

Oregon Seed eUpdate

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A Newsletter from the
OREGON SEED COUNCIL

Oregon Seed Council 2024 Legislative Session Update

On February 27, 2024, the Senate President's office announced Sine Die was imminent - a signal that the close of session is just around the corner. This action means one-hour notices are invoked for committees to consider bills (that remains alive) and amendments in open committees.

Policy committees pushed through the final sprint as the second chamber deadline came on February 29. This was the last day for policy committees to move measures introduced in their second chamber (i.e. Senate bills in the House, House bills in the Senate) out of committee. The deadline does not apply to Ways & Means, Revenue, Rules and other joint committees.

The Legislature is making final considerations on bills sent to joint committees this week. The constitutional Sine Die is March 10, but the targeted close of session is Friday, March 8.

Following are some updates on key policy issues of the session and issues OSC tracked for our members.

Session Focus Issues

Throughout the Session, Housing and Measure 110 remained key issues for the Legislature.

The housing package, [Senate Bill 1537](#) (policy bill) and [Senate Bill 1530](#) (funding bill), passed the Senate last week, and the House on March 4, both with bipartisan support. The bills now head to the governor's desk for signature. This package allocates upwards of \$370 million for housing initiatives throughout the state. The policy bill creates a new Housing Accountability and Production Office, grants one-time Urban Growth Boundary expansions - limiting these additions to 50 net residential acres for cities with populations under 25,000; to 100 acres for cities with populations of 25,000 or greater; and to 300 acres for Metro - if specific criteria are demonstrated. The bill also creates a grant program. A more detailed summary of the policy bill can be found [here](#).

The House and Senate passed [House Bill 4002](#) in response to the Measure 110 challenges. This bill comes with a \$211 million price tag. The bill rolls back Measure 110, making a minor drug possession a misdemeanor. It also provides funding for specialty courts,

addiction and mental health, county treatment and training. A more detailed summary of the bill can be [found here](#).

ISSUES OSC HAS TAKEN A POSITION ON

[HB 4061](#) - Elk Damage Prevention and Compensation - *Support*

On Wednesday, February 13, the House Committee on Agriculture, Land Use, Natural Resources and Water passed HB 4061 out of committee with the [-3 amendment](#). The bill moved to its second committee, the Joint Committee on Ways and Means.

The amendment changed certain eligibility criteria related to hunting access and applicant residency and specifies language related to best preventive measures regarding elk damage as well as related to fencing design standards. The amendment adds an appropriation of \$600,000 from the General Fund and provides that all interest earned by the Elk Damage Prevention and Compensation Fund is credited to the fund. A more detailed summary is available [here](#).

The bill has not been scheduled in Ways and Means.

[HB 4111](#) - Farm Equipment Taxation Fix - *Support*

After significant time and discussion in the House Committee on Revenue, this bill passed out of committee and passed the House Floor on March 4.

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HB 4111 removes the distinction between tangible personal property and real property, making all equipment exempt that fits the statute's definition of farm equipment.

The bill now awaits committee assignment in the Senate.

OSC joined a coalition of agriculture groups to support this bill.

[Click here to see the support letter.](#)

ODA Director - Support

The Oregon Seed Council has also joined agriculture partners in [signing on a letter of support](#) of the appointment of Lisa Charpilloz Hanson as Director of the Oregon Department of Agriculture. Director Charpilloz Hanson was appointed the first full week of February.



OTHER BILLS OSC DISCUSSED

HB 4060 - Oregon Agricultural Heritage Program

The House Committee on Agriculture, Land Use, Natural Resources and Water held a hearing on this bill on February 6, a work session on February 8 and passed the committee unanimously to its secondary committee, the Joint Committee on Ways and Means. This bill would authorize \$10.8 million for the grant program housed in OWEB. The bill has not been scheduled for a work session.

HB 4049 - PFAS

This bill was moved from the House Committee on Agriculture, Land Use, Natural Resources and Water with an amendment.

