



2022 YEAR IN REVIEW

2022 LEGISLATIVE SESSION

The 2022 Legislative Session was a short session, beginning February 1st and ending March 4th. However, in just 35 days we saw major policies pushed through that will have lasting impacts to Oregon's natural resource industries. With hearing rooms and the chamber floors still closed to the public, the 2022 session was again conducted mostly virtually, which further complicated our ability to work with legislators on key issues in such a short timeframe.

Perhaps the most impactful of those bills will be HB 4002, through which Oregon will become just the third state in the U.S. that will require overtime pay for agricultural workers working over 40 hours in any given week. Legislators were unwilling to compromise on issues such as allowing exceptions for seasonality, which will negatively impact both Oregon farm businesses and employees once this policy is in full effect. We anticipate members of our coalition revisiting this bill and seeking support for producers who will see a significant increase in labor costs without corresponding increases in revenue.

OFS engaged on many other bills, including HB 4062, which will create a new, non-commercial license type to cover some non-agriculture, non-forestry applicators who are currently licensed as commercial applicators but not applying commercially. We were also engaged early by the Governor's office on HB 4077, which will expand the Environmental Justice Council and initiate the development of an Environmental Justice mapping tool. This bill passed with important amendments from OFS and our natural resource partners.



OFS was key in holding back SB 1532, which would have created five new extension positions at Oregon State University serving only organic growers (1% of Oregon's agricultural industry). We also worked with a broad coalition opposing HB 4141, which would have phased out the sale of all petroleum diesel in Oregon by 2029. We also opposed SB 1534, a proposal to set metrics and increase carbon sequestration on working lands, which failed based on a lack of broad consultation with those representing working lands.

This session we also saw several bills passed related to forestry, including HB 4055, which extends and increases privilege taxes on harvested forest products, and SB 1501/1502, the Private Forest Accord policy bill and tax credit bill for small forest landowners.

While we didn't face major product bans or new regulatory limitations on chemistries or technology in 2022, the passage of the agricultural overtime bill and lack of continued service level funding for natural resource priorities like the Oregon State University Statewide Programs will continue to create significant challenges for our members.

2022 BY THE NUMBERS



INCREASING OUR REACH TO SERVE OREGON'S NATURAL RESOURCES SECTOR

- 8 Tours across 5 Oregon counties engaging over 100 of Oregon's elected officials
- 15 Outreach booths/speaking events
- 954 pesticide recertification credit hours provided to 450 Oregon and Washington applicators
- 11,500 People reached through OFS communications (newsletters and social media)
- \$55,500 contributed from the OFS PAC to candidates who support Oregon's natural resource sector
- \$1 million dollars successfully secured for pollinator education and pesticide Extension work.



2022 REGULATORY RE-CAP

OFS engaged on several major regulatory issues in 2022. We continued to engage with ODA regarding a petition filed by Beyond Toxics in 2021 to restrict products containing 2,4D and triclopyr (Crossbow and similar products). Based on our calls for justification and evidence, OFS ultimately succeeded in holding back any rulemakings or formal work groups on this matter. No further action is expected regarding this petition.

OFS also engaged as ODA sought to raise pesticide registration fees for 2023, impacting our registrant members. Based on our early feedback, the increase for 2023 will be much more modest than the agency initially sought. OFS also submitted formal comments during the rulemaking process, opposing any increases based on our dissatisfaction with how ODA has been using our members' fee dollars in programs such as the Pesticide Stewardship Partnership.

ODA, along with DEQ, launched a website in July that provides public access to all of the pesticide water quality monitoring data gathered through the Pesticide Stewardship Partnership (PSP) program.



The tool also shows exact locations of monitoring sites. This tool marks a significant change to the way PSP data is reported to the public, and greatly increases the potential for data to be taken out of context or individual operations to be singled out based on proximity to monitoring sites. OFS has been very engaged on this issue and will continue to work with both agencies to ensure that any data on pesticide monitoring derived from the PSP program is presented accurately and within the context of the education goals the program is built around.

With DEQ, OFS has also been tracking and participating in the implementation of SB 582 passed in 2021, which initiates a producer-funded recycling program overhaul in the state. We have also engaged as the agency issued an updated Pesticide General Permit and signed a Memorandum of Agreement with ODA.

In 2023, OFS will be part of two rulemaking committees with ODA, to implement HB 2031 and 4062, bills passed with OFS support in 2021 and 2022 respectively. We will also continue to track and engage as DEQ implements its producer-funded recycling program, which will impact many of our members. OFS will also be watching closely as DEQ responds to groundwater issues around the state and begins to outline a new "nutrient strategy." As DEQ looks to develop a strategic approach to reducing nutrient pollution they could make changes to permitting and/or water quality standards, such as TMDLs for nutrients. OFS will remain engaged as that work unfolds.

We are seeing activists using petitions to state and federal agencies more and more to try and force their agendas. OFS has commented on several petitions to the U.S. EPA this year, most notably responding to a petition by activists to ban 15 organophosphates, and another one that would essentially double-regulate pesticide treated seeds. EPA has since denied the treated-seed petition, with their decision on the organophosphate petition still pending.

