

ANALYSIS

Oregon Department of Forestry Report - Sudden Oak Death

Analyst: Matt Stayner

Request: Acknowledge the receipt of a report from the Oregon Department of Forestry on all department activities related to the containment and eradication of Sudden Oak Death in Oregon.

Analysis: In conjunction with a \$1.7 million General Fund appropriation included in the agency's budget for treatment and containment of Sudden Oak Death, the department was directed via budget note to produce a detailed report of all department activities related to the containment and eradication of the disease in Oregon. The department was required to report on four specific, related topics:

- A comprehensive review of expenditures made by the department and its federal and state partners on containment and eradication activities
- Detailed discussion of each of the activities, strategies, or actions that includes the amount spent on these items and the efficacy of these items.
- The identification of any impediments that have been encountered by the agency, its federal and state partners, or contractors in achieving the purposes of the activities, strategies, or actions taken to slow or stop the spread of Sudden Oak Death.
- A strategic plan and a detailed implementation plan for the containment and eradication of Sudden Oak Death by the department for the next two biennia that is based on quantifiable, successful strategies that have been implemented to date.

The report covered the first three items in sufficient detail to provide a significant understand of the history, operations, and financing of the program. Subsequent detail was provided by the agency to the Legislative Fiscal Office (LFO) regarding the specific regulations and administrative rules related to enforcement of eradication treatments for infested sites on state and private lands. The establishment of the quarantine area is done by the Oregon Department of Agriculture under the authority granted by ORS 561.510 and ORS 561.540. The specific quarantine area is described by administrative rule in Chapter 603, Division 52, Section 1230. The administrative rules also describe the treatment protocols that must be followed. Although the Department of Agriculture (ODA) manages the quarantine area process and defines treatment protocols, the Oregon Department of Forestry is relied upon by ODA for technical assistance, surveys, and SOD treatments.

In responding to a question from LFO about the source of required 1:1 local matching funds for United States Forest Service funding discussed on page 7 of the report, the agency responded that most of the matching funds have come from the General Fund, but there have occasionally been private landowner funds for treatment. The report did not detail the number of treatments or acreage treated on private vs public lands, nor did the report detail the amount of public funding that was used for treatment work on private lands specifically. This detail was not required by the budget note, but may be useful to understand in future reports.

Rather than providing a single strategic plan and detailed implementation plan, the report instead provides four options that are essentially predicated on program funding. Options two through four provide for treatment on 600 acres, 717 acres, and 2,782 acres respectively per year at costs beginning

at \$3.3 million and ranging up to \$15.3 million (supplemental information provided by agency in response to LFO questions). None of the options included a proposed source of funding.

The report presented several challenges including issues with landowner permission, availability of contractors, and the treatment season versus the wildfire season. Capacity to perform treatments even when funding is available remains a concern. Increased funding may not correlate directly with an increased number of acres treated. Expansion of the program funding would be anticipated to include a plan for capacity addressing the challenges identified.

Legislative Fiscal Office Recommendation: The Legislative Fiscal Office recommends acknowledging receipt of the report.

Department of Forestry Filimoehala

Request: Report on Sudden Oak Death.

Recommendation: Acknowledge receipt of the report.

Discussion: The Department of Forestry (ODF) is submitting a report on Sudden Oak Death as directed by Budget Note included in the Budget Report for Senate Bill 5518 (2021). Senate Bill 5518 provided the department with \$1.7 million General Fund to treat Sudden Oak Death. The Budget Note also directed ODF to perform a comprehensive review of expenditures by the department and partners on containment and eradication, detail the efficacy of expenditures, identify impediments, and produce a strategic and implementation plan for the containment and eradication of Sudden Oak Death in the next two biennia.

The report details the origins of the invasive non-native pathogen that causes Sudden Oak Death in Oregon as well as immediate actions and aftermath of the introduction of Sudden Oak Death to Oregon trees. Between 2001 and 2010, the initial quarantine zone expanded from nine square miles to 154 square miles and currently sits at 512 square miles. If Sudden Oak Death expands past the existing quarantine zone, the next quarantine boundaries are expected to include the entirety of Curry County.

The current Sudden Oak Death slow-the-spread program utilizes early detection, monitoring, and eradication tactics. Ideal treatment includes the eradication with a treatment buffer of 600 feet of an infected tree. The program includes state, federal, and university partners within its structure. Between the state, federal government, and public university partners, the program has an estimated annual expenditure of \$2.9 million, with \$1.1 million provided through state General Fund resources.

The report details successes and challenges of the Sudden Oak Death slow-the-spread program. A costs savings benefit of 19:1 to the southern Oregon economy as well as non-economic benefits to cultural practices are noted as successes. Lack of funding in some years, less sophisticated early detection techniques, and landowner relationships are noted as challenges.

The report concludes with an evaluation of alternatives to the current Sudden Oak Death slow-the-spread strategy including living with the disease, continuing the current program and funding level, increasing the current program and funding level, and containment of the Sudden Oak Death disease to Curry County. The alternative scenarios are arranged from the least level of funding to the greatest level of funding. The greatest level of funding, which contains Sudden Oak Death to Curry County, includes new establishments of an emergency eradication fund, a 6-mile-wide action zone between the affected county and neighboring counties, and additional field mobilizations with the intent to contain Sudden Oak Death for at least the next 10 years.



Oregon

Tina Kotek, Governor

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State Forester's Office
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March 27, 2023

Sen. Elizabeth Steiner Hayward, Co-Chair
Rep. Tawna Sanchez, Co-Chair
Joint Committee on Ways and Means
900 Court St. NE, H-178
Salem, OR 97301

Re: Oregon Department of Forestry (ODF) — Sudden Oak Death Report

Dear Co-chairs,

Nature of the Request

During the 2021 Regular Session, Senate Bill (SB) 5518 appropriated \$1.7 million General Fund in the agency budget to treat Sudden Oak Death. In conjunction with this appropriation, the department was directed to produce a detailed report of all activities related to the containment and eradication of Sudden Oak Death in Oregon. The budget note directs the department to report on the following:

- A comprehensive review of expenditures made by the department and its federal and state partners on containment and eradication activities.
- Detailed discussion of each of the activities, strategies, or actions that includes the amount spent on these items and the efficacy of these items.
- Identify any impediments that have been encountered by the agency, its federal and state partners, or contractors in achieving the purposes of the activities, strategies, or actions taken to slow or stop the spread of Sudden Oak Death.
- A strategic plan and a detailed implementation plan for the containment and eradication of Sudden Oak Death by the department for the next two biennia that is based on quantifiable, successful strategies that have been implemented to date.

Agency Action

Attachment A provides a comprehensive review of the Oregon Sudden Oak Death Program. This report reviews spending made by ODF and its federal and state partners to slow the spread of SOD in Oregon forests. The report details impediments seen by ODF, its federal and state partners, or contractors in the steps taken to slow or stop the spread of SOD. Based on current funding, the SOD Program presents an implementation plan for slowing disease spread and a review of the effectiveness of disease management activities. Alternatives to the current

program for all forest lands in Oregon for the next four years are also presented. State and federal management teams responsible for the SOD Program reviewed these options.

Action Requested

The department requests the Joint Committee on Ways and Means acknowledge and accept the department's detailed report of activities related to the containment and eradication of Sudden Oak Death in Oregon.

Legislation Affected

None.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cal Mukumoto', with a long horizontal flourish extending to the right.

Cal Mukumoto
Oregon State Forester

c:
Legislative Fiscal Office
Chief Financial Office
Board of Forestry
Governor's Office