly encourage the legislature to acknowledge and begin to address the very real problems with the current water right and transfer application process. We request transparency from the Department as to the specific positions that will be funded by the fee increase and encourage the Department to pair the requested fee increase with a clear plan for improving its application processing time.

There are serious inefficiencies in the Department's application processing system that have gone unaddressed despite applicants raising them for the past several years. While there is a decrease in transfer applications, the Department is taking longer to process them. Further, though the Department reports a lower than expected number of water right transactions over the past few years, the Department hasn't markedly improved its processing time.

We acknowledge the challenges to Department is facing as it endeavors to manage its budget, especially in the wake of COVID-19. Our communities have also experienced economic pressure stemming from the pandemic. Just as funding is critical for the Department, value and accountability are important for Oregon's water users. Water users derive value from a system that can process water rights applications and transfer applications in a timely manner. As such, we have an interest in ensuring that any fee increases adopted by the Department will contribute to a workable and improved administrative process for water users, municipalities, and water districts who wish to obtain water right permits or conduct water rights transfers.

With this in mind, we urge the Water Resources Department to articulate a clear pathway that demonstrates precisely how this fee increase will improve the administrability of the system for the benefit of water users across the entire state. We also encourage the Department to adopt an outcome-driven plan that will target the longstanding and systematic inefficiencies in the water right and transfer application process.

Contacts:

April Snell, Oregon Water Resources Congress

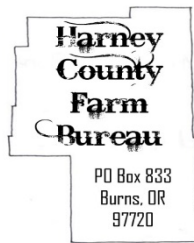
Mary Anne Cooper, Oregon Farm Bureau Federation

Tracy Rutten Rainey, League of Oregon Cities

Jeff Stone, Oregon Association of Nurseries

J.R. Cook, Northeast Oregon Water Association

Tammy Dennee, Oregon Cattlemen's Association



January 18, 2021

Casey Hammond
Principal Deputy Assistant Secretary
Land and Minerals Management

Don Rotell
Field Manager, Andrews/Steens Resource Areas
BLM Burns District Office
28910 Highway 20 West
Hines, OR 97738

Docket No.: FWS-R1-ES-2020-0050

Submitted via email (BLM_OR_BU_BCA_AMP@blm.gov)

Re: Protest of the Oregon Farm Bureau Federation and Harney county Farm Bureau to (1) BLM's Notice of Proposed Decision dated December 31, 2020; (2) BLM's *Bridge Creek Area Allotment Management Plans and Environment Assessment*, DOI-BLM-ORWA-B060-2020-0001-EA, dated December 7, 2020; and (3) BLM's Preliminary Finding of No Significant Impact for the Bridge Creek Area Allotment Management Plans and Environment Assessment, DOI-BLM-ORWA-B060-2020-0001-EA, dated December 4, 2020.

On behalf of the Oregon Farm Bureau Federation ("OFB"), Harney County Farm Bureau ("HCFB"), and Oregon Cattlemen's Association ("OCA"), please accept the following Protest to (1) BLM's Notice of Proposed Decision dated December 31, 2020 ("Proposed Decision"); (2) BLM's Bridge Creek Area Allotment Management Plans and Environment Assessment, DOI-BLM-ORWA-B060-2020-0001-EA, dated December 7, 2020 ("Draft AMP-EA"); and (3) BLM's Preliminary Finding of No Significant Impact for the Bridge Creek Area Allotment Management Plans and Environment Assessment, DOI-BLM-ORWA-B060-2020-0001-EA, dated December 4, 2020 ("Draft FONSI"). The OFB, HCFB, and OCA offer these protests and objections on behalf of their members in Harney County and throughout the State of Oregon.

Introduction

The OFB is a statewide non-profit organization representing the interests of farmers and ranchers throughout Oregon for more than 75 years. With almost 7,000 member-family farmers and ranchers, OFB is Oregon's largest general farm organization. OFB's primary goal is to promote educational improvement, economic opportunity, and social advancement for its members and the farming, ranching, and natural resources industry as a whole. HCFB represents over 180 farmers and ranchers in Harney County, many of whom hold permits to graze in lands managed by the

Bureau of Land Management. The OCA exists to promote environmentally and socially sound cattle industry practices alongside a positive and contemporary image of the industry; to improve and strengthen the industry's economics; to assure a strong political presence in related areas; and to protect industry communities and private property rights. Many of OCA's member ranchers hold permits to graze in lands managed by the Bureau of Land Management and are deeply impacted by the decisions of the BLM.

OFB, HCFB, and OCA maintain a vested interest in the regulatory decisions of federal agencies that pertain to ranching and public land grazing which, thereby, have a direct impact on the lives and operations of OFB, HCFB, and OCA members and the industry they represent at large. The precedent created by federal agency decisions and the administration of federal grazing regulations on the lands of this state can, and often do, harm OFB, HCFB, and OCA member families and the industry OFB, HCFB, and OCA represent throughout the state. As such, and in light of the agency decisions at issue, OFB, HCFB, and OCA are obliged to submit this protest.

Since the BLM's denial of the Hammond Ranches, Inc.'s ("HRI") application to renew its grazing permit in February, 2014, OFB, HCFB, and OCA have actively supported renewal of HRI's grazing permit for these allotments, including through OFB's participation in the federal litigation initiated by environmental organizations opposing Secretary Zinke's prior directive for HRI's permit to be renewed. The OFB, HCFB, and OCA greatly appreciate BLM undertaking the 2020 effort to complete the Proposed Decision, the Draft AMP-EA, and the Draft FONSI for the Bridge Creek area and the four (4) grazing allotments therein. OFB, HCFB, and OCA commend the BLM for proposing to award grazing preference to HRI. That appreciation notwithstanding, OFB, HCFB, and OCA disagree with several critical aspects of the Proposed Decision, as it relates to restrictions on public land grazing.

Protest

OFB, HCFB, and OCA respectfully protest several components and omissions within the Proposed Decision.

First, the Proposed Decision fails to make an express determination with respect to HRI's qualification to hold a grazing permit. In light of specific findings within the Proposed Decision, BLM's decision to avoid clearly stating that the grazing permit is being issued to HRI is arbitrary. These specific findings within the Proposed Decision include the following: (1) HRI "will be apportioned all available forage" in "the Hammond, Hammond FFR, Mud Creek, and the Hardie Summer allotments[;]" (2) "HRI was apportioned this preference based on the factors in 43 CFR 4130.1-2 due to their extensive historic use of these allotments, past proper use of rangeland resources, a high level of general need, and advantages conferred by topography[;]" (3) that HRI "owns or manages the majority of the private property located within the Hammond, Hardie Summer, and Hammond FFR allotments[;]" (4) "HRI holds the water rights associated with the spring that feeds the pipeline currently within the Hammond Allotment[;]" and (5) "HRI owns the property associated with a spring in the current Hardie Summer Allotment."

Pursuant to the regulatory requirements under 43 CFR 4110.1(b)(1), for the renewal of a grazing permit, the findings within the Proposed Decision listed above effectively confirm that HRI maintains the requisite satisfactory record of performance and to have been in substantial compliance with the terms and conditions of the former permit. Thus, the BLM should find that HRI qualifies for the renewal of their 2004 grazing permit. In the alternative, the findings within the Proposed Decision listed above effectively confirm that HRI is in compliance with the requirements of 43 CFR 4110.1(b)(2). Accordingly, it is entirely arbitrary for BLM to fail to expressly award HRI a renewed or new grazing permit given the acknowledgement of the well-supported factual findings set forth in the Proposed Decision, particularly the finding that HRI has exhibited “extensive historic use of these allotments, past proper use of rangeland resources, [and] a high level of general need[.]” Thus, BLM should revise the Proposed Decision to make its issuance of either a renewed or a new grazing permit to HRI explicit, given their comprehensive adherence to the requirements of 43 CFR 4110.1(b)(1)-(2).

Second, OFB, HCFB, and OCA protest the limitation of AUMs and seasons of use on certain allotments, by virtue of BLM’s decision to incorporate aspects and actions selected from the originally-proposed Alternatives 2, 3, and 4. The Proposed Decision reduced the AUMs for the Hammond allotment to 1,625, despite the finding in the 2019 EA that “the carrying capacity was calculated at 2,700 AUMs” in 1993 and then again in 2007. Thus, the final decision should reflect an AUM capacity of 2,700. Additionally, the AUMs and the season of use for the Mud Creek allotment need to be revised in the final decision. The Mud Creek season of use of June 1 through October 15 is impracticable given the need for flexible grazing management of the allotment and seasonally-required rotation changes during the early grazing season in March and April, as well as late grazing season in November and December. Likewise, the finding that the AUMs for this allotment shall “begin” with 295 AUMs and potentially increase to a maximum of 590 AUMs over four years. The season of use proposed in Alternative 3 (March 1 through December 31) and the AUMs proposed in Alternative 3 (1,000) are far more practicable given the size, long un-grazed condition, and geographic location of the Mud Creek allotment. The seasons of use proposed in Alternative 3 in the original EA also, very importantly, allow for a more robust fire mitigation and fuel load reduction effort during stages of fire season where grazing management is critical to reducing the potential for catastrophic wildfire.

Third, and finally, OFB, HCFB, and OCA protests the imposition of the Goals and Objectives for the Bridge Creek Area as currently set forth in the Proposed Decision. While the BLM acknowledges that these Goals “are broad statements of a desired outcome that is usually not quantifiable and may not have established timeframes for achievement[.]” the articulation of the BLM’s interpretation of an Objective (*i.e.*, “[a]n objective can be quantified and measured and, where possible, can have established timeframes for achievement”) creates a contradictory standard that invites confusion and the potential for arbitrary enforcement of unreasonable expectations. For instance, with respect to upland vegetation, the goal of “[i]ncreas[ing] the resistance of GRSG habitat to invasive annual grasses and the resilience of GRSG habitat to disturbances such as fire to reduce habitat loss and fragmentation[.]” is precisely the kind of regulatory language that is designed to be a functional back-door for unreasonable penalty and enforcement mandates. The objective contemporaneous with this goal is to “[r]educe the existing presence of invasive annual grasses over the next 10 years.” This threatens to create an obligatory

requirement for something that can, and likely will, be entirely out of the permit holder's control. Likewise, with respect to riparian areas, the objective is similarly vague and unlettered: "[m]aintain or improve riparian/wetland vegetation communities relative to ecological status and site potential over the next 10 years." Neither the current status of the riparian and wetland communities, nor the ecological status and site potential, are made clear in the Proposed Decision. The kind of regulatory language used to set out these Goals and Objectives not only creates potential for, but actually invites unwarranted regulatory action from the agency against the permit holder.

In conclusion, the welfare of OFB, HCFB, and OCA's member-families throughout Harney County and the State of Oregon have long been threatened and actively harmed by the misapplication and poor administration of federal grazing regulations. If there were any one primary way in which that has become a reality, it has been due to the curtailment of grazing opportunities on public lands and the imposition of unclear expectations and requirements on permit holders. As such, OFB, HCFB, and OCA request that the BLM (1) explicitly clarify HRI's qualification to hold a grazing permit pursuant to either 43 CFR 4110.1(b)(1)-(2); (2) adopt the AUM thresholds and seasons of use proposed in Alternative 3 in the original EA; and (3) remove the Goals and Objectives from the final decision, or, in the alternative, comprehensively revise them so as to include measurable and objective that are repeatable and reliable, both for BLM and the permitholder.

Sincerely,



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To: Board of Agriculture
Date: January 14, 2021
From: Gail Greenman, Director of National Affairs, Oregon Farm Bureau

Re: Resolution 317 – Oregon Department of Agriculture’s role in the Food Safety Modernization Act produce rule implementation

The Oregon Farm Bureau is writing to urge you to consider adopting changes to Resolution 317 regarding the Oregon Department of Agriculture’s role in the Food Safety Modernization Act produce rule implementation as outlined below.

Consumers in the United States enjoy the safest and healthiest food supply in the world, however, food-borne illnesses can still occur. In our food safety regulatory system, local, state and federal partners share the responsibility of keeping food safe. State agencies, including state departments of agriculture, play a vital role in implementing and enforcing our nation’s system of food safety and inspection laws.

In 2011, the Food Safety Modernization Act (FSMA) was signed into law and fundamentally transformed our country’s food safety system from reactive, inclusive of recalls and trace back to preventive measure including education and evaluation. As part of the implementation of FSMA, the US Food and Drug Administration (FDA) established science-based minimum standards for the safe growing, harvesting, packing, and holding of fruits and vegetables grown for human consumption as outlined in FDA’s regulation, “[Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption](#)” (commonly referred to as the Produce Safety Rule). The rule is part of the agency’s ongoing efforts to implement FSMA. The final rule went into effect January 26, 2016.

FDA also established State Produce Implementation Cooperative Agreement Program (CAP). The outcomes of this cooperative agreement program are to:

- Advance efforts for a [National Integrated Food Safety System \(IFSS\)](#).
- Plan, establish, and/or enhance state and territorial produce safety programs.
- Encourage the safe production of fresh fruits and vegetables.
- Promote understanding and compliance with the requirements of the Produce Safety Rule.

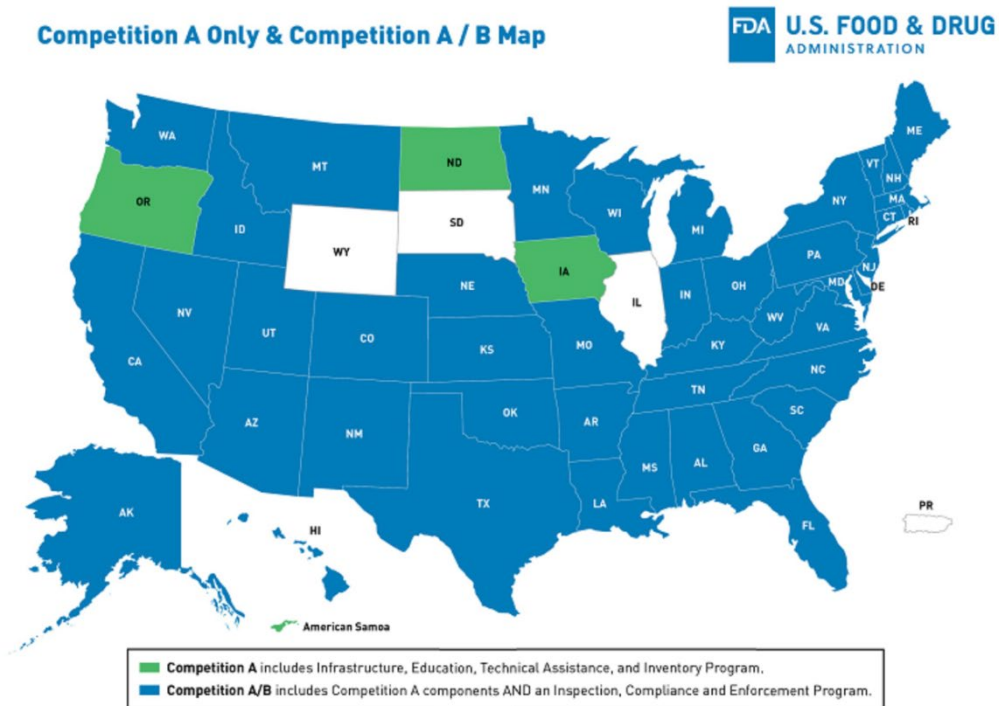
The goals of this cooperative agreement are to provide awardees with the resources to:

- Assess their produce landscape.
- Establish a process to develop and maintain a produce farm inventory.
- Provide resources for, and invest in, their program's infrastructure.

- Coordinate with other local, state, territory, and federal agencies for produce safety activities.
- Formulate a multi-year plan to implement a produce safety system.
- Develop a performance measurement system, plan, and/or process system to measure the progress towards the goals of this cooperative agreement.
- Evaluate produce legislative or regulatory authority.
- Develop and/or provide education, outreach, and technical assistance, prioritizing farming operations covered by the rule.
- Develop and/or provide education, outreach, and technical assistance to the jurisdictional produce safety regulators.
- Design and implement a compliance program for applicable produce safety regulations at the jurisdictional level.

Current awardees for this cooperative agreement include state/territory government food agencies with actual or potential regulatory oversight and responsibility over their respective jurisdiction's commodities regulated in FDA's Produce Safety Rule. States applied for either Competition A only or Competition A/B. Competition A includes Infrastructure, Education, Technical Assistance, and Inventory Program. Competition A/B includes Competition A components AND an Inspection, Compliance and Enforcement Program. Oregon has only applied for Competition A. **Oregon Farm Bureau encourages and supports ODA applying for Competition A/B funds.**

As you can see Oregon is one of very few states and perhaps the only specialty crop states not applying for the maximum funding the state is entitled to received:



There are 5 tiers of funding ceilings based on the number of farms growing covered produce within the jurisdiction. Tier status is based on data furnished by the United States Department of Agriculture's National Agricultural Statistics Survey. Funding amounts are based on the tier and competition for each state.

- Year 1 (9/2016 - 6/2017) awards total \$21.8 million.
- Year 2 (7/2017 - 6/2018) awards total \$30.9 million.
- Year 3 (7/2018 - 6/2019) awards total \$32.5 million.
- Year 4 (7/2019 - 6/2020) awards total \$27.1 million.

Oregon Farm Bureau commits to collaborating with ODA and other stakeholder groups and working with our congressional delegation, who has demonstrated a long standing dedication to the issue of food safety, to ensure these funds continue to be available.

Additional resources included the 2014 Cooperative Agreement between the National Association of State Departments of Agriculture (NASDA) and FDA to help NASDA assist its members to implement the FSMA Produce Safety Rule. 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 joint those 46 states and have Oregon be lead FSMA inspection agency for Oregon's producers in implementing significant portions of FSMA, including:

- **Produce Safety Rule (including special provisions for sprout production)**
- **Preventive Controls for Human Food**
- **Preventive Controls for Animal Food**

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, but we think it is essential that ODA go further and perform the FSMA audits on behalf of the FDA.

Respectfully submitted,

Gail Greenman
Director of National Affairs
Oregon Farm Bureau Federation



MEMORANDUM

To: Board of Agriculture
From: Mary Anne Cooper and Samantha Bayer, Oregon Farm Bureau
Date: January 14, 2021

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.