LEGAL UPDATES



This year marked the official end of the legal case regarding Lincoln county's ballot measure to ban aerial pesticide application. OFS and partners had to invest significant time and money to ultimately win this case in court with a ruling that the county ballot measure, which passed by just 61 votes, cannot be upheld since it is preempted by state law.

We had hoped to have the Supreme Court weigh in on the case to prevent these types of ballot measures from going before voters in the first place, but they denied hearing that aspect of the case. Nevertheless, that case is now closed with a ruling in our favor.

This year, OFS joined several partners in filing an amicus (friends of the court) brief with the Oregon State Supreme Court on a case brought against Oregon DEQ by PNW Metal Recycling, Inc. Earlier this year, PNW Metals was successful in challenging DEQ on a solid waste permitting issue.

The Oregon Department of Justice then appealed the case, which is now before the Oregon Supreme Court. At issue is DEQ's reinterpretation of policies without corresponding rule changes, in this case related to solid waste but there are many other examples demonstrating this as a pervasive issue within the agency. Rewriting policy without formal rulemaking is obviously problematic for the regulated community, thus the importance of filing this "friends of the court" brief and showing our support for the importance of this case. We will continue to engage on this case in 2023.



2022 ELECTIONS



With a major election this year, OFS spent significant time on candidate interviews and endorsement decisions. The OFS PAC contributed a total \$55,500 to candidates, many of whom won their elections. We also published a Voter's Guide for the 2022 election.

Together with Ag-PAC, a Political Action Committee (PAC) representing agriculture, forestry, and other natural resource-based industries, OFS helped to organize a hands-on tour to educate candidates and agency officials about agriculture and forestry, encouraging a better understanding of the importance of these industries and the issues producers face.

This tour took place in June and was well-attended with around 100 current and potential legislators and agency and university staff!



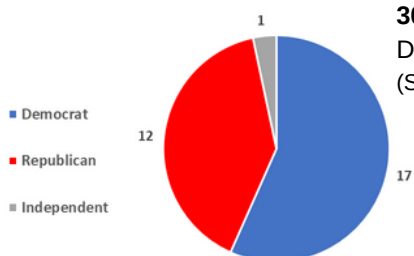
2023 LEGISLATURE BY THE NUMBERS

Democratic Governor in Office: Tina Kotek, former House Speaker 2011-2021

Oregon Senate

30 Senators

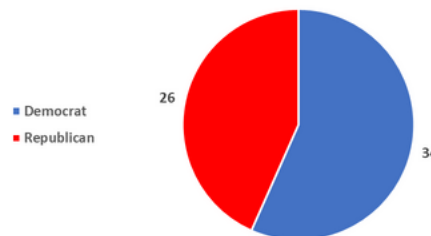
Democrats control Senate 17-12
(Supermajority threshold = 18)



Oregon House of Representatives

60 Representatives

Democrats control House 34-26
(Supermajority threshold = 36)



LOOKING AHEAD TO 2023

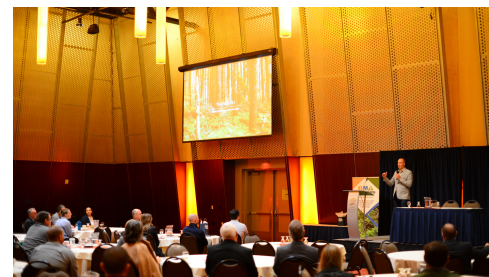
OFS is already engaged in preparation for the upcoming long session. The new Governor and Legislators will be sworn in on January 9th, with the 2023 Legislative Session starting January 17th. With so much turnover in legislative seats, we will be focusing hard on relationship building and education to new legislators.

While we won't see the full bill stack until mid-January, we already know of several bills we will be working on in 2023. Beyond Toxics and Oregon Environmental Council have worked together on a package of three bills they are calling the "**Toxic Free Environments**" package.

One proposes further restrictions on pesticides that can be used on school grounds, another is focused on regulating toxics in cosmetics, and the third would revise the 2015 Toxic Free Kids Act. The draft versions we've seen contain definitions and conceptual frameworks which do not align with our broader regulatory structure and would be problematic in Oregon statute.

We are also watching out for bills seeking to address **groundwater** pollution, and we know that Oregon Dept of Environmental Quality (DEQ) has a legislative concept proposing changes to their groundwater management program. DEQ is also trying again to increase the data they receive from private well testing as part of real estate transactions. DEQ's goal is to create a public data tool with that well testing data (focused on arsenic, nitrates, bacteria), and to draw conclusions about groundwater quality including nitrate pollution. OFS will remain engaged in that discussion.

We expect a couple of bills coming related to **PFAS (per- and polyfluoroalkyl substances)**, widely used and long-lasting chemicals that appear in many different forms in many different products, from fire-fighting foam and stain-resistant coatings to many cleaning and personal care products. OFS will be watching these bills closely and particularly looking at definitions, and we will be seeking alignment with U.S. EPA on how PFAS are defined in Oregon statute if any of these bills should move.