[The -2 amendment](#) modified certain study and reporting requirements, limits the study to biosolids applied to agricultural fields that do not produce crops intended for human consumption and specifies that study participation by wastewater treatment service providers, farmers, landowners and land managers is voluntary. It directs the OSU Extension Service and CAS to, to the greatest extent possible, collect and report data in a fashion that does not disclose precise study locations and participant identities. The amendment changes the appropriation to \$740,000 and moves the sunset to January 2, 2028.

This amendment does not fully narrow the scope of the study to mitigation at the biosolid treatment side of the equation. The bill has been moved to the Joint Committee on Ways and Means.

We believe this bill will have significant challenges making it across the finish line due to the budget considerations this cycle.

HB 4059 - Brassica Bill

The House Committee on Agriculture, Land Use, Natural Resources and Water adopted the [-9 amendment](#) to the bill, which provides an extension of the sunset of the current statute related to canola (with adjustments). This amendment was passed on a 5-3-1 vote. The bill was then passed out of committee on the same vote and moved to floor consideration.

Dissenting members of the committee proposed a minority report. Ultimately, this and other procedural moves were rejected and the bill moving the sunset to 2028 was passed.

The bill moved to the Senate chamber and had a hearing in the Senate Committee on Natural Resources and Wildfire on Feb. 27. A work session was held Feb. 29, and members clarified the adjustments in the amended bill changed the crops in the limited area to include more than canola. The committee debated the intent, and ultimately adopted a new amendment that only extends the sunset to Jan. 2, 2028.

The bill will now face a vote on the Senate floor and must return to the House for a concurrence vote to move to the governor's desk.

While the sunset under the current version of the amended bill extends to early Jan. 2028, we anticipate this topic will return in the 2025 Legislative Session.

Transportation

The [Joint Committee on Transportation](#) heard several bills on February 20 regarding the weight mile tax. We anticipate this conversation will tee-up budgetary discussions for the 2025 legislative session.

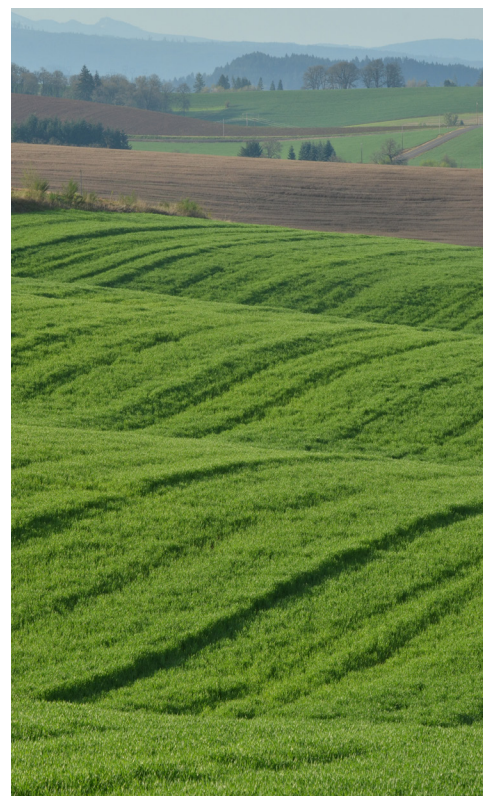
Oregon Seed Council Committees Highly Active

The Oregon Seed Council committees have been highly active moving the organization’s programs and activities. Following are recent updates from OSC’s committees.

- **Bylaws Review Committee** - The committee has been meeting monthly and is reviewing each section of the bylaws to ensure the bylaws are clear and accurate. The last two sections reviewed were “Dues” and “Board of Directors.” This committee expects to present updates to the bylaws to the OSC board of directors for review in June.
- **Government Affairs Committee** - This session, OSC has supported two bills - House Bill 4111 (farm equipment taxation fix) and House Bill 4061 (elk damage prevention and compensation) as well as the appointment of the ODA director. Other bills the committee is watching include transportation funding, taxes, climate bills, the Oregon Agricultural Heritage Program and land use generally. At the last informational meeting of this committee, they discussed looking at similar organizations for their process on policy including using creation of a policy playbook, resolutions process or priorities setting process.
- **Public Relations and Education Committee** - This committee has been highly active, solidifying its goals for target audience and messaging. The committee recommended the board enter

into an agreement with the Oregon School Activities Association for a comprehensive approach to marketing. This partnership would have a direct impact on Oregonians, multiple generations in families and will promote goodwill in local communities. The board affirmed this partnership at a level of \$12,000, with additional investment for cutting existing footage into short videos for promotional use. OSAA funding has been issued and the partnership contract has been signed. The committee reviewed website proposals and provided a recommendation to the OSC Board to enter into a partnership with PAC/ West for website development. The OSC Board affirmed this recommendation at its Feb. 27 meeting.