Our membership has faced unprecedented challenges in 2020 and through the beginning of 2021 associated with COVID-19 response, wildfires, farm labor shortages, and other challenges which have kept them busy on their farms and have create barriers to effective participation in Farm Bureau’s grassroots process. As such, we are not able to meet with our membership regularly to have the critical conversations we need to have to provide a position on board resolutions that may be controversial within our membership. Given that these resolutions were released a week prior to the comment deadline – while our staff is busy with legislative preparation, we have not had time to have conversations that are needed within our membership on these resolutions. In the future, we would request that the Board of Agriculture give as much advanced notice and ability to review the resolutions as possible, especially when resolutions are under review during the busy legislative session. For these resolutions, we would request that the Board not make any decisions at the next meeting, and we request an additional opportunity to comment once we’ve had a chance to discuss these resolutions with our members.

Oregon Farm Bureau offers the following comments on the Resolutions under consideration by the Board of Agriculture. Please do not hesitate to contact us if you have any questions.

Resolution 024 – Pesticide Use for Insect Pest and Disease Control

Pesticides are a critical tool for many of Oregon’s farmers and ranchers in controlling insect pests and diseases. We strongly agree that when used correctly and according to the pesticide label, pesticide use continues to be safe for the public and environment alike and is a necessary part of an integrated pest management strategy for many Oregon farms.

We strongly encourage the Board of Agriculture to strike the language “until other acceptable methods are developed,” as this opens the door to eventually limiting – or eliminating – pesticide use altogether once an “acceptable” alternative is developed. We’ve recently seen the legislature place themselves in the position of discussing pesticide limitations and accepting misleading advocacy from environmental groups that “alternatives” exist when they do not. We also question whether this resolution is aligned with the recent decision by the Department of Agriculture to limit use of a pesticide that has been found to be safe and effective when used according to the label, and where alternatives do not exist for most farmers who use the product.

Farmers and ranchers work hard to utilize the most effective, safest tools available to them – and they should always have every safe and effective tool in their toolbox. That includes pesticides. Pesticide use is not just safe for the environment but can also be beneficial for the environment. It is important that the Board of Agriculture ensure that pesticide use is always supported as a tool that should be available to farmers and ranchers.

We recommend that the Board make the following change to reflect this concept:

The State Board of Agriculture supports the need of agriculture to control insect pests and diseases using pesticide chemicals ~~until other acceptable methods are developed~~ as part of an integrated approach to pest management.

Resolution 203 – Soil and Water Conservation Cost-Share Funds

OFB supports the resolution as written. Both the funds referenced in the resolution and Soil and Water Conservation Districts play a critical function in the Agriculture Water Quality program.

Resolution 274 – Board of Agriculture and the Department of Agriculture Involvement in the Oregon Watershed Enhancement Board

Oregon Farm Bureau currently has no policy directly concerning OWEB. We recognize that OWEB has done a significant amount of important and collaborative work with Oregon farmers and ranchers, and generally support their work. However, we have also had concerns over the years with OWEB’s acquisition program, particularly when it funds projects that take agricultural lands out of production. As such, OFB supports both ODA and the Oregon Board of Agriculture having direct influence over the prioritization and selection of projects for OWEB resource enhancement grant funds to ensure that they are supporting the agricultural community

and not removing lands from agricultural production. We support the resolution as written.

Resolution 169 – Need for Documented Agricultural Work Force

This resolution closely resembles language in OFB’s policy book. We strongly support the resolution as written and would only recommend that the Oregon Board of Agriculture include the most recent statistics related to Oregon agriculture’s farmgate value.

Resolution 266 – Collective Bargaining for Agricultural Workers and Employers

OFB strongly encourages that the following language be added to the collective bargaining resolution to ensure that the autonomy of employees to choose whether they will unionize is protected:

... We support the use of secret ballot elections as the means to determine whether employees want to be represented by a union. We support the right of employers to communicate freely with employees about the effects of unionization in the workplace.

Resolution 314 – Permitted uses on lands zoned exclusive farm use and on high-value farmland agricultural land

Oregon Farm Bureau has three distinct sets of policies related to permitted uses on lands in EFU Zones, but none that are specific to the content of this resolution. It is important that our membership has an opportunity to weigh in on this resolution in the typical grassroots format that Oregon Farm Bureau is well-known for utilizing. Many of our members lack adequate access to virtual meeting options, therefore making in-person meetings the only available option for engaging in such a grassroots process – an avenue not available to us because of the current COVID-19 restrictions. While we find this topic incredibly important, we would ask that the Board of Agriculture hold off on review of this resolution until after the COVID-19 pandemic and the restrictions associated with it no longer limit our ability to meet and discuss policy related to this resolution.

Resolution 315 – Working Lands Conservation Easements

The Oregon Farm Bureau was one of the supporters of the Oregon Agricultural Heritage Program, and has policy that supports agriculture working lands conservation easements for the primary purpose of protecting farmland for continued agriculture use, while providing wildlife habitat and environmental benefits. Our policy also provides that an easements should not impact neighboring agriculture operations, and that if a conservation easement negatively impacts a neighboring agriculture operation, the

neighboring agriculture operation should have an appropriate available remedy. We generally support the resolution on working lands conservation easements, though we suggest updating it to reflect the passage of the Oregon Agricultural Heritage Program, the Board's role in appointing the Commission charged with program administration, and aligns this resolution with that program.

Resolution 316 – Federal Minimum Wage Parity

We acknowledge that rising costs of labor due to recent increases to minimum wage in the State of Oregon continue to diminish profit margins of farmers and ranchers in Oregon. The diminished margins and increasing cost of production limit the national and international competitiveness of products produced by farmers and ranchers in Oregon. Oregon Farm Bureau has always clearly stated that we do not support a minimum wage but do believe that if the State of Oregon is going to have a minimum wage, it should mirror that of the federal government. We therefore support parity between Oregon's minimum wage and the federal minimum wage.

Please contact Mary Anne Cooper at maryanne@oregonfb.org or Samantha Bayer at samantha@oregonfb.org with any questions



To: Board of Agriculture
From: Mary Anne Cooper, Oregon Farm Bureau
Tammy Dennee, Oregon Cattlemen's Association
Date: January 14, 2021

RE: Comments on Resolution 298 "Coexistence of wolves and livestock on Oregon's Rural Landscape."

We appreciate the Board of Agriculture's existing Resolution 298 regarding "Coexistence of wolves and livestock on Oregon's Rural Landscape." As drafted, it correctly recognizes the many challenges of wolf reintroduction on Oregon's livestock producers, and the need for producers to have tools available to manage conflicts with wolves. Our organizations represent the state's cattle and other livestock producers. We have been engaged in the Oregon Department of Fish and Wildlife (ODFW)'s management of wolves since the first Oregon Wolf Conservation and Management Plan was created, and were heavily engaged in the 2019 update of the Plan. Since 2008, we have been working to educate our producers and the public about the laws governing wolf management and the need to manage wolves concurrently with all other predators in the state.

The data is clear that the Oregon Wolf Conservation and Management Plan has been successful in achieving recovery and supporting a viable population of wolves in the state. We know this because wolf populations in Oregon have increased exponentially since the first wolves came into the state a little over a decade ago, going from one wolf in 2008 to over 137 wolves in 2018. And these are minimum numbers, with the actual number of wolves likely exceeding this count significantly. Wolves also now occupy a statewide range, with dispersal occurring from Northeastern Oregon to the Oregon coast. Oregon's trend follows the trend west wide. There are now more than 5,000 gray wolves in the United States, and more than ten times that number in Canada. Indeed, wolf recovery has been such a significant success story that the United States Fish and Wildlife Service recently federally delisted the gray wolf and returned management of the wolf to the state. In doing so, this administration was the third administration in a row to recognize wolf recovery and work to delist wolves. This is good news for Oregon - Oregon's Wolf Conservation and Management Plan has demonstrated that federal delisting is not misplaced, and that Oregon's plan is capable of protecting and promoting wolf populations within our borders.

However, the impact of wolf reintroduction has been born exclusively by ranchers. Oregon's ranchers have been left without the necessary tools to co-exist and manage wolves that kill or injure our livestock. The current resolution correctly recognizes many of the challenges and costs associated with wolf reintroduction in Oregon, and correctly advocates for the tools that ranchers need to help coexist with wolves. We have long

advocated for the State of Oregon to normalize wolf management and treat wolves as they treat other predators in the state. Our organizations have also requested changes to the Oregon Wolf Conservation and Management Plan to require increased management of wolf populations through collaring and wolf management zones, authorize take of problem wolves in all phases, and allow for qualified local determinations of depredations. These changes would begin to give ranchers the tools they need to coexist with wolves while protecting their livestock from repeated depredation, and we will continue to advocate for them through the ODFW Plan review process. Furthermore, we are advocating for increased resources in the compensation fund for ranchers who face depredation losses or who need assistance with nonlethal measures.

We appreciate the recognition of the challenges with wolf reintroduction, the need for financial assistance for landowners who experience loss and seek to implement non-lethal measures, and the recognition of the unresolved concerns of livestock producers regarding wolf recovery and management in Oregon in the current resolution language. We urge the Board to re-adopt the existing resolution without changes.



January 14, 2021

Duncan Wyse, Director
Oregon Business Council
1100 SW Sixth Avenue; Suite 1608
Portland, OR 97204

RE: Shared Prosperity Water Agenda (Coalition Comments)

Dear Duncan:

We would like to thank the Oregon Business Council (OBC) for your ongoing interest in Oregon's long-term water supply needs. The undersigned, collectively and separately, have been working on agricultural and municipal water issues in this state for decades. We generally agree that targeted water policy changes, permit streamlining, data management and well vetted efforts to enable regionalization are key needs in Oregon. We also know first-hand that funding for implementing changes, new technologies and innovative water infrastructure projects is also a necessity. These are all heavy lifts in Oregon, fraught with challenges and examples of failed efforts. Based on our varied perspectives and broad water policy expertise, we urge caution in how potential policy changes are framed, request more information about the intent and timeline of the effort, and offer ourselves as a sounding board for future discussion.

Raising awareness and proposing ideas to address the myriad of complex water management challenges facing Oregon is a laudable effort. However, discussing even the most modest change to prior appropriation, the very foundation of western water law, requires a delicate blend of protections to the property rights and investments of Oregon water rights holders & water supply system operators (e.g. districts and municipalities) while also identifying ways we can do better under the existing regulatory system. In areas where improvement simply cannot be achieved without policy changes, we agree that there needs to be a long-term pathway to achieving successful water policy reform. To date, as has been highlighted by OBC, there are significant legal hurdles that prevent any agenda that seeks to change the status quo from making forward progress in the State of Oregon. Without first addressing these legal hurdles we are concerned that generalized position papers and new ideologies presented to the wrong people with the wrong intentions will lead to more legal turmoil and further bog down hard-fought and tenuous efforts to move sustainability efforts forward.

This has been and continues to be a busy and defensive time for our organizations. While our organizations are supportive of long-term water policy visioning, we have not had the ability to engage in OBC's effort as more urgent/pressing issues have taken the bulk of our resources and it has not been clear what our individual or organizational engagement would entail. Our organizations have not had the time nor resources to effectively engage in or provide meaningful input into the OBC water agenda. Some within our coalition have had opportunities to provide informal feedback, including participation

in your water committee in early 2020 until it was disbanded and other more informal reviews of partial drafts. However, there has been a lack of detailed discussion with our organizations more formally and many of us have been waiting for additional information before sharing more broadly with the diverse members our organizations represent. We were surprised when a thesis was presented to the House Water Committee during 2020 Interim days that included new ideologies and public interest review related recommendations. These general recommendations, without proper vetting and legal review, are dangerous to Oregon's private and public water rights holders. Many of us have subsequently spoken with your lead staff, John Audley, since OBC's testimony to the House Water Committee, and understand, now, that the thesis and paper are still under development. Unfortunately, the old draft is now public, and contains both principles and framing that will be problematic for our organizations. With this in mind, we are struggling with how we and our members can effectively engage in the OBC process and what the end goals and timeline of this vision may be.

We would like to confirm our interest in developing a better understanding of the policy position(s) and thesis message of the OBC Water Committee, including more detail on the technical and legal issues the policy positions and thesis wish to target. We would also like to better understand OBC's timeline for further roll out of any materials that may be made available to the public through future testimony, public events (i.e. the Oregon Business Summit), and planned educational series. This information will help us so that we can prioritize our engagement in this effort with other matters our organizations are collectively dealing with and hopefully prevent further reactive situations that could lead to friction, messaging challenges, and misunderstandings. We would request a post-legislative session discussion about how we can engage and provide feedback in a meaningful and collaborative manner. In the meantime, we would like to better understand how any testimony or education material OBC intends to provide during the 2021 legislative session will be developed.

We again appreciate OBC's interest in water and look forward to collaborating with you in the future on areas of mutual interest.

Sincerely,

Jeff Stone, Oregon Association of Nurseries
Mark Landauer, Special Districts Association of Oregon
JR Cook, Northeast Oregon Water Association
Mary Anne Cooper, Oregon Farm Bureau
April Snell, Oregon Water Resources Congress



January 7, 2020

Director Curt Melcher
Oregon Department of Fish and Wildlife
4034 Fairview Industrial Drive SE
Salem, OR 97302
Via email: Curt.Melcher@state.or.us

RE: Predator Management in Oregon

Director Melcher,

The Oregon Farm Bureau and Oregon Cattlemen's Association write to express our concern about the ongoing politicization of predator management in Oregon. We have noticed an increasing and concerning trend away from active predator management in Oregon, and attendant increases in key predator species such as coyotes, wolves, and cougars. These species are responsible for thousands of dollars in losses to Oregon's farm and ranch families, and the ongoing losses directly impact ranch viability in some areas.

The Oregon Fish and Wildlife Department should support Oregon's farmers and ranchers. Oregon livestock production helps sequester carbon, reduce wildfire risk, provide clean water, and – most critically to the Department – provide habitat and a food source to the vast majority of Oregon's fish and wildlife. Oregon farmers and ranchers engage in some of the most cutting-edge practices to ensure that their ranches are environmentally sustainable and do their part to protect habitat for Oregon's fish and wildlife, despite losses wildlife cause to their operations. Raising and buying hogs, lamb and beef locally is one of the best ways to support our rural economies, reduce carbon impacts from international shipping and deforestation, and reduce wildfire risk associated with increasing fuel loads on our public lands through targeted grazing. As the state looks to implement its climate strategy and promote conservation, ensuring the viability of our local farms and ranches should be top of the list.

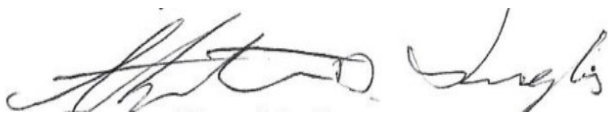
Predator management is critical to supporting Oregon's farm and ranch families. Predator depredation is responsible for a significant amount of livestock loss and hardship across Oregon, costing our farmers and ranchers both direct financial losses and increased cost due to necessary management and deterrence actions. In some areas, constant and repeated predator depredation is jeopardizing the ability of some

ranchers to stay financially viable, and they are left with few tools to combat the relentless losses they experience. Despite a strong backing in science, we have noticed an attack on the North American Model of wildlife management by a number of activist groups who are active in front of the Fish and Wildlife Commission. These groups have sought to remove or severely limit the ability of farmers and ranchers – and the Department – to have the tools needed to protect their operations from predators and to ultimately remove problem animals. From attacks on trapping to the ban on using dogs to hunt cougars to severe restrictions on the ability to take wolves causing repeated depredations, these groups have severely limited the tools necessary to protect family farms and ranches while pursuing their eventual goal of ending predator management in our state.

Recently, we have noticed tactics of the activist groups are becoming more aggressive, bullying individual staff in the Department, sending threatening letters to commissioners at their private homes, and exhibiting a complete disrespect for decorum and public process during commission meetings. It is clear that they will personally attack anyone who disagrees with their view of how predators should be managed in the state and continue to relentlessly attack the Department until they get their way. While these tactics have been effective, they have had severe consequences on the farmers and ranchers who bear the financial brunt of the Department's decisions, and who have increasing intolerance for growing predator numbers as the tools needed to coexist with predators are taken away from them.

We strongly urge the Department and the Commission to base their decisions on the best available science, and not forgo necessary management – including lethal take – of predators who are harming livestock out of fear of retaliation by activist groups who have been aggressively pursuing their agenda with the Department. We believe that decisions about wildlife management must be made with the best interests of all Oregonians in mind, and those interests include protecting our farm and ranch families who provide food for our growing world, habitat for wildlife, carbon sequestration, and protect our ecosystems from catastrophic wildfires.

Sincerely,



Thurston "Rusty" Inglis, Chair
Oregon Farm Bureau Livestock
Committee



Tom Sharp, President
Oregon Cattlemen's Association



OREGON
FARM
BUREAU

Locally Grown
and
GROWING STRONG

January 4, 2020

Dr. Ryan Scholz
Oregon State Veterinarian
Oregon Department of Agriculture
Animal Health Program
635 Capitol St NE
Salem, OR 97301
Via Email: rscholz@oda.state.or.us

**Re: Protection of Animal Location Data by Oregon Department of
Agriculture**

Dear Dr. Scholz,

The Oregon Farm Bureau writes to follow up regarding the Oregon Department of Agriculture's response to the recent outbreak of SARS-CoV-2 virus on a mink farm, and the continued push by certain interest groups to require the disclosure of the location of mink farms (and other farms) throughout the state.

The Oregon Farm Bureau represents over 6,000 farm families around the state. We have members who are livestock producers of all types, including several multi-generational mink farms. These farmers have recently come under attack by environmental groups and direct action "animal liberation" groups due to the recent outbreak of SARS-CoV-2 virus on a mink farm. Once the virus was identified on farm, the farm acted quickly to ensure that the outbreak did not spread, work with the state on additional testing, and reduce the risk of human to animal transmission on farm. Oregon's mink farmers have also taken steps to protect their families, their staff and their animals from outbreaks and ensure that the strictest standards of care are followed to protect the health of their animals and employees.

