

Dreary spring slows Oregon farmers, crops, insects

Some crops, such as perennial ryegrass, benefit from cool, wet weather

By MATEUSZ PERKOWSKI
Capital Press

Low temperatures have slowed the growth of Oregon's crops this spring, at least compared to recent years, while high moisture levels have impeded the state's farmers.

Crop development in the Willamette Valley, for example, is roughly a month behind 2016 and 2015, according to "degree day" data compiled by Oregon State University.

Degree days represent the accumulated average daily temperatures above a certain

threshold — 41 degrees Fahrenheit for many crops — necessary for plant growth.

However, crop development in 2017 is actually close to the usual average. The previous two springs were simply much warmer than typical, according to OSU.

"Even though it's been quite cool compared to the last couple years, we're still around the 30-year normal," said Len Coop, associate director of OSU's Integrated Plant Protection Center.

Meanwhile, precipitation across Oregon has been 20 to 47 percent above average during the current water year, which began last autumn, according to USDA's Natural Resources Conservation Service.

Saturated soils have prevented farmers from applying

fertilizers and pesticides or planting vegetables and other annual crops, experts say.

"You've got this complication of all the work backing up," said Tom Peerbolt, a berry crop consultant and founder of Peerbolt Crop Management.

Soggy ground and strong winds knocked over a large oak tree at a ranch near Elkton, Ore., killing two cows owned by Ed Cooley.

Cooley said he realized something had gone wrong when his electric fence failed, which led him to the fallen tree and five cows trapped beneath.

While two were crushed to death, Cooley managed to rescue the other three by removing limbs with a chain saw.

"The cows were pretty calm about it," he said.

Plentiful rainfall tends to

encourage fungal diseases like scab in apples, but low temperatures suppress the emergence of pests, such as the spotted wing drosophila and brown marmorated stink bug, said Coop.

The spotted wing drosophila needs a higher temperature threshold — 50 degrees Fahrenheit — to develop than many crops, so right now, the insect's populations are lagging plant growth, he said.

The pest would still be at a disadvantage if the weather quickly shifts to being hot and dry, but mild temperatures would allow it to thrive, Coop said.

"They could catch up later on," he said.

Rainy weather during blueberry bloom reduces bee activity, which could hurt pollination, though the problem is

still speculative at this point, said Peerbolt.

Dampness is also conducive to mummy berry, a fungal disease, which is tough to combat with fungicides when windows of appropriate spraying weather are scarce, he said.

"It increases the risks of fungal disease pressure down the road," Peerbolt said.

The pace of field work is sluggish this spring for growers of sweet peas, which could delay planting of other crops, such as corn and green beans, said Dan Fitzner, scheduling manager for the NORPAC food processing cooperative.

If NORPAC's processing volume is dominated by sweet peas, that prevents the company from switching to those other crops, he said. Effectively, that means planting of other crops must be delayed or

acreage of sweet peas must be decreased.

"It could be a problem if it keeps up like this," he said.

Some Oregon crops can benefit from the dreary spring.

Perennial ryegrass, a major seed crop in the Willamette Valley, generally performs better in cooler, wetter weather, said Tom Chastain, an OSU seed crop physiology professor.

Rust disease tends to be more problematic on perennial ryegrass and tall fescue — another common grass seed crop — during warmer and drier springs, since the reproductive cycle of the fungus is accelerated, Chastain said.

However, annual ryegrass, which is generally planted in poorly drained soils, won't be helped by the generous rainfall, he said.

Agritourism bill makes trip through Washington Legislature

Measure to provide defense against lawsuits

By DON JENKINS
Capital Press

OLYMPIA — Farmers and ranchers with agritourist attractions will be shielded from lawsuits by injured visitors under legislation backed by the Washington state Senate and House and even accepted by trial lawyers.

Both chambers have passed similar versions of Senate Bill 5808, which is patterned after laws in many other states. The measure would allow farmers to guard against lawsuits by posting a carefully scripted sign warning visitors that they are assuming the risk of being around farm equipment and animals.

"I'm very excited. I'm going to sleep better at night," Ellensburg pumpkin farmer and agritourist operator Hilary Huffman said Tuesday. "Fortunately, I haven't been sued. But my attorney says it's a matter of when, not if."

The bill will apply to farmers and ranchers who host events and have activities such as hay rides, corn mazes and petting zoos. Agritourist operators say they caution visitors to be careful, but not everyone heeds the warning.

"What we can't do is always cause an adult to act like one," said Snohomish producer Keith Stocker, whose family farm has changed over the past century from dairy to truck farm to agritourism.

"We host tens of thousands on our farm every year, and it exposes us to a variety of interesting characters," he said.

Lawsuits have apparently not been a widespread problem for agritourist operators around the country, though an Olympia farmer said he was sued and settled with a man who slipped in the mud and was severely injured.