- **Scholarship Committee** - The scholarship committee met in January. Scholarship applications opened Feb. 1 and closed on March 1. Review will take place in the coming weeks.
- **Smoke Management** - OSC is working through contract details with the Oregon Department of Agriculture (ODA). OSC distributed a survey to participants of the field burning program to learn more about user experience, what is working well and where improvements could be made. OSC and ODA are working together to review survey data and are planning to convene the committee in the spring to review survey results and prepare for the upcoming season.



Federal Updates from the Oregon Seed Council

The Oregon Seed Council is closely watching Congressional and federal regulatory updates that impact our members. Below are some key updates from the month.

Appropriations

[Congress has agreed on a short-term spending agreement to avert a partial government shutdown](#), The new Continuing Resolution (CR) will fund parts of the government through March 8 and the remainder until March 22.

This will allow more time to determine full funding. This action is paired with a deal on six of the 12 spending bills lawmakers need to pass to fund the government long term. Congress is expected to pass six of those spending bills by March 8, and address the rest by March 22.

The last round of CRs set parts of government funding to expire on March 1 with the remainder set to expire on March 8.

Farm Bill

OSC participated in several calls regarding the Federal Farm Bill with partners in the month of February. While it is not yet certain when the next Farm Bill will pass, it is the desire of the House Committee on Ag to mark up the Farm Bill in March.

OSC has met with several Congressional offices, and continues to work with staff and partner organizations regarding OSC priorities.

Based on projections from federal lobby partners, looming elections and the political climate, all signs are pointing to passage of a Farm Bill next year or later. As a reminder, the Farm Bill has been extended through September.

We will continue to track and engage on this and related issues.

EPA

Vulnerable Species Pilot Program

On February 7, the EPA distributed a press release on implementation approaches for ESA pesticide policies. Here is an excerpt on agency action that OSC is monitoring closely:

Improved Species Maps

In June 2023, EPA announced draft mitigations for 27 species that are part of the Agency's [Vulnerable Species Pilot project](#), an effort to protect species that are particularly vulnerable to pesticides. EPA received feedback that some of the maps included areas that endangered species do not live in, and that the areas in which pesticide mitigations would be required under the Pilot were thus overly broad.

Today, EPA announced that it will not implement the Vulnerable Species Pilot protections for a species until a more refined map



of its habitat is developed. EPA is also announcing that it is working with the U.S. Fish and Wildlife Service (FWS), USDA, the University of Georgia and other stakeholders to develop maps that better reflect where these species actually live and where protections from pesticides are needed. In April, EPA plans to hold a workshop to facilitate and prioritize the development of these maps, and EPA will also develop guidelines that the public can use to develop and submit refined maps for hundreds of other endangered species.

The EPA plans to release its revisions by fall of 2024. OSC will stay engaged with EPA's process.

For more information on the pilot program, [click here](#).

The EPA's white paper on its initial plan, released in June, is [available here](#).

Rodenticides

OSC submitted a comment on the biological evaluation of this program.

IR-4 Project

Next week, the IR-4 Coalition, which OSC is a participant of, will be meeting in D.C. Our partners at DCLRS, who coordinate the lobbying activities will be hosting an educational workshop called "Lunch and Learn" where they engage with congressional staff, members of congress and others to elevate the program and build support. It gives industry members the opportunity to tell their stories on why the program matters. We pay into this group to participate and ensure the viability of the program.

Additionally, the appropriations process has opened, and OSC will be submitting comments to advocate for IR-4 Project funding.