We appreciate the work of the Oregon Department of Agriculture to prepare for potential animal health impacts, help investigate the outbreak, and ensure human and animal

health were protected in the period following the outbreak. ODA conducted itself with the upmost integrity, followed all applicable scientific guidelines, and worked closely with the farmers to ensure that animal health, human health and public health were all protected during the outbreak.

Despite ODA and the farms' proactive and professional response to the outbreak, we are concerned by the ongoing narrative that we see coming from groups like the Center for Biological Diversity and Direct Action Everywhere who have targeted mink farms and used fear over the SARS-CoV-2 virus to spread misinformation and fear of animal agriculture. Despite claims to the contrary, the outbreak on an Oregon mink farm does not jeopardize human health nor is there any evidence that Oregon's outbreak is linked to mutations, or that human-mink transmission would cause a mutation. Instead, the virus was closely monitored and contained, the affected mink have recovered, and the farm families are implementing all measures necessary to protect the health of their families, employees and animals.

However, Direct Action Everywhere has used this outbreak to attempt entry onto mink farms across Oregon, conduct their own surveillance monitoring, and pursue animal liberation in Oregon. Their methods and threats place farm families, their employees, and their animals at risk, and the intentional release of animals during an outbreak constitutes bioterrorism. This threat has grown only stronger with the release of detailed information on Oregon's farm locations by animal type on activist websites designed to facilitate "animal liberation" and direct action against farms.

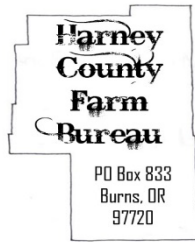
We strongly urge the Oregon Department of Agriculture to continue to protect the names and locations of Oregon's family farms, including the location of any investigations of sick animals undertaken by the Department. Not only is this information protected as confidential medical information, but it also falls under the public records exemptions in ORS 192.345(22) and ORS 192.368(1) given the direct risks to families, employees, animals and farms from the release of the information.

Please do not hesitate to contact me if you have any questions and thank you again for your ongoing work to protect public health.

Sincerely,



Mary Anne Cooper
Oregon Farm Bureau
1320 Capitol St. NE, Suite 200
Salem, Oregon 97301
maryanne@oregonfb.org



December 20, 2020

Bureau of Land Management
Attn: Don Rotell
Burns District Office
28910 Highway 20 West
Hines, Oregon 97738

SUBMITTED VIA EMAIL: BLM_OR_BU_BCA_AMP@BLM.GOV

Re: Bridge Creek Area Allotment Management Plan Environmental Assessment and FONSI Comments (DOI-BLM-ORWA-B060-2020-0001-EA)

Dear Mr. Rotell:

State Representative Mark Owens, the Oregon Farm Bureau, Harney County Farm Bureau, Oregon Cattlemen's Association, and Harney County Stockgrowers submit the following comments and attachments on the Bridge Creek Area Allotment Management Plan Environmental Assessment (EA) and associated preliminary Finding of No Significant Impact (FONSI) as part of the National Environmental Policy Act (NEPA) process for the Bridge Creek Area Allotment Management Plan (DOI-BLM-ORWA-B060-2020-0001-EA). We have been engaged with this permit renewal since the Bureau of Land Management (BLM) first declined to renew the permit for this allotment, which has been operated by Hammond Ranches, Inc. (HRI) for decades. As we have reiterated on several occasions before, we believe that the BLM must restore Hammond Ranches, Inc (HRI)'s grazing permit, and ensure that it is administered in a way that allows for full use of the public and private lands associated with HRI's operation.

As an initial matter, we appreciate BLM moving forward with the EA and FONSI and providing an expeditious timeframe for comments. We strongly urge BLM to quickly

consider comments received and issue the decision to enable permittees to have a final decision by BLM well in advance of the grazing season. We continue to believe that the facts surrounding this permit counsel in favor of returning the permit to HRI through this process, and strongly urge BLM to closely consider HRI's comments and ensure that the Allotment Management Plan work with their operation. HRI managed the Bridge Creek Area Allotment for 51 years prior to BLM's decision not to renew the permit, and have a long history of stewardship on this allotment. The Secretary of the Interior directed BLM to restore the permits to HRI, and all the facts in this case favor their selection. While we respect the other applicants who applied, and would rarely advocate for a specific applicant in a permit selection process, failure to restore HRI's permit and allow them to continue to operate their ranch and range improvements, manage their interspersed public land, and move forward with rebuilding their ranch would be a very dangerous precedent for the hundreds of public lands ranchers across Oregon who we collectively represent. Restoring the permit to HRI would allow them to manage the building fuel load on their private and public lands, help support the local agricultural economy, and protect their multi-generational family ranch.

With that backdrop in mind, we submit the following general comments on the EA and FONSI:

1. **Environmental Benefits of Grazing.** We are aware that a number of environmental groups are closely following this permitting process and are using HRI's application and the current NEPA process to push an anti-grazing agenda. We strongly support the recognition in the EA of the risk of catastrophic wildfire due to fuel load accumulation, and the recognition of the role of managed grazing in reducing wildfire risk, improving sage-grouse habitat, and providing a myriad of environmental benefits. All available data on the ground suggests that managed grazing is necessary to protect the public and private lands in this allotment. The extended period of non-use due to the failure to renew HRI's permit has created a significant fuel load that presents a risk to BLM's public lands, neighboring ranchers, and the numerous critical wildlife species found on the allotments. It is important for the economic vitality of Harney County and the ecological health of the region that grazing be restored to these allotments immediately.
2. **Alternatives 4 and 5 do not meet the agricultural and fuel load reduction needs.** Alternatives 4 and 5 do not meet the needs of either the ranching community or the BLM's stated goal of fuel load reduction. Alternative 4 involves 50% reduction in grazing, while Alternative 5¹ involves BLM not issuing a permit. These Alternatives do not meet ecological, economic or community needs, and should be removed from further consideration.

¹ BLM describes Alternative 5 as the "no action" alternative, but this framing ignores both the 51 years of grazing on the allotment, the recent grazing season, and the federal mandates to continue grazing on this Allotment.

3. **Ability to Implement of AMP.** Part of ensuring that managed grazing is viable is ensuring that the Allotment Management Plan is workable and implementable by the ranchers who hold the permit, which in this case should be HRI. It appears that Alternative 3 is the alternative that was designed with HRI's operation in mind, but it is ultimately unclear from the EA and FONSI which alternative is directed toward which applicant. At any rate, Alternatives 2 and 3 appear to be the most workable and realistic, but still have significant changes that are needed to work with the existing range improvements, private land holdings, topography, and range features in the allotment, as well as to be accurate on the ground. HRI raised a number of concerns related to the framing of these alternatives in their letter dated November 23, 2020, which is attached and incorporated herein by reference. We briefly summarize our chief concerns here:

- a. In Alternative 2, the Terms and Conditions for cattle numbers and AUMs are too low, and must be increased to match Alternative 3.
- b. The maps need to be updated to ensure they accurately reflect conditions on the ground, including fence boundaries, range improvements, and private land boundaries.
- c. The language around range improvement maintenance needs to be updated to match that provided in the November 2020 HRI letter.
- d. The language around turnout and management needs to be updated to match that provided in the November 2020 HRI letter.
- e. The Alternatives need to be updated to acknowledge and respect the significant amount of private land that HRI owns and controls within the boundary of the Bridge Creek area, as mandated by the *Steens Mountain Cooperative Management and Protection Act of 2000*, 16 U.S.C. § 460nnn, et seq. See 16 U.S.C. § 460nnn-12(b)(2), (b)(3), (b)(4).

4. **There should only be one applicant selected.** Throughout the EA and FONSI, it appears that BLM may be contemplating dividing the allotment between applicants such that each would have a set of pastures to graze (effectively creating multiple allotments). We strongly object to this approach. The allotment must remain intact, and should be awarded to a single applicant, HRI.

Due to the abbreviated comment opportunity, we also incorporate by reference the following documents and ask that they be included as part of the record and considered part of our comments today:

1. The letters submitted by our coalition in April 2020, July 2020 and October 2020, attached.
2. The briefing submitted by the Oregon Farm Bureau and/or the Oregon Cattlemen's Association in the case *Western Watershed Project v. Bernhardt*, 19-cv-00750-SI (2019), attached.
3. The comments submitted by HRI on November 23, 2020, attached.

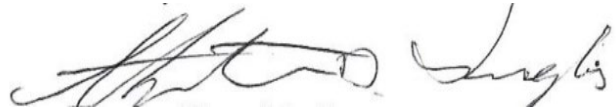
4. All other comments submitted by HRI during the course of this NEPA process.

Thank you for your consideration and please let us know if you have any questions.

Sincerely,



Mark Owens, Representative District 60
Oregon State Legislature



Thurston "Rusty" Inglis
President, Harney County Farm Bureau



Mary Anne Cooper, Vice President of
Public Policy
Oregon Farm Bureau



Steven Doverspike
President, Harney County Stockgrowers
Association



Tom Sharp, President
Oregon Cattlemen's Association

Enclosures:
HRI Alternative



December 11, 2020

Ted Yackulic
EPA Assistant Regional Council
U.S. EPA, Region 10
1200 Sixth Avenue, Suite 155
Seattle, WA 98101

SUBMITTED VIA EMAIL: CTCLUSIapp@epa.gov; ORDEQ.WQAdmin@deq.state.or.us

RE: Follow Up Comment Letter on Application for Treatment in a Similar Manner as a State for the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians

Mr. Yackulic:

The Oregon Farm Bureau (OFB) and Oregon Forest & Industries Council (OFIC) are writing to follow up on our October 16, 2020 comment letter on the Application for Treatment in a Similar Manner as a State for the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians (Tribes). We appreciated the opportunity to participate in the webinar, engage directly with the Tribes on their application, and hear from EPA about how the authority granted to the Tribes would be administered.

The assurances provided at the webinar addressed many of our concerns and left us hopeful about the opportunity to work with the Tribes to help support and protect water quality on the South Coast. However, we remain concerned that the assurances and information that were provided at the webinar are not reflected in the Application and may not be reflected in EPA's approval. Given the diversity of Tribal land holdings throughout the South Coast, we are also concerned that without very clear guidance and delineation between waters that are state jurisdictional and those that will be under the Tribes' jurisdiction that the clear distinctions between state jurisdiction and tribal jurisdiction expressed during the webinar may be difficult to practically enforce on the ground.

We want to reiterate our support for the Tribes' goal to develop and administer water quality standards for waters under the Tribes' jurisdiction. However, we have significant concerns that the lack of clarity in the Tribes' application combined with the diversity of tribal land holdings will result in the adoption of regulations that exceed the jurisdiction of the Tribes and seek to directly regulate land practices outside of the Tribes' jurisdiction. We also still have concerns that the Tribes' nonpoint source program both plainly seeks to regulate waters outside of the Tribes' jurisdiction and presupposes that agriculture and forestry are the cause of alleged water

quality exceedances on tribal land before the Tribes have even developed their water quality standards or conducted objective research into what is driving any impairments that are identified.

As we stated in our October letter, the agricultural and forestry sectors have always been proactive about protecting, maintaining and enhancing water quality on agricultural and forestry lands, which combined represent by far the largest land use in Coos, Curry, Douglas and Lane Counties. We have a strong desire to work with the Tribes to help ensure that their water quality goals are realized, but any work must be done with the existing water quality programs as the regulatory framework and backdrop for any work that is done on private agriculture and forestry lands.

We reiterate our request for EPA not to approve any sections of the Tribes' application or nonpoint source management plan that seek to impact or regulate lands or waters outside of the Tribes' jurisdiction or that presuppose water quality violations. Instead, EPA should work with the Tribes to amend those sections to ensure that the Tribes' program is limited to the scope of jurisdictional tribal waters and does not presuppose specific water quality standards or violations of those standards.

We appreciate the Tribes' desire to work with the State of Oregon and impacted landowners to help ensure that the water quality goals outside of tribal lands are achieved through existing state programs, and want to ensure that any approval EPA grants the Tribes is properly limited waters under the Tribes' jurisdiction. Thank you for the opportunity to comment, and we look forward to working with the Tribes and the State of Oregon to help protect and improve water quality in the South Coast.

Respectfully,



Mary Anne Cooper
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1149 Court St. NE
Salem, Oregon 97301
(971) 218-0945
mike@ofic.com



December 1, 2020

Nancy Taylor
Agricultural Channel Maintenance Coordinator
Oregon Department of Fish and Wildlife
4034 Fairview Industrial Drive SE
Salem, OR 97302
nancy.c.taylor@state.or.us

Re: Dry Agriculture Drainage Ditch Maintenance Time Period Rules

Dear Ms. Taylor:

Thank you for the opportunity to comment on the Regional Dry Maintenance Time Periods adopted under HB 2437, and codified in OAR Chapter 635, Division 418. The Oregon Farm Bureau and Oregon Cattlemen's Association were among the chief supporters of HB 2437. One of the central purposes of the legislation – which is clear throughout its language and legislative history – is the need for farmers to have access to a workable system for maintaining their drainage ditches. One of those steps was creation of an understandable and workable regionalized “dry maintenance” work period for farmers to utilize in conducting this work. This work period was supposed to be distinct from the in water work period, and allow for additional flexibility and clarity for farmers since the work is taking place in dry channels and there is no direct risk of contact with fish species.

We are concerned that the proposed dry maintenance work windows are too short to be workable for farmers and ranchers to be able to clean the channels when they are at their driest, and when other work on their property allows. Most farmers conduct maintenance at the end of their harvest season, when the ditches are totally dry and their equipment isn't tied up with harvest work. The proposed dry maintenance work windows do not allow adequate flexibility for the variable time when the channel is dry, the equipment is available, and there is the time to devote to the work. If the farmer or rancher needs to hire a contractor, they will also need a larger work window to enable them to work around the contractor's availability and the weather conditions in a particular year.

We encourage you to consider lengthening the end of the dry maintenance work periods by at least two weeks for each region (for example, the regions that run August 1 to August 31 should run through at least September 15th). This will enable farmers to do the work toward the end of their growing season, while ensuring the work can take place during the driest part of the year. It will also allow them additional time to manage their equipment and workloads to ensure that they have adequate time to complete the

cleaning. As this is a dry maintenance time period and work cannot take place when water is present in the channel, extension of these work windows will not have any impact on fish. We also encourage you to move the Deschutes Watershed maintenance period to earlier in the summer, to allow the work to occur when those channels are at their driest (i.e. August to September). Finally, we request that you rename the "Umpqua Watershed" to the "South Coast Watershed" to make it easier for South Coast farmers to find their applicable work period.

We would appreciate the opportunity to meet with you to discuss the dry maintenance work period and work through the necessary changes. To that end, we would request that you extend the comment period until after the next Rules Advisory Committee meeting for ODA's Channel Maintenance program on December 16, and allow time on the agenda for the RAC to discuss and provide feedback on these work periods.

The approval process for utilization of the program designed by HB 2437 is already onerous for farmers and ranchers, and has extensive protections for fish habitat included. The dry maintenance periods need to be adapted to ensure they are workable for farmers and ranchers, and do not impose an undo burden on program access.

Thank you for the opportunity to comment and please do not hesitate to contact us with any questions.

Sincerely,



Mary Anne Cooper
Vice President of Public Policy
Oregon Farm Bureau Federation



Tammy Dennee
Executive Director
Oregon Cattlemen's Association



November 24, 2020

Becky Anthony
Oregon Department of Environmental Quality
700 NE Multnomah Street, Suite 600
Portland, OR 97232-4100

Submitted Via Email: IntegratedReport@deq.state.or.us

Re: Comments on 2022 Integrated Report Assessment Methodology

Dear Ms. Anthony,

Thank you for the opportunity to comment on the Oregon Department of Environmental Quality's ("ODEQ") 2022 Integrated Report Assessment Methodology proposed updates as presented at the three recent webinars held by ODEQ. These comments are submitted on behalf of the Oregon Farm Bureau, Oregon Forest & Industries Council, and Oregon Water Resources Congress. They are intended to supplement our initial comments from April 2020. These comments are based upon the limited information provided by DEQ about potential updates in the webinar and background papers, and we will submit additional comments once we see the final methodology in early 2021.

Assessment Unit Framework

As you will recall, our coalition had significant concerns with ODEQ's revisions to its assessment unit framework that it adopted in its 2018 Integrated Report Methodology. We submitted extensive comments on this framework in January 2020 with our comments on the 2018-2020 Integrated Report and Methodology, and requested in our April 2020 letter that DEQ move away from watershed scale assessment units for stream order 4 or less streams in the 2022 Methodology.

We continue to believe that moving to watershed scale assessment units for stream order 4 or less streams does not represent sound agency policy or standards for scientific rigor. In order to be scientifically defensible, decisions to list waterbodies as impaired **must be based on water body specific data** and cannot be done on a watershed wide scale or based upon pooling data (i.e. extrapolating data from samples from neighboring waterways or tributaries). Watersheds are composed of hundreds of individual water bodies. Within a watershed, water quality can easily differ from water

body to water body, particularly when those waterways are under different ownership and may have experienced differing current and historic riparian management.

In the webinar, ODEQ provided a number of options that were explored, but not pursued due to complexity or resource constraints. These options recognized the shortcomings of ODEQ's current approach and would have addressed many of the concerns the natural resources community has about the approach taken to watershed units in the 2018 Integrated Report. While we understand that they are more complex and resource intensive, they also are much more scientifically defensible and accurate, and would paint a much more accurate picture of water quality in Oregon.

Ultimately, ODEQ indicated that they are considering assessing the watershed unit at the monitoring station level, and identifying the impairment at each station, and then rolling that up to the assessment unit level. We appreciate ODEQ's movement toward an approach that more accurately identifies individual monitoring stations and provides the public with clear information about the specific water bodies that are impaired, but are concerned that ODEQ's proposal to report the data at the assessment unit level carries forward many of the same inaccuracies and concerns that the pooling approach created. We also appreciate the recognition that non-hydrologically connected water bodies should not be pooled together and the visualization that will make it easier to identify the specific data points and which specific water bodies are impaired.

However, this approach will mean that if one station is impaired, the whole assessment unit would be impaired, regardless of whether other stations in the assessment unit meet the applicable standard. This is visualized in the example provided in the webinar, where two stations are meeting the standard and two are not. This approach could result in the whole watershed being listed even if 90% of the streams in the watershed are meeting standards and one stream is not. It also compounds the concern that the watershed level assessment unit approach is not accurately characterizing the status of the streams in the watershed.