Finally, OFS will be working on several **budget** issues. The budget picture is murky, with the potential for a recession, and the state already on the hook for continuing programs either funded by the federal government during the pandemic or paid for with one-time federal funds. OFS will work to support critical programs at the Oregon Department of Agriculture (ODA) and programs at other agencies that are important for our members. Oregon State University is also working on an ambitious request to fund the Statewide Programs. Natural resource priorities too often get the back-seat to other priorities, particularly in the face of potential cuts, which requires us to educate legislators and call on members to advocate for more state resources to support a thriving natural resource sector in Oregon.

GRASSROOTS STRONG

OFS continues to support local grassroots groups that help educate local communities about Oregon's natural resources sector.

In 2022, Lane Families for Farms and Forests provided testimony to local governments regarding several natural resource issues. They hosted a mill tour of Sierra Pacific Industries (formerly Seneca Sawmill) with the Lane Chapter of Oregon Women in Timber.

Partnership for Lincoln Lands & Waters conducted a Forest, Farm, and Fisheries Tour for local community leaders last June.

Clatsop Working Watersheds Cooperative raised \$150,000 for a local high school hatchery program and collaborated with multiple organizations to host forestry tours.

Tillamook Working Lands & Waters Cooperative (TWLWC) conducted two tours about water quality; the first was for state elected officials and the second for the Associated Oregon Counties. TWLWC participated in the June Dairy Parade, Tillamook County Fair, and the very popular Drive-In Movie Night, and youth Working Lands Career Day with Associated Oregon Loggers.



Congratulations to TWLWC for receiving the Tillamook Coast Visitors Association Excellence in Stewardship Award this fall!

OFS FIRST ANNUAL CONFERENCE



JOIN THE TEAM

OFS recently announced **new positions** to support regional grassroots work. We look forward to filling those positions and growing our team in 2023. Support our grassroots work by joining OFS, donating, or increasing your annual contribution!

OFS held our 1st Annual Conference this year, in conjunction with the Fields & Forests Gala. With around 140 attendees, the event was a great success, and we look forward to hosting again next year. Save the date for November 1st, 2023, at the Salem Convention Center! We are excited to provide this important opportunity for learning and networking.

At the 2022 Fields and Forest Gala, OFS Recognized individuals and organizations for their hard work and dedication to working lands industries. Congratulations to all on these well-deserved awards!



- Dave Kunert**, Tillamook Working Lands and Waters Cooperative - Solid As A Rock Award
- Lindsay Davis**, Clatsop Working Watersheds Cooperative - Rising Star Award
- Tami Kerr**, Oregon Dairy Farmers Association - Star Partner Award
- Mary Anne Cooper** – MVP Award
- Diann Washburn** – MVP Award

Save the Date for November 1st, 2023 at the Salem Convention Center!



THANK YOU to our OFS Board Members!

OFS BOARD OFFICERS:

- Luke Bergey, Miami Corporation Management, Chair,
- Tami Kerr, Oregon Dairy Farmers Association, Vice-Chair
- April Snell, Oregon Water Resources Congress, Secretary/Treasurer

Forest and Wood Products:

- Seth Barnes, Oregon Forest Industries Council
- Luke Bergey, Miami Corporation Management
- Jeff Keller, Western Wood Preservers Institute
- Jerry Risk, Roseburg Forest Products
- Jeff DeRoss, Manulife Investment Management
- John Jayne, Cascade Timber Consulting
- Joe Newton, Lone Rock Timber Management Co.
- Meghan Tuttle, Weyerhaeuser Company
- Laura Wilkeson, Hampton Lumber

Agriculture and Food Processors:

- Richard Allen, Associated Oregon Hazelnut Ind.
- Angi Bailey, Oregon Farm Bureau Federation
- Charles Ortiz, Oregon Seed Council
- Ken Dey, J.R. Simplot Company
- John Enright, KWS Seeds
- Amanda Hoey, Oregon Wheat Growers League
- Bill Hoyt, Oregon Cattlemen's Association
- Tami Kerr, Oregon Dairy Farmers Association
- Loren Bumgardner, West Coast Beet Seed
- Nicole Mann, Columbia Gorge Fruit Growers
- Kevin Richards, Fox Hollow Ranch
- Dave Dillon, Food NW

Chemical, Professional Applicators/Other:

- Michelle Armstrong, Wilbur-Ellis Company
- James Curry, Bayer U.S. - Crop Science
- April Snell, Oregon Water Resources Congress
- Bryce Thorpe, Nutrien Ag Solutions
- Greg Ego, Rasmussen Spray Service, Inc.
- Rick Krohn, Pacific NW Aerial Applicators Alliance
- J.P. Mischkot, Glass Tree Care & Spray
- David Phipps, OR Golf Course Superintendents
- Annette Price, Pacific Power
- Ben Sacher, Syngenta Crop Protection
- Alec Shebiel, Umatilla Electric Cooperative
- Caroline Silveira, Corteva Agriscience
- Larry Treleven, Oregon Pest Control Assn
- Paul Washburn, Western Helicopter Services
- Chuck Wolsborn, Gresham Golf Course