State Accepting Applications for Two Vacant Board of Agriculture Positions

The Office of Oregon Governor Tina Kotek is now accepting applications to fill partial terms for two Oregon State Board of Agriculture producer positions. The two open producer positions require the applicant to actively produce agricultural commodities in Oregon.

Term lengths on open positions are as follows:

- Producer position 02, partial term ends 10/31/2026, eligible to serve at least one additional 4-year term.
- Producer position 06, partial term ends 10/31/2026, qualified to serve at least one additional 4-year term.

In addition to new producer applications, previous eligible producer applications with interest forms on file with the Governor’s Executive Appointments office will also be considered. Ideal candidates for producer positions will reflect the diverse nature of agriculture production in Oregon, including geographic and commodity representation.

Top candidates may be contacted for additional information during the interest form review process. Applicants must submit their [applications](#) by the close of business on **March 29**. This will be an abbreviated process to ensure the Board has full membership by the meeting in June 2024.

To apply:

You must complete an interest form and include supplemental information such as a resume, statement of interest and a short bio by March 29 end of day. Please visit the State of Oregon Boards and Commissions webpage for complete steps and details.

Meeting and compensation:

The 10-member Board meets every quarter at locations throughout the state as the chairperson determines. Compensation and travel

expenses for time spent performing official duties are permitted based on [the Oregon Revised Statute \(ORS\) 292.495](#).

The Governor is responsible for appointing nine Board of Agriculture members. The Oregon State Board of Agriculture is a 10-member board that advises the Oregon Department of Agriculture on policy issues, develops recommendations on key agricultural issues and advocates for the state’s agriculture industry in general. The Board is established by [Oregon Revised Statute \(ORS\) 561.372](#).

Board membership requirements include:

- Seven board members who are actively engaged in the production of agricultural commodities.
- Two board members who are not actively engaged in the production of agricultural commodities.
- Chairperson of the Soil and Water Conservation Commission (ex-officio, voting).
- Director of the Oregon Department of Agriculture (ex-officio, non-voting).
- Dean of the College of Agricultural Sciences of Oregon State University (ex-officio, non-voting).
- Members appointed to the Board must be Oregon residents.
- Not more than five members appointed to the Board may belong to the same political party.

Appointment terms:

- Term length: 4 years; may serve two consecutive terms.
- Confirmed by Senate: No

(From the Oregon Department of Agriculture.)



SLN Labeled Herbicide Showing Promise in Clover

Flumetsulam, the active ingredient in the herbicide Python, is a product clover seed growers might want to look into, according to Oregon State University Extension Seed Production Specialist Nicole Anderson.

“If you haven’t taken a look at Python in your clover seed production, it is probably something you should be doing,” Anderson said in a presentation at the Oregon Clover Growers Annual Meeting, January 31 in Wilsonville. “It is a nice pre-emergent material that can help with a lot of weeds, and we can also use it post-emergent.”

The material is effective on mayweed chamomile, canola, lesser-seeded bittercress, shepherds purse, wild mustard, volunteer meadowfoam, sharpshoot fluvellin and dock, Anderson said.

“If you want to go after dock, it’s got to be from the first year you establish that field and it needs to be a pre-emergent or a very early post-emergent spray,” Anderson said. “Once that dock is germinated and establishes itself, flumetsulam is not going to touch it.”

If treated at the proper timing, any dock that does escape will stay stunted, Anderson added. “It will germinate and come up, but it will just sit there.”

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Nicole Anderson

Also, Anderson said growers need to be aware that the current SLN label includes feeding restrictions. “You should not be taking silage or sheep grazing or feeding screenings or any other material off of

Flumetsulam is registered under a Section 24C Special Local Needs (SLN) label for use in red and crimson clover grown for seed, Anderson said. The label includes some plant-back restrictions that researchers are working to remove.

“This material has been used for ages in New Zealand, and our colleagues there indicate that there are no plant-back issues with common field crops like wheat or grass seed,” Anderson said.



Nicole Anderson at the Oregon Clover Growers Annual Meeting talks about a weed management option for clover seed growers.

these fields until we get a tolerance established with EPA and get the feeding restrictions removed,” she said.