We renew our request for ODEQ to move forward with a waterbody by waterbody approach to evaluating watersheds. If ODEQ chooses to move forward with the monitoring station approach, we strongly encourage ODEQ to break the watershed into multiple assessment units if the monitoring stations show that a stream in one portion of the watershed is impaired while a stream or streams in another part of the watershed are not impaired, and the stream that has an impairment is not hydrologically connected to the impaired stream. Again, we think the monitoring station approach is an improvement except for the decision to roll up a single impairment to a watershed scale impairment regardless of the status of the remainder of the watershed.

We strongly encourage ODEQ to invest the time and resources into splitting units by land use, water quality standards, and separating natural streams from man-made infrastructure. Continuing to group all waterbodies in a watershed together whether or not they are similar characteristics may be more simple, but it does not paint an accurate picture of water quality within a basin, and places the burden on landowners to demonstrate that their waterbodies are not impaired instead of requiring DEQ to demonstrate that an impairment exists prior to listing a waterbody. This is not a logically or scientifically defensible approach.

Minimum Data Requirements for Category 2

We also have some questions on the changes proposed for the minimum data requirements for Category 2. We would request a meeting with ODEQ to discuss these questions and provide additional comment on the proposal.

- We understand that "Aquatic Life toxics" are pollutants that impair the aquatic life beneficial use because they are toxic. What is a "conventional pollutant"? Which beneficial uses do these impair?
- How does the decision to increase the number of samples to reach 90% statistical power compare to other states or other precedents? This is justified because it matches the acceptable Type I error rate, but where does that come from?
- If this method had been used in the 2018/2020 Integrated Report, how many fewer assessment units would have been assigned to Category 2? What category would they have been assigned to?
- Where can we read more about the formulas that underlie the Excel output shown in Figures 1 and 2?

Thank you for the opportunity to provide feedback and let us know if you have any questions.

Sincerely,

Mary Anne Cooper
Oregon Farm Bureau

Mike Eliason
Oregon Forest & Industries Council

April Snell
Oregon Water Resources Congress



November 16, 2020

Christine Shirley
Climate Change Resilience Coordinator
Oregon Dept. of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540
DLCD.climatechange@state.or.us

Re: Oregon Farm Bureau Comments on Oregon's Climate Adaptation Framework

Ms. Shirley,

Thank you for the opportunity to comment on Oregon's Climate Adaptation Framework. The Oregon Farm Bureau Federation ("OFB") is a voluntary, grassroots, nonprofit organization representing Oregon's farmers and ranchers in the public and policymaking arenas. As Oregon's largest general farm organization, our primary goal is to promote educational improvement, economic opportunity, and social advancement for its members and the farming, ranching, and natural resources industry. Today, OFB represents nearly 7,000-member families professionally engaged in the industry. We write to provide feedback and suggested changes to Oregon's Climate Adaptation Framework as it relates to agriculture.

Agriculture represents one of the largest traded sectors of Oregon's economy. According to the 2017 census of agriculture, Oregon's farm acreage totaled about 16 million, with 37,616 farms and 67,595 producers totaling \$5 billion in total agriculture product sales and over \$1 billion in wages paid to 86,240 farm employees. Oregon is also one of the most diverse states in the nation, growing over 225 commodities with tremendous opportunity for growth in the next 50 years. As such, it is critical that the Climate Adaptation Framework correctly capture the impacts, opportunities, and policy priorities for the agricultural sector.

As an initial matter, the Climate Adaptation Framework correctly identifies several challenges agriculture may face as a result of a changing climate, such as increased pest and disease pressure, reduced snowpack and increased extreme weather events, including wildfire and flooding. It also correctly notes that Oregon agriculture can expect to see longer growing seasons as a result of a changing climate. However, the discussion regarding the potential

benefits of a longer growing season and warmer temperatures fails to fully acknowledge the critical role that Oregon agriculture will play in our global food supply under current climate change projections. According to recent data, the importance of Oregon agriculture will grow in significance as our climate shifts. Recent information suggests that the Willamette Valley growing region will most closely resemble the current growing climate of the Central Valley in California by 2060. The Central Valley is one of the most productive growing regions in the world, and it plays a huge role in our global food supply. As other regions that currently supply much of our global food supply become too hot and dry to continue their current rate of production, Oregon agriculture must be prepared to step in and fill the void, particularly as our global population continues to increase.

The Climate Adaptation Framework must acknowledge the essential role that Oregon agriculture will play in our global food supply, and recommendations should be tailored to ensure that Oregon agriculture can continue to be productive in light of a changing climate. Most importantly, it must recognize the impact that policies undertaken in the name of climate adaptation can have on Oregon agriculture's productivity and viability.

As conversations about climate adaptation have progressed in Oregon, we continue to be concerned about the state's failure to recognize the need to promote the economic sustainability of Oregon agriculture and to support policies which will create climate resiliency among Oregon's farmers and ranchers. For example, at both the legislative and executive level, the state has continued to pass carbon pricing policies, which will increase the cost of doing business significantly for Oregon's farmers and ranchers. Because Oregon's agricultural sector competes at a global scale and have limited (if any) ability to set the prices they receive for their commodities, this significant cost increase will devastate farmers and ranchers' bottom lines, pushing some of them into the red and making it impossible for farmers to stay in business.

Meanwhile, these policies will not have a perceptible effect on climate change, either in Oregon or globally. We have consistently raised these concerns in front of the legislature and state agencies charged with implementing the governor's recent Executive Order 20-04, but our concerns have fallen on deaf ears. While we were assured that dollars raised from a carbon pricing policy would go toward working lands, the working lands programs that have been contemplated are inaccessible to many of the state's farmers. The programs utilize a "one size fits all" approach that does not meet the needs of Oregon's diverse agricultural landscape or cropping systems, thus providing little consolation for farmers and ranchers harmed by these policies.

Much like the carbon pricing conversation, we are concerned that the adaptation strategies contained in the Climate Adaptation Framework will increase the cost of doing business for

Oregon producers without capturing the true needs of Oregon's farmers and ranchers around climate adaptation.

With that backdrop in mind, we suggest the following changes to the Climate Adaptation Framework to help ensure that Oregon agriculture can stay viable to help ensure protection of our local, regional, and global food and fiber supply:

- In outlining the vulnerabilities and strategic responses by sector, the Climate Adaptation Framework notes economic vulnerabilities related to the ability for extreme weather to disrupt supply chains and the food supply; however, nothing in the adaptation response was tailored to addressing that concern. As we learned during the pandemic, it is critical to have a robust and diversified supply chain, including the use of multiple avenues to move goods in the marketplace and to consumers directly. We need to ensure our roads, railways, and ports are made resilient to the effects of extreme weather events, and perhaps even more important, that our supply chain businesses are not buried under mountains of red tape. Changes in fuel prices as the result of carbon pricing will not impact climate change but will make our supply chains and critical infrastructure less resilient to the effects of climate change, natural and human-caused disasters, and global pandemics.
- The Climate Adaptation Framework fails to note the potential for global centers of agriculture to shift, and Oregon agriculture to become an even more integral part of the global food supply. The adaptation response for this outcome should be to protect our agricultural businesses— not just our land base. To accomplish this goal, the state should help agricultural businesses reduce their tax burden, protect their water and soils, and ensure that they are not regulated out of business. From licensing and permits to employment mandates, the cost of doing business in Oregon is quickly becoming out of reach for many of Oregon's family farms and ranches, which will make Oregon less able to rise to the challenge of meeting the changing state and global demands for food and agricultural products that climate change will place upon us.
- In its discussion of the effects of a changing climate on the natural world and natural resource economy, the Climate Adaptation Framework notes a number of impacts – particularly to water supply – that climate change will have in Oregon. However, in the adaptation section, the Climate Adaptation Framework focuses primarily on soil health, land management, fisheries management, water conservation, water security, riparian health, and watershed health. While these are all worthy goals, they are insufficient to counteract the impacts that climate change will have on our natural world. As the climate shifts from a snow-based water system to more of a rain and extreme weather system, we will need to significantly increase our management of water resources to ensure that we

have access to water needed for farms, communities and fisheries. This includes a meaningful plan for capturing precipitation, ensuring that we have adequate flood control infrastructure, and ensuring that our water supply can keep up with growing demand in the agricultural, municipal and ecosystem sectors. Notably, improved management of water resources will not be able to happen without a meaningful change to the way we approach water policy in the state and an end to certain environmental litigation designed to stop even the most collaborative projects from moving forward.

- The Climate Adaptation Framework also discusses the impacts of growing pest and disease pressure on farmers and ranchers as our climate warms. In order to stay viable, the Climate Adaptation Framework should recommend increased support from the state in helping farmers manage and control pest and disease outbreaks, including protecting farmers' access to pesticides that are EPA approved and necessary for managing pest and disease outbreaks, increased investment in development of new pesticides necessary to combat emerging pests, and increased funding for invasive species management. Sadly, instead of the support farmers will need to combat pest and disease pressures, we are seeing increased restrictions at the state level on approved pesticides. This must change if Oregon's farmers are going to be able to adapt to our changing climate.
- In the discussion of built infrastructure, the Climate Adaptation Framework correctly acknowledges that our existing programs to improve and repair infrastructure are insufficient, but fails to acknowledge the role that endless environmental litigation has played in both increasing the cost of the projects that are able to go forward and stopping a number of critical infrastructure projects. Climate resiliency cannot happen as long as one well-funded group can stop even the most collaborative and critical projects from moving forward.
- The discussion of public health focuses on the public health impacts from climate change and notes food system disruptions, but fails to acknowledge the public health impacts of food shortages which could happen if we don't protect and support farming on our most critical agricultural lands in the coming decades. Oregon will play an essential role in our global food supply, and our state's failure to support our farmers and ranchers could have severe public health impacts down the road. Once agricultural lands fall out of production or a farmer sells their water rights or moves their land to another use, it is nearly impossible to bring it back into production. We need to ensure that farms and ranches in Oregon remain viable, resilient and supported in tackling the challenges that a changing climate will pose for their operations.
- Despite the framework's commitment to emphasize the involvement of frontline communities, our members are concerned about the extent to which this will actually

occur, as well as how DLCDC and other agencies will ensure their participation. In order to make certain that the most impacted communities, such as the rural agricultural community, stay at the center of ongoing decision-making, planning, and implementation of policies under this framework, OFB encourages the adoption of more rigorous and inclusive procedural policies that will provide rural communities a greater level of participation in the rule-making process than what has been seen in the past. Often it is the case that once concerned communities are provided the chance to participate in the discussion, it is too late in the process to have a meaningful impact. The interests of both the agencies and communities would be better served if community participation was incorporated earlier and more frequently in the rulemaking process. In doing this, agencies ensure that the core structure of their policies adequately address the issues in a way that the community feels accurately represents their concerns, and the communities will see themselves as an integral part of the process at a foundational level. Together, this will lead to more efficient policies that will have greater public support.

- Interagency coordination and information sharing are key principles of the adaptation framework, but OFB is concerned that the level of coordination and cooperation between agencies will continue to be inadequate. In the past, agencies have developed policies outside of their jurisdiction, using only the information that they already internally possess. This leads to incorrect assumptions (particularly about agriculture), agency overlap, and fragmented policies that create inefficiencies and confusion for those at the ground level as different regulatory programs, and policy initiatives that are misinformed or at odds with each other. While the framework pushes for a solution to this problem, it does not provide any guidelines for how agencies should actually work together to create this solution, or how agencies will acknowledge and build off of existing regulatory protections. OFB encourages DLCDC and other participating agencies to limit their work to their jurisdiction and ensure that they have a meaningful plan for coordinating where there is overlap in jurisdiction so as to avoid a superfluous regulatory response.

OFB is further concerned that in balancing competing interests, Oregon's farmers and ranchers will be harmed by agency efforts to implement climate adaptation policies and projects. As discussed above, previous policies and projects aimed at climate adaptation and resiliency have been pursued at the expense of the agricultural community. Climate adaptation efforts should not be a zero-sum game, trading one interest at the expense of another, but it is our concern that this pattern will persist in implementation of the Climate Adaptation Framework. OFB strongly encourages DLCDC and other agencies to consider and account for the disparate impacts that fall on the agricultural sector, directly or indirectly, through agency action and ensure that adaptation measures do not do more harm than good. The agricultural sector cannot afford increased regulatory burdens, and OFB opposes a focus on increased regulation or taxes as the preferred solution. As stewards of the land, our members are at the forefront of environmental

conservation and already implement sustainable agricultural practices. Unfortunately, these efforts are largely unrecognized by agency decision-makers.

As the shifts in natural phenomena are already being felt and expected to intensify, it is increasingly important that adaptation needs of Oregon's agricultural community are correctly captured and stay at the forefront of climate adaptation discussions and decision-making. Extreme weather events, longer growing seasons, new pest and disease pressures, drought, changes to precipitation patterns and water systems, and increased risk of wildfires all pose significant risk and disruption to the agricultural economy and rural community. These challenges can all be met if the state supports Oregon's farmers and ranchers as they work to adapt and meet these challenges. This will require support of increased water storage, the use of tools necessary to protect agricultural crops, and the recognition of the critical role Oregon agriculture will play in the global food supply in the next 50 years. As a rural, frontline-community that depends on the adaptability of our ecosystems for their livelihood, it is imperative that the voices of our farmers and ranchers be amplified in policy discussions and decision-making to ensure the sustainability of Oregon's agricultural industry and its communities.

Thank you for the opportunity to comment and please contact us if you have any questions.

Sincerely,



Mary Anne Cooper
Vice President of Public Policy
Oregon Farm Bureau Federation
maryanne@oregonfb.org



Locally Grown
and
GROWING STRONG

November 6, 2020

Amy Bingham
Oregon Department of Agriculture
635 Capitol St NE
Salem, Oregon 97301

SUBMITTED VIA EMAIL: abingham@oda.state.or.us

Re: Oregon Farm Bureau Comments on the Update to Hemp Rules to Ensure Compliance with USDA IFR Requirements

Dear Ms. Bingham:

Thank you for the opportunity to comment on the proposed rules updating the Oregon Department of Agriculture (ODA)'s Hemp Rules to ensure compliance with the United States Department of Agriculture (USDA) interim final rule (IFR) requirements.

By way of background, the Oregon Farm Bureau (OFB) is a voluntary, grassroots, nonprofit organization representing Oregon's farmers and ranchers in the public and policymaking arenas. As Oregon's largest general farm organization, its primary goal is to promote educational improvement, economic opportunity, and social advancement for its members and the farming, ranching, and natural resources industry. Today, OFB represents nearly 7,000-member families professionally engaged in the industry, many of whom are registered to grow and handle hemp in the state of Oregon.

As an initial matter, with the federal government's extension allowing states until September 2021 to develop their state plans and get into compliance with the USDA IFR requirements, we request that ODA pause the development and implementation of any changes to these rules that are developed specifically to meet the requirements of the IFR. As you are aware, USDA just closed a new comment period on the requirements of the IFR, and USDA's rules could change with a potential change in administration. As such, we strongly encourage ODA to wait to develop and implement the rule changes that respond to the USDA IFR until we get more certainty from USDA.

Additionally, the Oregon Farm Bureau and American Farm Bureau are advocating for USDA to be able to move to a 1% total THC standard at the federal level, which is another reason we would like ODA to pause implementation of the rule for the next year as we advocate for these changes.

We also share the concerns raised by the Oregon Industrial Hemp Farmers Association that changing the word “produce” to “sell, store or transfer” in OAR 603-048-0100 (2) could result in unintended consequences and confusion for hemp farmers. For example, as written, the rule suggests that any person who transfers hemp must be a registrant, which could include a farmers’ employees who bring hemp from the field to a storage facility or who move hemp around on a farm. We request that ODA retain the original rule language to avoid confusion for hemp farmers.

If ODA decides to move forward, ODA should update 603-0480-8000 to reflect the extension for completion of state plans until Sept 30, 2021.

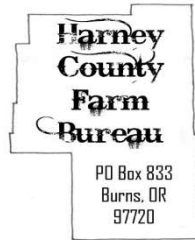
Additionally, we would like to reiterate the request made by the Oregon Industrial Hemp Farmers Association that the 30 pound batch size for hemp is not practical or in line with how ODA treats other commodities, and we join their request that ODA update OAR 603-048-2350 to require a more workable batch size. This requirement is incredibly costly for producers, and is not necessary for protecting public health or the environment. We would greatly appreciate the opportunity to work with ODA to develop a more reasonable standard.

Thank you for the opportunity to comment, and please let us know if you have any questions.

Sincerely,



Mary Anne Cooper
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Oregon Farm Bureau
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maryanne@oregonfb.org



October 27, 2020

Bureau of Land Management
Attn: Don Rotell
Burns District Office
28910 Highway 20 West
Hines, Oregon 97738

SUBMITTED VIA ONLINE PORTAL

Re: Bridge Creek Area Allotment Management Plan Scoping Comments (DOI-BLM-ORWA-B060-2020-0001-EA)

Dear Mr. Rotell:

State Representative Mark Owens, Harney County Judge Pete Runnels, Harney County Commissioner Patty Dorroh, Harney County Commissioner Kristen Shelman, the Oregon Farm Bureau, Harney County Farm Bureau, Oregon Cattlemen's Association, and Harney County Stockgrowers submit the following comments and attachments as part of the public scoping process under the National Environmental Policy Act (NEPA) for the Bridge Creek Area Allotment Management Plan (DOI-BLM-ORWA-B060-2020-0001-EA). We have been engaged with this permit renewal since the Bureau of Land Management (BLM) first declined to renew the permit for this allotment which has been operated by Hammond Ranches, Inc. (HRI) for decades. We have urged BLM to follow a clear and transparent process in moving forward with issuing the permit, and to consider a number of factors which counsel in favor of returning the permit to HRI through this process. To date, our correspondence has gone unanswered.

