

Options Considered to Accommodate Co-existence Between Brassicaceae Specialty Seed Crops and Canola

Ideally, all Brassicaceae seed crops and canola fields in the Willamette Valley would be pinned in order to ensure that seed purity is maintained. The authority for required pinning would most likely come through legislation or the Oregon Department of Agriculture. A better option is to find a path forward where pinning is voluntary rather than regulatory. Regardless of the option chosen, there should be an advisory group that represents both the specialty seed industry and the oilseed industry to continually update rules and address issues in the pinning system or other concerns as they arise.

Commented [RS1]: Exactly what we have been saying and something the WVSSA is aware of.

Commented [RS2]: Interesting point

Commented [RS3]: This is exactly what we have been doing for the past few years

Isolation distances required between canola and other Brassicaceae seed crops should be based on genetics of the crops and the potential for cross-pollination, rather than an arbitrary distance. The same rules that govern the isolation of other Brassicaceae seed crops should be applied to canola. (See section on Brassica genetics)

A. Options for co-existence of canola and other Brassicaceae crops in the Willamette Valley

Option A-1. Limit acreage of canola grown for oil to a level that would allow expansion of the industry while continuing to provide consideration for the established Brassicaceae specialty seed industry.

This is a conservative approach that requires a designation of a specific number of acres for canola production beyond the 500 acres now permitted annually under HB 3382. Based on the number of acres that are planted to wheat and grass seed, an expansion of canola acreage within those acres would be reasonable and feasible. (See section on Potential Acres Available for Canola Production)

Commented [RS4]: They did not reach they're full potential most years

To date, all of the canola seed that is being produced in the Willamette Valley is delivered to Willamette Biomass Producers (WBP) for crushing. The facility is certified to produce organic products, so does not accept genetically modified (GM) seed. The facility could produce food quality oil if canola production was 5,000 acres (Craig Parker, CEO and President, personal communication). The canola oil produced could be labeled and marketed under the Non-GMO Project Verified.

Commented [RS5]: This place is shut down?

Willamette Valley canola growers could consider putting in place a Grower Opportunity Zone, similar to those in place in California and Idaho for the production of either GM or non-GM alfalfa

(www.alfalfa.org/pdf/GOZseed.pdf). The zones were established by growers to produce either GM seed or non-GM seed within a designated area. In California, the growers defined the zone and >80% approval was needed to establish it as either a GM or non-GM zone. The Willamette Valley Oilseed Producers Association (WVOPA) would need to decide if they wanted to pursue this process. The canola growers would need to vote to form the GM-free zone.

Option A-2. Use existing Willamette Valley Specialty Seed Association (WVSSA) pinning data to construct accurate maps of Brassicaceae seed crop production acres and field locations, including cover crop seed and vegetable seed crops based on chromosome number. The maps could be used for spatial density analysis to determine areas of Brassicaceae specialty seed crop concentration and could potentially lead to the designation of a canola exclusion zone if warranted.

Commented [RS6]: Not the worst option in the world

Option A-2 requires that the WVSSA provide the pinning data to a third party and assist in validation of the maps and cooperate in the process. Before this option is considered, the data would need to be provided up front and maps constructed so that the results could be evaluated by the Oregon Department of Agriculture for use in its final recommendation.

Option A-3. Do not limit canola acreage in the Willamette Valley as long it is pinned under the same rules as the Brassicaceae specialty seed crops.

Commented [RS7]: This was an option that the WVSSA put forth that the WVOPA walked out on negotiations

Option A-3 provides no extra protection of the specialty seed industry for their stated concerns about international market repercussions from canola production in the Willamette Valley. Nor does it provide any precaution for the potential increase in pests and diseases that could accompany uncontrolled expansion of Brassicaceae crops. However, this option puts canola on the same footing as the Brassicaceae crops such as radish, forage rape, and turnip, which are now being grown on larger acreages to produce seed for the cover crop market.

Note: An option to ban or exclude canola from the Willamette Valley was not considered because it does not lead to an outcome of co-existence between canola and specialty Brassicaceae seed crops.

Recommendation: Option A-1 is the recommended option because it allows for limited expansion of canola production. In addition, the canola growers are encouraged to explore the option of the Grower Opportunity Zone.

Commented [RS8]: I would recommend a hybrid between A-1 and A-3. Limit acreage of canola grown for oil to a level that allows for expansion of the industry and pin under same rules as the brassicaceae specialty seed crops

B. Options for pinning systems.

Option B-1. Use the WVSSA system currently used for pinning specialty seed crops. Changes in

pinning rights would be necessary to expand membership so that growers not contracting with a WVSSA company member would have access to pinning and equal rights to the pinning system. If pinning is regulatory rather than voluntary, this system likely would not be feasible.

Commented [KS9]: Some members of WVSSA are Farmers who do not contract with another company

Option B-2. Contract with the California Crop Improvement Association to provide pinning for Oregon growers. This system is currently used by producers in Idaho as well as California. This option would be cheaper than creating a new pinning system. The most expensive maps created to date cost about \$5,500 to generate (Katy Solden, California Crop Improvement Association, personal communication). Once the isolation maps are established, there is a \$10.00 fee for each field pinned. Rules established by specialty seed and canola growers for pinning in Oregon would need to be implemented for the maps.

Commented [RS10]: This is currently being done by the WVSSA

Option B-3. Create a new pinning system that would be a joint public and private partnership. The public entity could either be the Oregon Department of Agriculture or Oregon State University Seed Certification working with a company not affiliated with either WVSSA or WVOPA to oversee the

pinning system. Contracting with the California Crop Improvement Association could be one option.

Option B-4. Turn the pinning system over to either of the public entities listed in Option B-3 and leave the decision up to the entity on how to proceed.

Options B-1 and B-2 would be the most cost effective. Option B-1 brings the depth of understanding for the Oregon specialty seed industry while Options B-2 or B-3 would provide greater options for a reset to overcome the contentious atmosphere that has plagued the discussion of co-existence between canola and the specialty seed industry.

A one year transition period might be required to accommodate the priority pins that members now hold so that production would not be unduly disrupted. After the transition period, canola growers would be able to obtain priority rights. Or, it is possible that priority rights would no longer be part of the system. Growers in Washington State start over each year using a lottery system to determine who pins first.

Commented [RS11]: Not exactly true. WAC 16-326-020 3D "Pinning for Brassica seed crops produced for planting must be performed by an authorized representative of the contractor for the crop. If the seed produced for planting is not being produced for a contractor, or if the contractor waives the pinning privilege, then the grower is responsible for pinning the location of the crop." Point being, it is not growers who first and foremost pin the crops it is the contracting companies. Also, having worked for a few years in the skagit valley this is not how it works. The pinning day is more of a ceremony, the actual pinning discussions are held in private to hash things out.

Recommendation: None of the specific options is recommended over another, only that a pinning system is put in place that is transparent and provides equal access and treatment for all growers.

Final thoughts from Kenny Smith: Regarding the OSU study that my friends like to cite, no where in the report does it state that canola should be completely unregulated and unpinned in the Willamette Valley. SB789 is a solution drawn straight from the OSU report as a mix of options A1 and A3; limiting acreage and pinning every field.

Option A1 mentions that acres can be expanded, based on the amount the mill in Rickreall can handle. This mill is not processing canola anymore.

Option B2 mentions using the CCIA pinning system, the WVSSA implemented this system in 2020 through 2021. Running a pinning map is not an easy thing to do, when technical issues arise, our group has to act quickly to get it fixed and get the map functioning again. I would be worried about a government entity taking this over and not being able to act as quickly when issues arise.