“It is good that ODA was willing to give us the products, but the downside is there are a few restrictions on it,” Anderson said. She added that IR-4 Specialty Crops Pesticide Registration Research Leader Dani Lightle “has been working very diligently on the residue work to get that tolerance established.”

Anderson suggested that growers go with a rate of 0.66 fluid ounces when using flumetsulam pre-emergence or up to the four trifoliolate stage in seedling red clover. For established red and white clover, she suggested growers double that, so apply it at 1.33 fluid ounces. For crimson clover, she suggested going at the higher rate if treating at the two-trifoliolate or larger stage.

“Personally, I would be on there earlier rather than later,” she said.

Trials with tank mix partners, including clethodim, MCPA, oxyfluorfen and pronamide (Kerb), showed no antagonism, Anderson said.

THE E-NEWSLETTER The goal of this e-newsletter is to provide timely updates to Oregon seed producers and field reps. It includes a snapshot of what’s happening currently with respect to weather, pest and disease outbreaks, harvest, label updates, and other management activities. Growers or field reps can provide input anytime at mitchlies@comcast.net.

CONNECT WITH US To sign-up for this e-newsletter or for archived issues, please visit: <http://www.oregonseedcouncil.org/seed-update>

Grass Seed Acres Down in NASS Survey

The National Agricultural Statistics Service’s 2024 grass seed survey shows that Oregon acres of perennial ryegrass and tall fescue are down nearly 20,000 from two years ago, the last time an acreage survey was conducted.

The estimates, released February 22, show that Oregon growers have 302,000 acres of ryegrass and tall fescue seed available for harvest in 2024, down from 321,000 acres in 2022, or a six percent decline.

Of that total, 165,000 are in ryegrass seed and 137,000 in tall fescue.

Of the ryegrass total, 115,000 are in annual ryegrass and 50,000 in perennial. The tall fescue acreage includes 100,000 in turf type, 19,000 in forage and 18,000 in K-31 and other types.

All but 5,000 of the 50,000 perennial ryegrass acres are being grown under contract, and 35,000 of the perennial acres are irrigated. A breakdown of 115,000 annual ryegrass acres shows that 52,000 are under contract and 5,000 are irrigated.

Of the 100,000 turf type tall fescue acres, 81,000 are being grown under contract and 49,000 are irrigated.

A breakdown of the 19,000 acres in forage types shows that 8,000 acres are under contract and 4,000 acres under irrigation.

A breakdown of the remaining tall fescue varieties grown in the Valley, including Kentucky-31 and other types, shows that 3,000 of the 18,000 acres are being grown under contract and 3,000 acres are under irrigation.

NASS noted in its report that the 2024 grass seed crop is being reported as mostly good, with some in fair condition. The crop benefitted from rain last fall, the report states, but mice, voles and slugs “continue to be reported as issues across the grass seed area.”

NASS stated that its estimates are based on data from a survey of growers conducted in January of 2024. NASS is an agency in the U.S. Department of Agriculture.

Calendar

- March 20** Oregon Clover Commission Meeting, 7 a.m., Roth’s, 1130 Wallace Rd NW, Salem
- March 26** Oregon Seed Council Meeting, 6:30 p.m., Cascade Grill, 110 Opal St N.E., Albany
- April 1** Oregon Fine Fescue Commission Meeting, 7 a.m., Roth’s, 1130 Wallace Rd NW, Salem
- April 4** Oregon Tall Fescue Commission Meeting, 6 p.m., Roth’s, 1130 Wallace Rd NW, Salem
- April 8** Oregon Ryegrass Commission Meeting, 6 p.m., Cascade Grill, 110 Opal St N.E., Albany
- April 23** Oregon Seed Council Meeting, 6:30 p.m., Cascade Grill, 110 Opal St N.E., Albany
- May 28** Oregon Seed Council Meeting, 6:30 p.m., Cascade Grill, 110 Opal St N.E., Albany
- June 25** Oregon Seed Council Meeting, 6:30 p.m., Cascade Grill, 110 Opal St N.E., Albany