As you are aware, the permit for the Bridge Creek Area Allotment was held by HRI for 51 years until BLM decide not to renew the permit in 2014 – which HRI administratively appealed. Since that time, our organizations have advocated to restore the permit to HRI due to their excellent record of stewardship. In July 2018, President Donald Trump pardoned Steven and Dwight Hammond for the alleged conduct that lead to the 2014 decision not to renew the permit, and, in January 2019, the Secretary of the Interior issued a Decision remanding the 2014 decision to the Burns BLM District Office to renew HRI's permit -- which it did in February 2019. That Secretarial Decision was challenged by Western Watersheds Project, and case was ultimately again remanded to BLM. As part of the remand, the BLM put the permit out for applications, and our understanding is that HRI is one of four applicants for the permit. Our organizations submitted a letter during the permit solicitation process in April 2020 (attached) advocating for HRI to be awarded the permit. We also submitted a letter in July 2020 (attached) to the Oregon/Washington BLM State Director, Barry Bushue, urging a clear and transparent permitting process.

As BLM moves forward with the NEPA process, we want to reemphasize that it is critical that the BLM move forward with its process quickly, be transparent, and account for all relevant factors in issuing a permit decision – including the consideration of HRI's permit renewal/preference status. As we outlined in our February and April 2020 letters, there are a number of factors that favor issuing the permit to HRI, including their record of stewardship, their ownership of intermingled private land and several range improvements, and their contributions to the local economy.

BLM must also complete the environmental review associated with the permit and make its final decision well in advance of the 2021 grazing season, i.e. before April 1, 2021, in order to allow the successful applicant to turn out during the 2021 grazing season. As our organizations have noted on numerous occasions, the extended period of non-use due to the failure to renew HRI's permit has created a significant fuel load that presents a risk to BLM's public lands, neighboring ranchers, and the numerous critical wildlife species found on the allotments. It is important for the economic vitality of Harney County and the ecological health of the region that grazing be restored to these allotments immediately.

We also urge you to ensure that this application process is transparent. It is important that BLM clearly communicate the standards and process they will use to reach a decision on issuing the permit, and ensure that the process moves forward in a transparent and expeditious manner, with clear and consistent communication from Washington DC to the local BLM office and to the public, inclusive of the signatories to this letter.

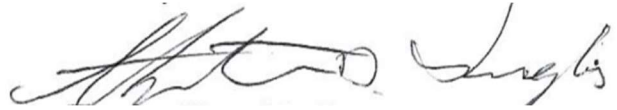
We appreciate your attention to this critical matter and would welcome the opportunity to discuss BLM's plans further with you. Please include this letter and the attachments as part of the scoping record as BLM moves forward with the permitting process.

Thank you for your consideration and please let us know if you have any questions.

Sincerely,



Mark Owens, Representative District 60
Oregon State Legislature



Thurston "Rusty" Inglis
President, Harney County Farm Bureau



Pete Runnels, Harney County Court
Judge



Steven Doverspike
President, Harney County Stockgrowers
Association



Patty Dorroh, Harney County
Commissioner

Enclosures:
February 2020 Letter
April 2020 Letter
July 2020 Letter



Kristen Shelman, Harney County
Commissioner



Mary Anne Cooper, Vice President of
Public Policy
Oregon Farm Bureau



Tom Sharp, President
Oregon Cattlemen's Association



October 16, 2020

Ted Yackulic
EPA Assistant Regional Council
U.S. EPA, Region 10
1200 Sixth Avenue, Suite 155
Seattle, WA 98101

SUBMITTED VIA EMAIL: CTCLUSIapp@epa.gov; ORDEQ.WQAdmin@deq.state.or.us

RE: Application for Treatment in a Similar Manner as a State for the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians

Mr. Yackulic:

The Oregon Farm Bureau (OFB) and Oregon Forest & Industries Council (OFIC) write to comment on the Application for Treatment in a Similar Manner as a State for the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians (Tribes). While we support the Tribes' goal to develop and administer water quality standards for tribal lands and waters, we have significant concerns about the application of those standards on waters and private lands outside the Tribes' jurisdiction, as well as about the Tribes' outline for development of their nonpoint source program. We request that EPA extend the comment deadline for this application to better enable us to discuss our concerns with the Tribes and applicable state agencies. In the alternative, we strongly encourage the Environmental Protection Agency (EPA) to direct the Tribes to revise their application and nonpoint source plan to ensure that it does not infringe on the state's jurisdiction over private agricultural and forestry landowners.

By way of background, OFB is a nonprofit organization that has been a voice for Oregon's family farmers and ranchers for 100 years. The OFB has nearly 7,000 members statewide. OFIC is a nonprofit organization that represents over 50 Oregon forestland owners and forest products manufacturers who manage over 5 million acres of Oregon forestlands and employ nearly 60,000 Oregonians. Collectively our organizations represent farmers, ranchers, and foresters who own and manage agricultural land, forestry land, manufacturing, and terminal operations adjacent to lands owned by the Tribes, and who may be impacted by the Tribes' development and administration of water quality standards under Section 518 of the Clean Water Act.

Request for Extension

We want to start by noting that we only learned about the Tribes' application for "treatment in a similar manner as a state" earlier this week, and have not yet had the time to engage with the Tribes in a conversation about how they plan to administer their program – we have only been able to review their application and supporting documentation, and base our comments only on that information. **To that end, we would respectfully request that EPA extend the comment period for another month - until November 16, 2020 – to enable us to discuss the application with the Tribes,** as well as with the Oregon Department of Environmental Quality (DEQ), Oregon Department of Agriculture (ODA), Oregon Department of Forestry (ODF) and local governments, all of whom will have an interest in the effective administration of any program developed by the Tribes which may impact on private lands adjacent to tribal lands.

Request for Modification of Approval by EPA

We respect the Tribes' sovereignty and appreciate the desire of the Tribes to develop and administer their own water quality program on their sovereign lands under the Clean Water Act. We have no concerns with the Tribes' development of such a program for Tribal waters and lands. Our only concern stems from the impact that the Tribes' application could have on upstream landowners, as well as the Tribes' apparent desire in their application to regulate private agricultural and forestry lands. Our industries are already subject to stringent water quality regulations under state and federal law through our respective water quality programs, and adding the overlay of new tribal water quality standards and associated regulations is unnecessary. Since the inception of our nonpoint source water quality programs, and for years before, our members have worked to protect, maintain and enhance water quality on agricultural and forestry lands throughout Coos, Curry, Douglas and Lane Counties.

In the application submitted by the Tribes, they state that "federally approved standards can compel upstream compliance, meaning that we will not be powerless to curtail upstream discharges that threaten our resources." (Application, Page 4). In their nonpoint source management plan, they make the following statements:

The further goal of the Confederated Tribes Nonpoint Source Pollution Management Plan is to reduce contributions originating beyond Tribal holdings but which pertain to Tribal waters. The objectives of the Plan include the implementation of BMPs for Tribal holdings and the continued collaboration with other stakeholders in the Ancestral Watersheds to cooperatively implement projects to reduce nonpoint source pollution inputs. (Nonpoint Source Management Plan, Page 1, emphasis added)

...

Agricultural practices are believed to be a significant if not the primary contributor to the impairment of Tribal holdings in the Coos Estuary. . . The Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians do not currently nor will in the foreseeable future hold land in agricultural use. **The**

Confederated Tribes will none-the-less develop the regulatory capacity to prevent non-point source pollution from agricultural lands through the enactment of a Agricultural Ordinance which will include components to address nonpoint source pollution. Utilization of agricultural BMPs for nonpoint source pollution control on Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians land is voluntary, but compliance with Water Quality Standards is not. These BMPs and Ordinances will rely heavily on Natural Resource Conservation Service guidance, as well as local Agricultural Water Quality Management Plans. **The Confederated Tribes will use the Tribes moral authority, political influence, and available financial resources to assist agricultural landowners in the Ancestral Watersheds to eliminate nonpoint sources of agricultural pollution.** (Nonpoint Source Management Plan, Page 8-9, emphasis added)

...

Forestry activities have a profound effect on the water quality of Tribal waters. . . Much of the Tribal land holdings are forested, however, the Tribes do not actively manage forested Tribal holdings due to cultural, historical, environmental, or silvicultural reasons, depending on the tract. **As with agricultural practices, the forestry practices that do impact tribal water quality tend to be upstream (or tidally downstream) operations, largely on private lands.** . . While the language of the legislation will largely determine these Tribal BMPs and Ordinances, the Confederated Tribes will consider all sources of forestry BMPs which can contribute to the minimization of nonpoint source pollution related to forestry activities, including the Northwest Forest Plan Record of Decision, including the Aquatic Conservation Strategies, the (in progress) Management and Habitat Conservation Plans for the Northwest State Forests and the Elliott State Forest, the Oregon Department of Forestry 2002 Forest Roads Manual, and references available from the US EPA. With or without the restoration of forest land to the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, the Confederated Tribes will implement forest watershed restoration projects in Tribal holdings, **and the Confederated Tribes will use the Tribes' moral authority, political influence, and available financial resources to assist forest landowners in the Ancestral Watersheds to eliminate nonpoint sources of silvicultural pollution.** (Nonpoint Source Management Plan, Pages 9-10, emphasis added)

We are concerned that the Tribes are seeking to impose additional regulations on private agricultural and forest landowners upstream of tribal land holdings. Further, we are concerned that the Tribes' nonpoint source management plan presupposes that agriculture and forestry are the cause of alleged water quality exceedances on tribal land before the Tribes have even developed their water quality standards or conducted objective research into what is driving any impairments that are identified.

The agricultural and forestry sectors have always been proactive about protecting, maintaining and enhancing water quality on agricultural and forestry lands, which combined represent by far the largest land use in Coos, Curry, Douglas and Lane Counties. Indeed, our industries were proactive in developing the Agricultural Water Quality Management Program and Forest Practices Act years before most states had thought of developing their nonpoint source programs. Since that time, we have invested millions in studies, on-the-ground work, and compliance with our respective programs. We will continue to be proactive into the future, as evidenced by the millions invested by each of our sectors each year in proactive water quality improvements.

Oregon's robust statewide agricultural water quality program is administered by ODA and was first enacted in 1993. This program addresses and regulates sedimentation, temperature, and agricultural runoff into water bodies. Since the implementation of the program, Oregon's agricultural industry invested considerable time and resources into the program, and as a result we have seen substantial improvements in water quality over time.

Water quality on Oregon's forestlands is protected through the Forest Practices Act, which creates a very stringent set of rules, based on the best available science, that forest managers must follow to protect water quality throughout all stages of their operation, from planting to harvest. The Forest Practices Act has been very successful in protecting water quality, and, when paired with the stewardship and diligence of private timberland owners, is the reason that forested areas have the highest water quality in the state.

The Department of Environmental Quality has implemented a number of TMDL's to address water quality impairments in Oregon, including an expected 17 Temperature TMDLs over the next few years. ODA and ODF serve as the "designated management agencies" for these TMDLs for agricultural and forestry lands, and work with DEQ to ensure that plans are in place to ensure compliance with the load allocations provided for in these TMDLs.

The application and nonpoint source management plan prepared by the Tribes both presuppose that there are impairments of water quality standards and that agriculture and forestry are the causes of these impairments prior to the Tribes even being authorized to develop water quality standards, and fail to mention any of the robust work already taking place on the ground to protect and improve water quality on agricultural and forestry lands. We have a strong desire to work with the Tribes to help ensure that their water quality goals are realized, but any work must be done with the existing water quality programs as the regulatory framework and backdrop for any work that is done on private agriculture and forestry lands.

We respectfully request that you do not approve any sections of the Tribes' application or nonpoint source management plan that seek to impact or regulate lands outside of the Tribes' jurisdiction, and instead direct the Tribes to work with the State of Oregon and impacted landowners to help ensure that the water quality goals outside of tribal lands are achieved through existing state programs.

Thank you for the opportunity to comment, and we look forward to working with the Tribes and the State of Oregon to help protect and improve water quality in the South Coast.

Respectfully,



Mary Anne Cooper
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October 13, 2020

Public Comments Processing
Attn: FWS-R1-ES-2020-0050
U.S. Fish and Wildlife Service, MS: PRB/3W
5275 Leesburg Pike
Falls Church, VA 22041-3803

SUBMITTED VIA REGULATIONS.GOV

Re: Proposed Rule, Critical Habitat for the Northern Spotted Owl (*Strix occidentalis caurina*), 85 Fed. Reg. 48,487 (Aug. 11, 2020); Docket #FWS-R1-ES-2020-0050

To Whom it May Concern:

The Oregon Farm Bureau (OFB) and Oregon Cattlemen's Association (OCA) appreciate the opportunity to comment on the proposed rule for critical habitat designation for the Northern Spotted Owl (Spotted Owl). OFB and OCA collectively represent over 8,000 farmers and ranchers across the state, including small woodland owners and ranchers who live and work in areas designated as habitat for the Spotted Owl. We strongly urge the U.S. Fish & Wildlife Service (Service) to revised its proposed critical habitat designation to exclude at least an additional 2.5 million acres from designation that do not meet the Service definition of critical habitat, as interpreted recently by the U.S. Supreme Court.

Our members live and work in communities that have been irreversibly altered by the listing of the Spotted Owl and associated designation of critical habitat under the Endangered Species Act (ESA), and the subsequent regulation and litigation that has followed the original listing. Many of our rural Oregon communities have never recovered from the initial impact of the Spotted Owl listing, regulation and litigation.

The Spotted Owl serves as the poster species for the significant impact that the ESA can have on the natural resources industry and natural resource dependent communities – entire communities have been decimated by shut down of federal timber harvest, with little associated benefit to the Spotted Owl and recovery still out of reach, as the Spotted Owl gets increasingly out competed in its existing habitat by the barred owl.

We appreciate the Service undertaking a more comprehensive evaluation of the critical habitat designation for the Spotted Owl. This proposed rule is an opportunity for the Service to correct significant issues in their 2012 critical habitat designation for the

Spotted Owl, which included millions of acres of federal land as critical habitat, despite the fact that it was not occupied by the Spotted Owl. This over designation had significant impacts on local communities, including lost family-wage jobs, lost county revenue, and the inability to implement critical forest management and restoration projects to reduce the risk of devastating wildfires that have extreme consequences for all species. As a result of regulations associated with Spotted Owl management, Oregon's rural communities are economically depressed and struggling to maintain adequate revenue to provide critical community functions. Meanwhile, millions of acres of federal forests across Oregon, Washington, and Northern California burn yearly, and remain at significant risk for fire, drought, and increased disease, which negatively impact both wildlife and communities who rely on these forests. The designation of these lands as critical habitat effectively locks them up due to the impact the designation has on allowed uses and the potential for years of litigation around even minor management projects that are attempted in the critical habitat area.

We understand that this rulemaking is the result of an agreement reached between a coalition of timber interests and the Service. Per the agreement, the Service initiated this public process for reevaluating the critical habitat designation. This agreement is supported by a recent landmark, unanimous U.S. Supreme Court decision, which found that the ESA does not authorize the government to designate lands as critical habitat *unless those lands are actually habitat for the species*. The Supreme Court also ruled that courts can review government evaluations of the impact of designating critical habitat, which lower courts had previously refused to allow.

The OFB and OCA support and incorporate herein the comments and economic analysis submitted by the American Forest Resource Council (AFRC). AFRC's comments provide the roadmap for a balanced approach to critical habitat designation that is supported by sound science, while recognizing and considering the economic and social needs of our rural communities. Specifically, we support AFRC's request for the Service to exclude another 2.5 million acres that do not meet the definition of critical habitat from designation.

We believe that the Service is capable of mapping and identifying the younger forest areas that it designated, but which it admits are not Spotted Owl habitat. In the alternative, we support AFRC's alternate proposal that the Service exclude subunits in their entirety when significant portions of the subunit (50%) are younger forest trees. Their economic analysis demonstrates that the designation of these uninhabited Matrix and BLM lands has a severe impact on the economy – **losses of around \$1.2 BILLION** – with no corresponding conservation benefit. We also echo AFRC's comments that the Service should exclude areas it has described as habitat "capable" and "dispersal areas" from designation as they do not meet the legal threshold for being described as critical habitat. Finally, we support the recommendation to exclude any unit less than 3,000 contiguous acres, as they are not capable of supporting spotted owls, and are therefore not habitat.

It is past time for the Service to adopt critical habitat designations that are based in federal law and modern science, and which enable the agencies and their partners to better manage public lands to improve forest health and support local economies, while providing outdoor recreation and habitat for other species. The proposal outlined by

AFRC achieves these goals, while meeting the requirements of the recent U.S. Supreme Court decision. We urge you to adopt it.

Thank you for the opportunity to comment and do not hesitate to contact us if you have any questions.

Sincerely,



Mary Anne Cooper
Oregon Farm Bureau Federation
maryanne@oregonfb.org



Tammy L. Dennee, Executive Director
Oregon Cattlemen's Association
tammy.dennee@orcattle.com



October 5, 2020

Harney County Court
450 N. Buena Vista #5
Burns, OR 97720

Submitted Via Email

Re: Comments on County Court's Consideration of Implementation of SB 2

Judge Runnels, Commissioner Shelman and Commissioner Dorroh:

We understand that the County Court is looking at completing an economic opportunity analysis to utilize the authorization for limited commercial and industrial development outside the urban growth boundary (UGB) provided by SB 2, which passed in the 2019 legislative session. I am writing at the request of Harney County Farm Bureau President Rusty Inglis to provide you with background and context on the passage of SB 2 in the 2019 legislative session, including conversations we had with the Harney County Court while SB 2 was being developed.

By way of background, OFBF is a voluntary, grassroots, nonprofit organization representing Oregon's farmers and ranchers in the public and policymaking arenas. As Oregon's largest general farm organization, its primary goal is to promote educational improvement, economic opportunity, and social advancement for its members and the farming, ranching, and natural resources industry. Today, OFBF represents nearly 7,000-member families professionally engaged in the industry. Harney County Farm Bureau is one of the state's most active county Farm Bureaus and represents nearly 200 farm families in Harney County. OFB policy supports our statewide land use planning system as an important component of ensuring the viability of farming and ranching in the state.

As you are probably aware, SB 2 came from a concept originally introduced by former Senator Ted Ferrioli several times during his long tenure in the Senate, which would allow Eastern Oregon counties to "opt out" of the state's land use planning system. While that concept never got momentum in the Capitol, Senate President Peter Courtney did decide he wanted to work to address any land use planning challenges Eastern Oregon was having and convened a workgroup to work on a concept. OFB was part of that workgroup, along with a number of other statewide

groups, and a few county planners, including Harney County's Branden McMullen. Prior to the start of the workgroup conversations, OFB helped convene a discussion with our Eastern Oregon County Farm Bureau Presidents and leaders and Eastern Oregon Commissioners and Planning Directors to determine what the need was for the bill. The feedback was incredibly variable, with some stating that they did not believe land use was a barrier to economic development in their counties, others stating a need for more "rural residential" housing, and others stating a need for limited commercial and industrial development outside the UGB for needs such as gas stations, restaurants, private campgrounds, and other county-specific needs.

Shortly after the workgroup conversations began, myself and Rusty Inglis met with the County Court and Planning Director Brandon McMullen on August 1, 2018. During this conversation, we expressed concerns about both the need for any residential, industrial, or commercial development outside the UGB, as well as the impacts on the agricultural community of allowing development outside the UGB. In this meeting, we were assured by the Harney County Court and planning staff that the agricultural community was the backbone of Harney County, that no development would be allowed that would have a negative impact on the agricultural community, and that the County was primarily focused on development of an industrial park just outside the UGB on lands that are not currently used for farming or ranching and potentially to authorize development next to an existing truck stop on Highway 20. We hope the County will follow these tenants as it looks to implement SB 2.

After extensive negotiations, SB 2 was ultimately limited to no more than 10 sites and no more than 50 acres total of industrial or commercial development outside the UGB, which can only be completed after the County completes an economic opportunity analysis and which cannot occur on high value farmland. While we initially sought to limit development to lands adjacent to the UGB, that provision was ultimately not pursued due to some counties being interested in authorizing "stay and play" resorts or using the authority to reauthorize restaurants or stores along local highways that had fallen into disrepair. However, it was generally agreed to that only development that could not be sited in the UGB and was location dependent would be pursued under the authority provided in SB 2.

While OFB still had deep concerns about the need for the bill and the potential consequences of the development, we moved to neutral on the bill and put our faith in the local governments of the authorized counties to protect their agricultural land base. As Harney County undertakes its process to begin its economic opportunity analysis, we wanted to provide both the background and context for the bill, particularly on the early conversations we had with the Harney County Court and Planner Branden McMullen. We hope that the County will limit its exploration to only those projects which cannot be sited on existing available industrial or commercial land within the existing UGB, and explore only the types of projects that the County had indicated was its intent to explore in terms of industrial land adjacent to the UGB and the project near the truck stop on Highway 20. If the County looks more broadly than those projects, we strongly

urge the County to analyze potential conflicts with neighboring agricultural land, and not move forward with any projects that could present a conflict with agricultural users or which would remove agricultural land from production – either irrigated land or rangeland. We also hope you'll closely engage with Rusty and other members of Harney County Farm Bureau to ensure that the agricultural community has significant input on the economic opportunity analysis and any projects that are identified in that analysis. Agriculture is the primary economic driver of Harney County, and must be protected in any land use decisions the County makes.

Thank you for the opportunity to comment and do not hesitate to contact me or Rusty if you have any questions.

Sincerely,



Mary Anne Cooper
Vice President of Public Policy
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Locally Grown
and
GROWING STRONG

October 5, 2020

Dr. Aaron Scott, Director
National Animal Disease Traceability and
Veterinary Accreditation Center
Strategy & Policy, Veterinary Services, APHIS
2150 Centre Ave
Fort Collins, CO 80526

SUBMITTED VIA ONLINE PORTAL

*Re: Docket No.: APHIS-2020-0022, Regulatory Analysis and Development, PPD, APHIS,
Station 3A-03.8*

Dr. Scott:

The Oregon Farm Bureau Federation (OFBF) appreciates the opportunity to comment on the transition to Radio Frequency Identification (RFID) tags as the official eartag for use in interstate movement of cattle that are required to be identified by the traceability regulations. OFBF represents nearly 7,000 farm and ranch families across Oregon, many of whom raise beef and dairy cattle who would be subject to this requirement. Our members strongly oppose mandatory RFID tag requirements. We do not believe RFID tags are necessary for animal traceability and are concerned about long-term costs associated with these requirements. We believe the use of RFID tags should remain voluntary and available to operations as they choose whether to adopt the technology.

Oregon has a strong beef and dairy industry, bringing more than \$160 million in farmgate value to the state. Beef and dairy are the third and fourth most valuable commodities in the state (with

the hay that supplies these industries being second).¹ Our beef industry is reliant on cow calf operations that span thousands of acres of rangeland statewide, many of whom haul livestock across state lands to access summer or winter pasture. These industries operate on tight margins, with operating costs continuing to increase year by year, while beef and dairy prices continue to fall. Livestock producers in Oregon simply cannot afford another mandate, even one with the best intentions for federal funding.

While we support farmers and ranchers adopting RFID tag technology as it works for and benefits their operation, we do not believe that RFID tags should be mandatory for all sexually intact cattle. RFID tags are expensive, and ranchers will not be able to recoup that cost when they sell their animals. While we greatly appreciate the intent for this program to be funded by USDA – at least as it kicks off – federal funding is never guaranteed, and is likely to be discontinued by a future Secretary for Agriculture, leaving farmers and ranchers with an expensive and unfunded mandate. Further, these tags are not durable in rangeland environments, meaning that Oregon producers are going to have a high rate of loss, which will only add to both the cost and time burden of maintaining RFID tags on their herds. We also understand that the wand to read the tags is over a thousand dollars, which would be cost prohibitive for many smaller producers and for larger producers who may need multiple wands on their operations.

While we appreciate that the RFID tags are only required for sexually intact cattle who cross state lines, many Oregon producers operate near the Washington, Idaho, Nevada and California borders, and often own or lease pasture in a neighboring state for part of their grazing season. These producers would all be required to place RFID tags on their cattle even though they are not being sold and even though the owner is ultimately bringing them back into the state. This would be a significant expense for those producers, and one that does not make sense in the context of cattle who are not transferring ownership.

Oregon has a strong brand inspection program and metal tagging program which provides for traceability of livestock sold in the state. This program has worked for tracing disease outbreaks in the past, and we do not need RFID tags to meet traceability requirements. We urge USDA to continue to allow states to rely on their brand inspection programs for traceability and incentivize – but not require – the use of RFID tags through funding free tags for producers and encouraging the use of RFID tags.

If USDA does choose to move forward over our objections, we appreciate the multi-year time frame for implementation to ensure all producers are aware of the requirements and to hopefully get a funding program off the ground. We also urge USDA to ensure that any data developed under the program is the property of the livestock producer, and not retained by USDA or otherwise subject to the Freedom of Information Act. We also strongly encourage USDA to provide adequate funding for this program to ensure that producers do not have to bear the cost burden of another cost at a time they cannot afford it, and to ensure that funding is protected into

the future. Finally, we want to ensure that both low and high frequency tags are allowed and provided by USDA under the program so the producer can choose which product best fits their needs.

Thank you for the opportunity to comment and do not hesitate to contact us if you have any questions.

Sincerely,



Mary Anne Cooper

Oregon Farm Bureau Federation

maryanne@oregonfb.org



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September 30, 2020

Ochoco Watershed Plan
Farmers Conservation Alliance
102 State St.
Hood River, OR 97031

Submitted Via Email: ochoco.id.comments@gmail.com

**Re: Comments on Ochoco Irrigation District Infrastructure Modernization Project
Environmental Assessment**

To Whom it May Concern:

Thank you for the opportunity to comment on the Ochoco Irrigation District Infrastructure Modernization Project (Project) Environmental Assessment (EA). The Oregon Farm Bureau Federation (OFBF) and Crook-Wheeler County Farm Bureau (CWCFB) strongly support the Project, agree with the findings in the EA, and urge issuance of a Finding of No Significant Impact (FONSI). This project will provide strong environmental benefits and will help irrigators in the Project use their water more effectively and efficiency. The preferred alternative as outlined in the EA should move forward without significant revision.

By way of background, OFBF is a voluntary, grassroots, nonprofit organization representing Oregon's farmers and ranchers in the public and policymaking arenas. As Oregon's largest general farm organization, its primary goal is to promote educational improvement, economic opportunity, and social advancement for its members and the farming, ranching, and natural resources industry. Today, OFBF represents nearly 7,000-member families professionally engaged in the industry. CWCFB represents farmers in Crook County, including several within the Ochoco Irrigation District.

Agriculture is critical to the Central Oregon economy. According to the 2017 census of agriculture, Crook County has 620 farms spanning 799,845 acres that contribute \$44,563,000 in market value to the state. The Ochoco Irrigation District supports many of those farms, providing irrigation to over 20,000 acres and serving almost 900 irrigators. Critically, these farms also

provide fish and wildlife habitat, protect water quality, and protect open space and recreational areas for Oregonians. It must also be noted that the cost to the patrons of the District of the Project must remain feasible for the patrons. The District's per acre charge paid by the patrons is now one of the highest in the region. Their ability to produce higher value crops is limited due to growing conditions in the region, so they cannot afford significant cost increases. We encourage OID to ensure that the patrons' obligation be based on ability to pay. The balance between federal funding and District funding outlined in the Project is critical, as the District cannot afford to assume additional debt.

OFB and CWCFCB strongly support the proposed project. The Project is critical to the long-term plans of OID to improve district infrastructure, improve water delivery reliability, and improve public safety. The project will also have important conservation values, resulting in the conservation of water that will improve instream flows for fish and support aquatic habitat. Proposed water transfers to in-stream flows must be reserved for the end of the project's construction period. Current water saving calculations are at best estimates and actual savings need to be measured before being permanently committed to a change in use.

The EA correctly analyzes only the no action alternative and the preferred alternative because the preferred alternative is the only proposal that meets OID's needs while providing an environmental benefit. The EA was correct to exclude six of the eight potential alternatives from analysis as not meeting the purposes and need for the action, and we agree with this conclusion.

The Project represents a critical opportunity for the agricultural community in Crook County, and will help support the County's agricultural base while at the same time providing critical conservation benefit important to all Oregonians. This Project represents a "win win" and we urge its approval.

Thank you for the opportunity to comment and do not hesitate to contact us if you have any questions.

Sincerely,



Mary Anne Cooper
Vice President of Public Policy
Oregon Farm Bureau Federation
maryanne@oregonfb.org
(503) 799-1701



Tim Deboodt
President
Crook-Wheeler County Farm Bureau



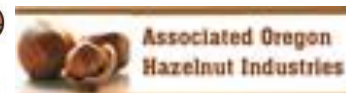
Oregon Water Resources Congress



Oregon Women for Agriculture



Oregon Cattlemen's Association



Associated Oregon Hazelnut Industries

January 6, 2020

Ms. Becky Anthony
DEQ Water Quality Assessment
Water Quality Division
700 NE Multnomah
Portland, OR 97232-4100

VIA EMAIL: integratedreport@deq.state.or.us

RE: Comments on the Draft 2018-2020 Integrated Report and Methodology

Dear Ms. Anthony:

Our organizations write to comment on the Draft 2018-2020 Integrated Report and Methodology released by the Oregon Department of Environmental Quality (DEQ). The Oregon Farm Bureau, Oregon Small Woodlands Association, Oregon Seed Council, Oregon Water Resources Congress, Oregonians for Food & Shelter, Oregon Cattlemen's Association, Oregon Wheat Growers League, Oregon Women for Agriculture, Oregon Dairy Farmers Association, Associated Oregon Hazelnut Industries and Oregon Association of Nurseries are agricultural and forestry trade associations who represent over 14,000 farmers, ranchers, and foresters across the state in the legislative and policymaking arenas. Our members raise all of Oregon's 225+ commodities in all regions of the state and represent Oregon's diversity of family run farms and ranches.

In reviewing the Report and Methodology, it is apparent DEQ has made some very significant and concerning policy decisions which make it appear that water quality on agricultural and forestry lands across the state has declined drastically since the last Integrated Report was completed in 2012. Chief among our concerns is DEQ's decision to introduce watershed scale assessment units (AU) across the state, resulting in the listing of hundreds (if not thousands) of miles of waterways as impaired *without waterbody specific data*. Additionally, DEQ has made decisions on its approach to refining AUs, visualizing data, and generally presenting information in the Report that make it misleading and difficult for users to understand. Our organizations write to express our opposition to DEQ's new approach in its Report and Methodology, and to encourage DEQ to revisit the significant policy decisions it has made throughout this process.

A. Background on Agriculture and Water Quality

Since the inception of our nonpoint source water quality programs, and for years before, our members have worked to protect, maintain and enhance water quality throughout the state. The agricultural and forestry sectors have always been proactive about protecting, maintaining and enhancing water quality on agricultural and forestry lands, which combined represent by far the largest land use in the state. Indeed, our industries were proactive in developing the Agricultural Water Quality Management Program and Forest Practices Act years before most states had thought of developing their nonpoint source programs. Since that time, we have invested millions in studies, on-the-ground work, and compliance with our respective programs. We will continue to be proactive into the future, as evidenced by the millions invested by each of our sectors each year in proactive water quality improvements.

Oregon's farmers, ranchers, and foresters are doing an exceptional job investing in water quality improvements, studying water quality on our lands, and meeting the requirements of our programs, and we will continue to do so after DEQ adopts its Report and Methodology. That said, we have concerns about the picture of water quality on agriculture and forest lands painted by DEQ in the Report, the approach to listing waterways DEQ proposes in its Methodology, and the application of the Methodology to watersheds across the state.

B. Comments on the Draft 2018-2020 Integrated Report and Methodology

1. DEQ Should Accept Comments on the Methodology

As in initial matter, we urge DEQ to reconsider its decision not to accept comments on the Methodology document. While DEQ correctly notes that the Methodology was put out for public comment in 2018, that comment period was well before DEQ completed its call for data, developed its 303(d) list, and published its map illustrating DEQ's revised approach to listing. DEQ's significant changes in approach were not immediately apparent in its draft Methodology, especially the meaning of DEQ moving to a "watershed scale" approach for assessing units that are stream order 4 or less. Indeed, members of the workgroup, including the Oregon Farm Bureau, do not recall talking about the changes to the approach to stream order 4 or less streams and moving to a watershed scale assessment unit; instead, the focus of the assessment unit conversation was almost entirely on the new approach to segmentation of stream order 5 or higher streams. Further, what was meant by an assessment unit was very vague – from reading the methodology, it appears that the watershed scale assessment unit is simply a means of dividing those smaller streams into segments. It is not clear that DEQ would actually list an entire watershed based on data from one stream in that watershed. At any rate, it is appropriate to take comments on the entirety of the Report and Methodology now that DEQ has completed its call for data and developed its proposed 303(d) list of

waterways; only now can the public can fully understand the implications of DEQ's decisions in its Methodology.

2. *We Oppose DEQ's Decision to Move to Watershed Scale Assessment Units and Listings in the Methodology*

We strongly oppose DEQ's decision to move to watershed scale assessment units for stream order 4 or less streams in the Methodology. The Methodology represents a significant policy call by DEQ to drastically alter how DEQ developed AUs across all water bodies. Previously, AUs were identified using three factors: the water body, the pollutant or parameter of concern, and the season. They were always water body specific and relied on data from the specific water body. The number and location of monitoring sites were taken into consideration, and, in some cases, monitoring locations determined AU boundaries. The previous methodologies resulted in a complex system where a single water body could be represented by multiple AUs with separate criteria for the same parameter at different times of the year. However, it was much more water body and pollutant specific, and did not result in listing any waterbodies where DEQ lacked data from that specific water body.

To make its listings more simplistic, DEQ updated the Methodology in two key ways. First, DEQ made AUs constant throughout the year. Second, DEQ decided to make AUs correspond to geographic and hydrologic information in the High Resolution National Hydrography (NHDH) framework. Under the new Methodology, there are now four broad categories of AUs:

- *River and Stream*: Used only for Strahler Stream Order of 5 or higher (these are the larger rivers and streams of Oregon)
- *Watershed*: Used for all streams that are Strahler Stream Order 4 or lower.
- *Lakes, Reservoirs, and Estuaries*: Lakes and reservoirs greater than 20 hectares are separate AUs.
- *Columbia and Snake River*: Similar units to Washington and Idaho designations

DEQ has decided to pool all data for a given AU when comparing them to the water quality standards for the beneficial uses of the AU. This means that all locations within an AU are considered equivalent when assessing the AU, regardless of whether data exists for a specific water body in the AU. Under the Methodology, the approach to assigning AUs to water quality categories in the Report is automatic and does not account for local variation *or even whether all the waterbodies identified in the watershed to be listed actually exist*. Once the beneficial use has been designated for the AU, the limits per pollutant are set and little interpretation is given to the water body specific data.

Our organizations strongly oppose this approach. While it may meet the goal of making the listing process more straightforward for DEQ, it does not represent sound agency policy or standards for scientific rigor. In order to be scientifically defensible, decisions to list waterbodies as impaired must be based on water body specific data and cannot be done on a watershed wide scale or based upon pooling data (i.e. extrapolating data from samples from neighboring waterways or tributaries). Watersheds are composed of hundreds of individual water bodies. Within a watershed, water quality can easily differ from water body to water body, particularly when those waterways are under different ownership and may have experienced differing current and historic riparian management. Further, it does not appear that DEQ analyzed whether the selected beneficial use for the sampled tributary would actually apply to all waterbodies in the watershed AU or be an appropriate basis for listing all waterbodies in the watershed AU. This is particularly important in the context of irrigation and drainage ditches, many of which are closed diversion systems which are screened to prevent fish from entering the system. Many of the standards for fish life or human drinking water would not apply to these water bodies, as they are separate systems that do not support those beneficial uses. Instead of undertaking a site-specific analysis based on site specific data, DEQ has chosen to aggregate almost all of this man-made infrastructure across the state into its watershed scale analysis, in the process applying inappropriate beneficial uses and listing criteria to these waterbodies. This approach is not scientifically justified or legally appropriate.

DEQ has presented no evidence that its decision to list on a watershed-wide scale is scientifically valid or sound.¹ Instead, it appears to be an attempt to list and regulate all waterways within a watershed AU without first going through the necessary step of determining that the data actually shows an impairment for each specific waterway. By listing entire watersheds without showing waterbody specific evidence of an impairment for each water body in the watershed, DEQ is subjecting landowners to regulation without data supporting that regulation.

3. At Any Rate, DEQ Did Not Properly Delineate Assessment Units

While we disagree with DEQ moving to watershed AUs, if DEQ chooses to adopt this approach, DEQ needs to properly delineate assessment units. In its application of the Methodology, DEQ has failed to properly look at the homogeneity of the watersheds, and thus has made improper judgements regarding where to sub-divide new watershed AUs. In the areas where we performed a specific analysis of relevant data and listings, we found that the watershed AUs are much too large because they capture regions of widely varying land use, major differences in beneficial uses, or

¹ While we understand that EPA has supported the creation of watershed scale assessment units, we disagree that this approach is appropriate in a state with as many diverse stream systems as Oregon and we do not believe it is defensible under the Clean Water Act. At any rate, the display and approach used by other states and EPA is vastly different from that undertaken by DEQ.

where the original listing data is too stale to be extrapolated to the rest of the basin.² This has led to prior 303(d) listings being applied to additional miles of rivers and streams where monitoring data may be scant or nonexistent, and where conditions on the ground are very likely to be different from the locations where the monitoring data was collected.³

According to the Methodology, DEQ was supposed to assess the homogeneity of Watershed Units when defining AUs and reassess geographical areas over which a beneficial use extends (i.e., the extent of fish habitat) when mapping previous AUs to new ones (“using environmentally and/or hydrologically relevant breaks means the assessment units should represent homogenous segments of surface waters” and “where other relevant data layers indicate differences in watershed homogeneity, further divisions may be warranted in the assessment unit”).⁴ This analysis is intended to determine whether the new watershed AU is appropriate for the water body and pollutant previously listed on a single waterbody in the watershed AU, and ensure that DEQ is not pursuing listings where additional data is likely to demonstrate a listing isn’t warranted. However, it does not appear that a homogeneity analysis happened for many – if any – watershed AUs listed in the Report.

DEQ failed to complete a waterbody specific evaluation of land use patterns – including changes in riparian condition – prior to extending an AU to include an entire watershed. For most of the new watershed scale AUs, the agricultural land use and regional conditions vary considerably, making it very unlikely that a sample from a waterbody in one part of a watershed would be representative of a waterbody where the land use, land features, or stream condition is different. This is particularly true when all waterbodies in a watershed AU are not the same classification. For example, where a watershed AU is comprised of natural waterways, irrigation ditches, and drainage or other man altered channels, it is very unlikely that a sample from one type of system in the watershed would be representative of all the waterbodies in that watershed.

² In developing our comments, we completed a more in-depth review of a few representative watersheds to determine what data DEQ relied on for the assessment, the age of the data relied upon, and the extent to which DEQ evaluated the systems and landscape for homogeneity. Our findings on these reviews are discussed in Appendix A to this report and support our comments below.

³ For stream order 5 and higher waterways, DEQ’s refinement to its assessment unit designations appears to be largely positive. However, even among the stream order 5 and higher waterways that have data, DEQ appears to have failed to evaluate the homogeneity of those systems, and therefore failed to account for local variation that may make the computer modeled assessment delineations improper.

⁴ Citation: Section 3.3.3 in Anthony, B. 2019. *Methodology for Oregon’s 2018 Water Quality Report and List of Water Quality Limited Waters*. Oregon Department of Environmental Quality. Accessed online at <https://www.oregon.gov/deq/FilterDocs/ir2018assessMethod.pdf>.

Similarly, when there are varying land uses or systems that are impacted by different types of legacy conditions, it is not appropriate to use data from one part of the watershed to represent the entire watershed. DEQ failed to review each watershed AU for changes in land use, riparian condition, and other landscape features that could indicate that the waterbody where the data collected may be differently situated than other waterbodies in the same watershed, and further subdivide watershed AUs based on this analysis. For any new watershed AUs where DEQ lacks that data to assess the condition, they should be listed as Category 3.

Extending the geographic reach of a former listing under the watershed units also had the effect of extending the reach of the beneficial use that the original listing was based upon. It appears that across the state, DEQ simply extended the reach of the assessment unit, and thus the geographic reach of the beneficial use, without first evaluating whether that beneficial use should extend to the whole watershed AU. As part of its homogeneity analysis, DEQ should have looked at the beneficial uses for the stream with the original impairment to make sure that the same beneficial use would apply throughout the new watershed AU. In its final Report, DEQ must ensure that AUs in the Report are homogeneous with respect to their beneficial uses.

In watersheds with ditches or other man-made infrastructure, DEQ should not extend the beneficial use to that infrastructure. Including irrigation ditches in watershed AUs is not consistent with the requirement that watershed AUs be divided at points of heterogeneity. Instead, the stream from the 2012 Integrated Report should be one AU with its beneficial uses and nearby irrigation ditches identified in the NHDH data set should be a separate AU with beneficial uses identified separately from the stream. This is particularly relevant for irrigation ditches because they are usually screened to prevent fish from entering, and thus extending the beneficial use of Fish Habitat from a free-flowing stream to irrigation ditches is not reasonable. To that end, we recommend that DEQ should develop a filter for the High Resolution National Hydrography data set that separates unnatural channels and areas with modified flow patterns (e.g., irrigation ditches) from natural channels. If DEQ lacks data on the water quality status of these ditches, they should be listed as Category 3 and treated separately from nearby natural waterways.

Finally, where the only data supporting a previous listing for a stream that will carry over to a new watershed AU in the Report is stale (more than a decade old), DEQ should not extrapolate that data out to an entire watershed AU, and thus expand the stale listing to a broader watershed. Instead, DEQ should list the remaining waters of the watershed as Category 3 if there is not sufficient new data to determine their status.

4. DEQ Must Improve its Display of Assessment Units

DEQ's current display paints a very inaccurate picture of water quality in the state, particularly on agriculture and forest lands. While DEQ does not have significant new data driving new listings,

DEQ’s decision to map the status of every waterbody in a watershed AU makes it appear as if DEQ has sampled nearly every water body in the state and has found widespread impairments, and makes it impossible for the user to tell which waterbodies DEQ actually has data for. It also makes it appear as though water quality on agriculture and forest lands has declined drastically since 2012, when we know the opposite to be true. If DEQ chooses to continue to pursue watershed scale AUs, DEQ must modify how it displays the data it has such that 1) the user can easily see where in a watershed the data points driving a listing are coming from and 2) DEQ doesn’t highlight as “impaired” any waterbodies it lacks data for.

For example, Ohio evaluates its waterbodies on a watershed scale, but displays the specific data points where that data was collected with the attainment status so the user can easily see where in the watershed the agency has found a problem and where attainment is occurring. This approach results in a much more accurate display of available data without the indication that more waterbodies have impairments than DEQ has data to support (see Figure 1, below). If DEQ continues to pursue its ill-advised decision to move to watershed AUs, DEQ should consider displaying the data as Ohio does.

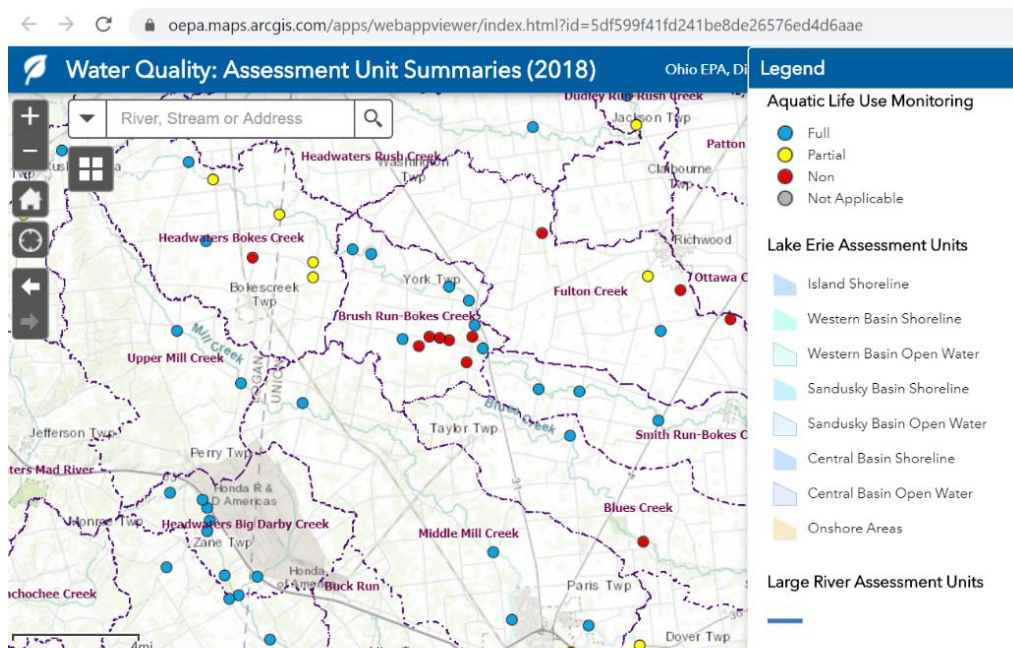


Figure 1: Ohio Display of Water Quality Impairments by Watershed Assessment Unit

5. DEQ Must Make Other Key Improvements to the Report.

In addition to the points raised above, we noticed a number of key improvements DEQ must make to its presentation, user interface, and data sharing prior to finalizing the Report. These are summarized below.

Presentation and User Interface

- The Interactive Web Map should color AUs to match the colors of the categories that are described in the Interactive Story Map. Colors should correspond to categories, not impairment, such that Category 4 and Category 5 AUs appear differently.
- The Assessment Database is not currently searchable by beneficial use. Being able to find water bodies that are listed for the same beneficial uses would be helpful in understanding precedents for establishing water quality standards, developing TMDLs, delisting segments, and implementing point and non-point source pollutant controls. Please add this functionality.
- Any data display must include monitoring locations referenced in the Assessment Database. Additionally, we request that you add monitoring locations and existing analytical data to the Geodatabase. Without it, we cannot evaluate the data that led to the water quality categorization.
- To properly use the Interactive Web Map, the location or name of the waterway must be known. Search options can be improved. For example, typing “Florence” returns a search result that leads to Lake Florence, *in Alaska*. Please limit search results to Oregon and enhance the ease of searching by geographical areas that would be commonly used by Oregonians.
- The AWQMS is critical to understanding the categorization of an Assessment Unit of interest, but it is remarkably difficult to use. Please undertake a comprehensive review of the user interface of this system and make the database public to facilitate intuitive custom searches.
- Please make it possible to search by Assessment Unit, not merely monitoring location identification numbers, in the AWQMS.

Completeness of Data

- Our comparison of the data received from DEQ in spreadsheet form and the data available on the AWQMS web portal indicates that, in at least one case, the web portal does not include all the data that are available for an AU. Importantly, data that were not on the AWQMS web portal were the data that led to a Category 5 determination for a specific AU. All data that lead to categorizations of AUs should be publicly accessible without the personal assistance of DEQ personnel.
- The analytical data represented in the integrated report are not accessible via the Interactive Web Map and the Assessment Database. Connecting these resources to the AWQMS web portal is cumbersome. Without being able to efficiently link a water quality categorization to the data that were used in the Report, users cannot effectively: A) verify that 303(d) listings are fair and accurate, B) understand the sources of pollution, and C) understand what water quality improvements may be necessary in a basin. The inaccessibility of the data that underlie the Report must be rectified. The analytical data should be accessible in a spreadsheet and geospatial format to allow for multiple forms of analysis.

- The Assessment Database should identify the organization that collected the data. This will enable users to look up data from AWQMS with a specific monitoring location ID. If at all possible, PDF files of the studies in which the data appear or the documentation of data collection methods and laboratory reports should be accessible along with the data themselves.

C. DEQ’s Decision to List Watersheds without Waterbody Specific Data Has Significant Regulatory Consequences.

While we appreciate DEQ’s assurances that it does not anticipate significant changes to result to the TMDL process or water quality regulation as a result of DEQ’s watershed AU listing approach, DEQ cannot actually assure regulated entities that the changes will not have consequences for their businesses and communities.

A reasonable, fair, and defensible Report is critically important to our members. When a stream reach is included in an watershed AU that is subsequently included in the 303(d) list, those who interact with that stream (e.g., by discharging to it, releasing stormwater runoff to it, or managing land near it) are unwillingly drawn into a multi-year period of regulatory uncertainty while they wait for a TMDL to be created. First, they must manage their operations in light of the increased risk that this uncertainty creates, then they must invest resources in tracking the development of the TMDL, and finally they must understand the implementation of the TMDL and its implications for their operations. Make no mistake, the regulatory burden on our members starts as soon as a waterway is included on the state 303(d) list due to the period of uncertainty between the listing and the creation of the TMDL.

Additionally, a 303(d) listing of a waterway near our members’ operations has other important consequences that our members feel long before a TMDL is created. Once the label of “impaired waterway” is placed upon a river or stream, the activities of our members face greater scrutiny by members of the public who do not necessarily comprehend our operations or our many existing efforts to control our impact on Oregon’s waterways, and who likely will not understand that the watershed scale listing was not driven by water body specific data. Moreover, in some cases, a 303(d) listing triggers additional regulations before a TMDL and its associated implementation are pursued.

When a 303(d) listing is water body specific and supported by a recent and robust data set and a transparent comparison between data and water quality criteria, our members are willing to do their part to protect and improve the water quality of our state’s waterways. However, based on the concerns outlined in this comment letter, we cannot be confident that data exist to support the “impaired” status of all stream reaches included in the 303(d)-listed Assessment Units of the Report. Should stream reaches be 303(d)-listed without recent and robust data and a transparent means of

understanding that listing, our members will be unreasonably and unfairly impacted. These impacts will begin immediately upon adoption of the new 303(d) list, not in several years when specific TMDL processes begin, and they will unnecessarily add to the regulatory burden of our members' operations without producing any meaningful benefit to the water quality of Oregon.

Our organizations are very concerned about the significant policy decisions DEQ made without sufficient stakeholder engagement as part of its Report and Methodology. We hope DEQ will reconsider its approach to listing at the watershed scale and more accurately display relevant data. To do otherwise would paint a very inaccurate and misleading picture of water quality in Oregon at a time when Oregon's farmers, ranchers, foresters, and other industries are doing more than ever to improve and protect water quality in the state.

Thank you for the opportunity to comment and please don't hesitate to contact us if you have any questions about our comments.

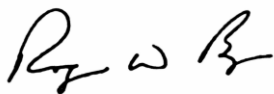
Sincerely,



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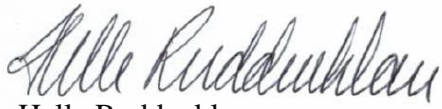
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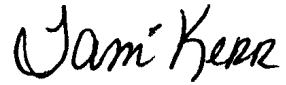
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Samantha Bayer

February 2021 Board Report

LEGISLATIVE:

For the 2021 session I will be focused on the following issues:

- **Land Use:** Land use will continue to be a major part of my portfolio this session. As of now, I am tracking 64 land use related bills that could have an impact of OFB members.
- **Wildfire:** Wildfire recover, mitigation, suppression, and taxation will also take up most of my capacity this session. As of now, I am tracking over 40 bills specific to wildfire.
- **COVID-19:** As the state continues to deal with the pandemic, I will be tracking bills related to emergency response/COVID-19.
- **Labor (assist):** This session I will continue to assist Jenny on labor and employment issues, and will be taking lead on agricultural labor housing specific issues.
- **Tax (assist):** This session I will assist Jenny on taxation issues, especially those surrounding the CAT tax.

REGULATORY:

Oregon Occupational Safety and Health Administration - OFB has led the charge in pushing back on new proposals advanced by Oregon Occupational Safety and Health Administration (OR-OSHA) and others stemming from the COVID-19 pandemic. OFB has been successful in holding back the worst of OR-OSHA's proposals, and has done proactive efforts to get farmers and their employees to a better place for this upcoming season:

- **OFB Petition to Amend Housing Rules:** On January 4th, OFB filed a formal Petition on behalf of agricultural housing providers seeking common sense solutions to agricultural labor housing protections during COVID-19. In the 31-page Petition, we propose administrative rules related to physical distancing, masks, face shields and face coverings, sanitation, ventilation, signage, training, notification, reporting, and mandatory COVID-19 response plans. The proposed rules would remedy past deficiencies by allowing for more safe housing options, protecting employee autonomy, and providing a necessary contingency plan for employers if there is an outbreak on farm. As proposed, the rules

would come into effect immediately, and would sunset upon the end of the emergency declaration or at the end of 2021, whichever comes first.

I worked with OFB's Labor Committee to draft and file the Petition. We are waiting for OR-OSHA to put our Petition out for public comment.

- **Infectious Disease Standard RAC – Temporary & Permanent:** OFB has been in strong and vocal opposition of OR-OSHA's Temporary COVID-19 standard from the beginning. We led our ag coalition in submitting strong opposition testimony on the draft temporary rules. At the same time, we will be participating in comment on our Petition, we will also be commenting on OR-OSHA's attempt to make the COVID-19 rules permanent. There has been a push from Labor to include agricultural labor housing in these permanent rules. I have been assisting Jenny in technical feedback on this RAC, and will be drafting written comment for OFB.
- **Food Security & Farmworker Safety Program:** Because of our survey and continued advocacy about the costs of OR-OSHA's new rules, OFB was critical influencing the creation of the FSFS Program. We will continue to encourage ODA and OWEB to seek more funds for the program and make sure that the categories of funding are adequate and flexible.
- **OFB Op-Eds:** In order to combat negative media and misinformation, I worked with OFB Member, Molly McCargar to draft an op-ed about the impact of the Governor's Executive Order 20-58. The op-ed was so successful that the Governor personally called Molly to discuss her piece and ways she could assist Ag moving forward.
- **OFB Town Hall:** OFB hosted a Town Hall with OR-OSHA administrator, Michael Wood, ODA Director, Alexis Taylor, a number of OFB County leaders and Labor Committee reps to express concerns and frustrations with the agency. OFB had great attendance at this meeting with over 60 members in attendance and a number of legislators. I coordinated this meeting.
- **FEELDS Assistance:** We have been experiencing an influx of member inquiries because of COVID-19 and the new OR-OSHA rules. I have been assisting Roberta in helping answer questions for FEELDS members in light of the changing legal and regulatory landscape.
- **Employer Knowledge & Increased Penalties:** On April 24, 2020, OR-OSHA provided notice of two different proposed rule changes that fundamentally alter how "employer knowledge" is defined and considered during enforcement activities, and increases allowed maximum penalties in enforcement actions. OFB led our ag coalition on this issue and submitted strong comments opposing these rules.

Department of Land Conservation & Development Wildfire Rebuild: As wildfires have raged across most of western Oregon, OFB has been actively involved in wildfire response and policy.

OFB submitted comment in support of rule changes to get those who lost their homes to wildfire back on their feet, while making sure the rules had appropriate sideboards to protect agricultural lands.

Climate-Friendly and Equitable Communities RAC: On March 10, 2020, Governor Kate Brown issued [Executive Order 20-04](#), directing agencies to reduce climate pollution. In response, the Land Conservation and Development Commission (commission) is working on updating Oregon's [Transportation Planning Rules](#) and related administrative rules. The commission initiated a rulemaking at its September 2020 meeting. That rulemaking will focus on significantly strengthening Oregon's administrative rules about transportation and housing planning, particularly for Oregon's eight urban areas with populations over 50,000 people (Albany, Bend, Corvallis, Eugene/Springfield, Grants Pass, Medford/Ashland, Portland Metro, Salem/Keizer). Some of the rule changes may apply to communities outside those areas. Although we are not a formal member of this RAC, I am attending the meeting and tracking outcomes for OFB.

EFSEC Solar Projects: There are a number of large solar projects working their way through the EFSEC process in Klamath and Lake Counties. I submitted a letter on behalf of Klamath/Lake County Farm Bureau in response to the NOI for the Bonanza Energy Facility in Klamath County expressing concerns about the possible conversion of valuable irrigated agricultural lands from the project.

Local Land Use Issues: I also assisted Lane County Farm Bureau and Douglas County Farm Bureau in a number of local land use issues that would have had a negative impact on our members in those counties. Specifically, I wrote a letter for OFB & LCFB on the City of Eugene's Urban Reserves process and I wrote a letter for DCFB on Douglas Counties attempt to rezone resource lands.

LEGAL:

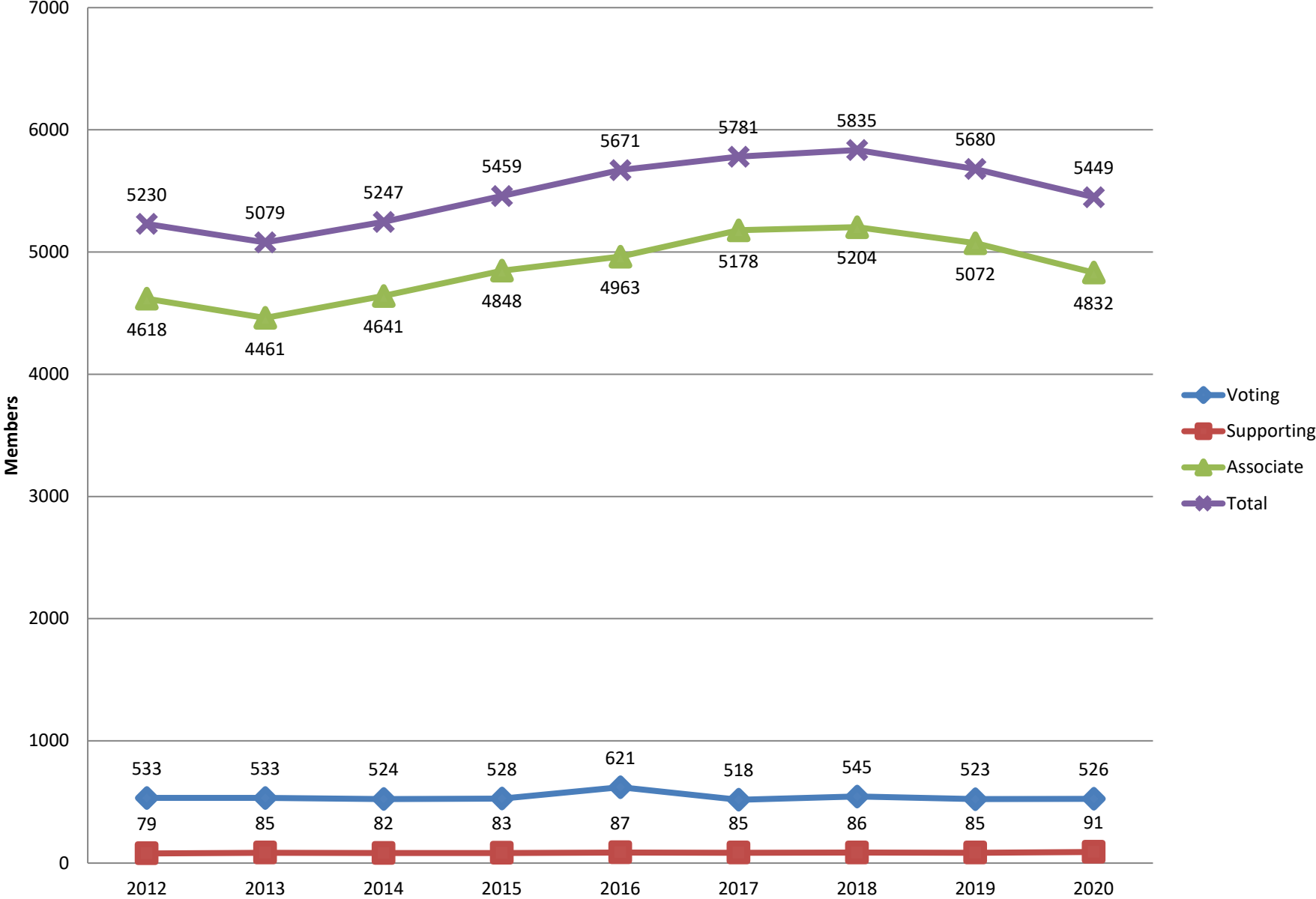
Yamhill County Trail Remand: OFB has submitted several comments letters since 2016 regarding negative impacts to agriculture from the County's proposed rails to trails project, including recent comments on the conditional use permit sought by the county and a proposed code change designed to make it easier for the County to site the trail. After Yamhill County approved the trail despite it not passing the farm impacts test, farmers in the community appeals, and OFB filed an amicus brief. This was the first brief we took on entirely in house and we received a positive outcome with a full remand from LUBA.

Klamath Refuge Lawsuit: I have been coordinating OFB's amicus engagement in the Klamath County Refuge case before 9th Circuit Court of Appeals. OFB will submit its brief on February 12th.

Administrative:

- **Legislative Update** – work with MAC to post our weekly session update.
- **Court Case Tracker** – track cases filed in Oregon courts daily.
- **Federal Register Tracker** – monitor the federal register for items OFB should be commenting on and then distributing those notices to appropriate staff.
- **Individual Member Issues** – field and address issues raised by members through their County Farm Bureaus

Marion County



Jacon Taylor
Leadership Engagement and Organization Director
Report to the OFBF Board of Directors
February 2021

I am changing my report style this meeting to be more conversational, because I want to address the OFBF Board of Directors with more concepts and “ways of thinking.” I hope this will help the Directors bring more information back to the County Farm Bureaus that will have positive impact locally.

Here we go:

MEMBERSHIP –

- I have attached a membership graph with this report. It will show OFB membership trends as well as each CFB trend for the last nine membership years.
- Please look these graphs over and ask yourself and the CFB’s you serve these questions:
 - What does our CFB’s trend mean?
 - What direction are we going in?
 - What excuses do we have for the trend of fewer members..? Are those accurate explanations, or excuses for a lack of effort in new member recruitment?
 - Does our Country Rep deserve recognition for Associate member growth?
- Look at membership from a, “what’s at stake in our industry if our voice in the Capitol building is not taken seriously because of membership decline?” What’s at stake in our *family* if our collective voice isn’t enough to protect us in the Capitol building..?
- Whose responsibility is membership in our county? Whose members are the folks in our community? *Who owns this problem of membership decline?*
 - Who can fix our membership trend?
- What can our CFB do to focus on growing Voting and Supporting memberships?
 - Brainstorm things. Please know, I am here to help! I have lots of ideas and I promise I will go to join the membership battle with each of you!

THE BIG THREE –

Year before last the OFBF Board of Directors identified three goals to focus on.

- They are:
 - Stronger County Farm Bureaus
 - Stronger Advocacy
 - Reversing Membership Trends
- I speak with the Leadership Engagement team about the “Big Three” all the time and we focus most of our encouragement and efforts to have some component that addresses one of the Big Three.
 - What is your CFB doing to address the Big Three?
 - Can the Big Three be an OFB Board plan and not a CFB plan and still be effective?
 - What resources will your CFB need to impact the Big Three?

- *Please let me know the answer to this one, because I will make sure you have what you need to the degree possible!*
- **As an OFBF Board rep, what is the OFBF Board doing each meeting to address the Big Three?**
 - Should all of the OFBF Board's time be spent on legislative policy?
 - Should we include time and energy on addressing the Big Three?
 - Could "stronger advocacy" come from more members engaged in advocacy? Or does it all need to come from our Government Affairs team?
 - What benefits would we get if the OFBF Board spent time addressing the Big Three?

MORE ENGAGEMENT WITH CFB'S –

- This year I will be attending more CFB meetings that have historically been underserved by OFB staff.
 - If you have any ideas or requests around my attendance at your meetings, please let me know!
 - I will be reaching out to Board Reps and County Presidents to plan my attendance as the year progresses.
 - I am looking for anything in particular your members would like from OFBF staff for these meetings.
- I am planning some regional trainings (in-person preferably!) so if you know of something your members will enjoy engaging around – please let me know!
 - Topics can include: FB 101, How to Testify, Good Board Governance, Simply Q and A, Effective Meetings, Social Discussions, Understanding the Legislative Climate/Process, or anything else your members would enjoy.

YF&R UPDATES –

- It is not difficult to imagine the YF&R group has been pretty quiet this year with the lock downs – but there is still GREAT news!
 - Jon Iverson has been elected to be this year's AFBF YF&R Committee Chair!
 - There have been ZERO "**election irregularities**" reported in this contest and this election has proven to bring Committee members together from across the Nation. A testament to Jon's leadership and confidence his contemporaries have in him.
 - Jon is a superb ambassador of Ag and a wonderful representative of Oregon young Ag leadership.
 - ***Please take a moment to congratulate and encourage Jon as he leads the AFBF YF&R Committee this year!***
 - 2021 FUSION Conference is virtual this year
 - Oregon was excited to host this conference but unfortunately it will be held virtually.

MEMBER BENEFITS –

- Ford has changed their rebate to include the F150 and SUPERDUTY. This is a great move because most our members enjoy those vehicles.
- Oregon sold 66 vehicles through the Ford program in 2020.
- I have about six ideas for new benefit programs I'm actively working on – if you have any ideas, please let me know.

WAC, AG ED, HEALTH AND SAFETY –

- In my new role, I have been looking at all our programs to assess their overall health, needs and possible improvements. I just wanted to give the board a heads up on things to be thinking of as the year progresses.
 - These three committees (in a normal year) do an enormous amount of community outreach.
 - They are largely self-funding above what their budget is from OFBF Board each year.
- I will be encouraging these groups to request a budget increase from OFBF Board next cycle for the following reasons – just so you know.
 - Their committee sizes are now limited (capped) because they cannot afford to pay for travel to meetings for any additional committee members.
 - Another option would be to ask CFB's to pay for their members to travel to the meetings...
 - Health and Safety has some really good ideas about marketing that will benefit all of Oregon Ag, if they had the funds to do them.
 - I think these committees want to engage with CFB's more to help them engage their local communities around local education and safety topics.
 - There is lots of opportunity to grow these programs.

Please know I am always open to your input, ideas and thoughts – I am very excited to serve this group so let me know what you'd like.

EVP Report to the OFB Board of Directors

February 2021

Dave Dillon

- Finances** Though the December financial is too early in the year to give us the best indications, it is our first real data point for the new fiscal year. As I've reported to the board, I am concerned that in some recessionary periods, the effect on membership for us has been delayed. Through December 2020, membership dues revenue is lower than same period in 2019 by about \$10,000. Overall revenue is \$22,800 behind year-ago figures, but \$18,300 is a difference in investments proceeds which will even out over the year. Though the overall number is not materially different from 2019, I will continue to monitor the membership dues number closely.
- On the expense side, we are under the year-ago number by \$61,725. Note that we currently have an unfilled governmental affairs position. Dec. 31, 2020 net income is \$38,900 higher than Dec. 31, 2019.
- We remain fully rented at the headquarters building with all tenants current on rent. On the expense side, our custodial service did a building-wide carpet cleaning which has bumped our janitorial budget over trend.
- Staff** After losing 65 years of staff experience and on-boarding key new staff during the pandemic, we are in a good position to start 2021. The group performed great in the policy development process including getting full delegate materials out to county Farm Bureaus in October, managing the committee process to make that possible, and running a virtual meeting of the delegates. My hat is off to staff also for finding ways to remain engaged with county Farm Bureaus and other leaders through the limitations of the pandemic. This is a very member-focused team that is forward-looking and operating at a very high level for members.
- I have been working with the governmental affairs staff to meet our workload during the 2021 legislative session. I will present our short-term coverage plan at the board meeting. As discussed at the September meeting, once we have six or more months of financial data for FY 2021 I will present a longer term plan.
- Reflection** The leadership engagement, communications, and governmental affairs staff have been meeting on the subject of connecting with members more effectively as we communicate. We started this initiative in the fall as we felt staff were always in a position in 2020 to deliver mostly bad news. We added a significant element to this effort in the wake of some members' response to the equity discussion at the House of Delegates. We've taken this opportunity to really dig in and review what we communicate and how. We've also reflected on re-establishing the line between board member peer-to-peer communication versus staff always being the communicator. We have spent approximately 20

hour in Zoom and conference call meetings on this. It has been a very good exercise and I think the dividends will be clear.

Outreach January 29 will be our first monthly member briefing. The purpose is to give members, particularly those who are not board members, presidents, or committee members, an opportunity to interact with staff, hear from and ask questions directly. We are being intentional about the Leadership Engagement Team's key role in connecting county FBs and members to the organization's efforts and are putting lessons from the above bullet point in place to better connect message with member. Tucker, Jacon, and Victoria have also made some great suggestions about the way we use our bill tracking system. These should lead to good improvements for both staff and members who use it.

COUNTRY We continue to work through the recent transitions in COUNTRY's northwest operations. Our current liaison, Jody Wilson, will present to the board on Feb. 3. I believe he may introduce us to another, hopefully long-term, liaison at the board meeting or soon thereafter.

AFBF OFB received awards of excellence in all four possible categories at the AFBF annual meeting earlier this month. I'd like to thank Barb, Angi, Brian, Shane, and Janice for serving as your AFBF delegates and for the extra effort involved in learning the online meeting platform. I've been asked to join an AFBF peer review team in March. AFBF also took my suggestion to provide some new state board member training for individuals from different states. The model to this point had only allowed orientation programming for full state FB boards of directors.

CFB Pres Mtg Staff have been asking county FB presidents for their preference regarding a winter or spring county presidents meeting. We will present the latest feedback at the board meeting. To date, nearly all presidents have expressed a preference for an in-person meeting. However, if it means delaying too late to do that, they would be ok with a Zoom video conference version of the meeting.

Fire Relief I'm working with NW Farm Credit Services on a plan to enable OFB to be a better connector of needs and those who can help meet needs when the next natural disaster or fire impacts an ag community. NWFCFS has generously partnered with us on recent windstorms, floods, and fires.

OAEF You will hear from Oregon Agricultural Education Foundation director Sherri Noxel at the board meeting. I won't steal her thunder, but will note that the projects are weathering COVID-19 well and the foundation itself is reaching new heights in fundraising, capacity, and aligning its various pieces to a cohesive whole organization under Sherri's leadership along with chair Jack Southworth.

2020 We didn't get the chance to celebrate the many positives of 2020 at the December board meeting. The GA team worked through the pandemic, a short

session, and an extraordinarily high level of agency activity with an unfilled position and a through a parental leave. We're engaged in a record number of court cases as well. Membership and accounting brought on two new staffers who have done an amazing job in our complex and fast-moving environment. The Leadership Engagement Team is moving ahead with a host of new ways of connecting with, encouraging, and building leaders. Anne Marie continues to lead and partner with members and staff in new ways of communicating more effectively.

The FEELDS program hit a new record of membership, finished solidly in the black, and engaged in a range of important agency rule-making discussions and our responses to them. Tiffany has navigated our new online meeting world, managed contracts for our postponed, canceled, and changed meetings, and kept office operations on track. The pandemic has made all this tougher, but this is a great team that is dedicated to getting the best for members we can.

OFB finished with its highest balance sheet value ever and finished with what could be a record operational surplus. Despite pressures and setbacks for producers and the broader ag sector, membership was strong. Member leaders stepped up repeatedly when called on. This board and our delegate body fought through the frustrations of video conferencing and got governance and policy development work done. Our state PAC closed the year with its best three-month fundraising period ever. A significant portion of that success came from a trap shoot whose funds were almost exclusively raised by two members—Dean Freeborn and Kathy Hadley. About 83% of our endorsed candidates won their elections. We have more farmer and rancher members of the legislature than we have in decades—most are Farm Bureau members.

PAC Snapshot The OFB PAC financial reports you see each meeting do not allocate revenue to specific fundraising efforts. Here is a breakdown of recent fundraising by event.

Golf tournament*

Funds raised to date: \$22,699 Costs: TBA (will be mitigated by participant fees)

**\$8,000 of this was contributed by county FBs to the Voter Education Fund and technically not the PAC.*

Trap Shoot

Funds raised: \$17,302 Costs: \$1,828

End-of-year Fundraising Letter

Funds raised: \$18,950 Costs: \$4,206

Member voluntary contributions sent in with membership renewals

Funds raised: \$18,324 (Includes all contributions in 2020)