Huffman said she learned about laws in other states at an agritourism conference, where lawsuits were the number one concern.

She brought the idea to Kittitas County Commissioner Paul Jewell, who relayed it to Rep. Matt Manweller, R-Ellensburg, and Sen. Judy Warnick, R-Mo-



Courtesy of Huffman Farms/Rachel Smith Photography

A child surveys the pumpkin patch at Huffman Farms in Ellensburg, Wash. A bill to shield farmers and ranchers with agritourist attractions from liability lawsuits is moving through the state Legislature.

ses Lake, who introduced bills in their respective chambers.

The Washington State Association for Justice, a trade group of plaintiff attorneys, initially opposed the measure. The opposition softened, however. The bill was amended to strip farmers of protection if they "knowingly" allow in someone under the influence of alcohol or drugs.

The Washington Farm Bureau said that added a requirement not found in other states.

Huffman said she is concerned about enforcing it. "My top employees are my 12- and 14-year-old kids and my 68- and 69-year-old parents," she said.

The lawyers' lobbyist, Larry Shannon, said agritourism operators will have to watch for visitors overtly intoxicated or drugged, but they won't have to study up on detecting substance abuse.

"We thought it was actually a good, solid compromise," he said.

The Farm Bureau's director of government relations, Tom Davis, said the bill still should help agritourism, including with buying liability insurance. "The general consensus is the bill still represents an improvement over current law," he said.

"I'll take what I can get," Huffman said. "I feel like this is the beginning of good momentum for agritourism."

Jewell, the county commissioner, said agritourism can

help counties preserve open spaces.

"Under the state's Growth Management Act requirements, there are very limited opportunities in many rural areas for economic development and this represents one that is becoming more valuable," he said.

Shannon said that he's a city resident who enjoys agritourist outings with his family.

"I appreciate the spirit they had coming forward with this bill," he said. "I think it will do what they want it to do."

The bill passed the House 96-0 on April 7 and the Senate 42-6 last month. Minor differences in the bill must be reconciled before it's delivered to the governor.

Irrigators file lawsuit over Klamath refuge restrictions

Complaint alleges management plans will take land out of farming

By MATEUSZ PERKOWSKI
Capital Press

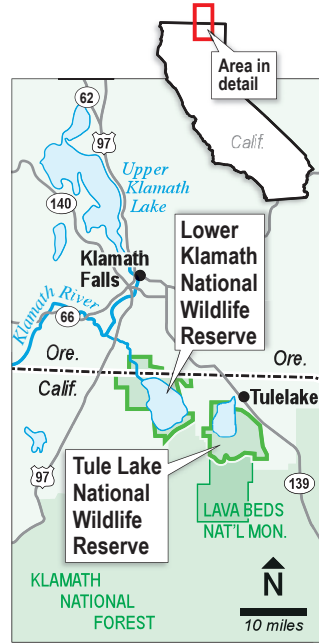
Multiple irrigators claim the federal government's plans for two Klamath-area national wildlife refuges unlawfully restrict farmed acres and agricultural practices.

In the final days of the Obama administration, the U.S. Fish and Wildlife Service issued plans for managing several refuges in the Klamath basin over the next 15 years.

The Tulelake Irrigation District, Klamath Water Users Association, Tulelake Growers Association and three private farms have now filed a complaint against the agency, arguing that plans for the Tule Lake and Lower Klamath refuges violate federal laws.

The plaintiffs have asked a federal judge to overturn the management plans and impose an injunction against the farming restrictions.

"The likely effects of this shift in management will be noxious weed growth on fallowed or non-irrigated lands, wind erosion of dry topsoils, as well as detrimental social, and economic effects, all without any benefit to migrating waterfowl," the complaint said. "Further, it would be false to assume that less agriculture will result



Alan Kenaga/Capital Press

in more water for waterfowl or wetland habitat. Indeed, the approximate is true: less agriculture will result in less water, more noxious weeds, less wetland habitat, and less food resources for waterfowl."

Capital Press was unable to reach a representative of the U.S. Fish and Wildlife Service as of press time.

National wildlife refuges in the region have long been leased for agricultural production, allowing farmers without land of their own to plant crops and expand their businesses, according to plaintiffs.

Farmers leave a portion of grain crops for waterfowl to eat and cooperate with scientists to develop innovative "wildlife-friendly farming practices" on the leased refuge acres, the complaint said.

Under the management plans issued in January, growers leasing land in the Tule Lake and Lower Klamath refuges would be subject to numerous stipulations, such as prohibitions on post-harvest field work and genetically engineered crops, the complaint said.

The government plans also to restrict alfalfa harvests, require farmland to be flooded over winter and disallow hazing of waterfowl during tilling and planting in late winter and early spring, the plaintiffs allege.

"These stipulations would or may reduce agricultural acreage and increase the number of unharvested acres of land that remain in agriculture, as well as impair the ability to productively farm on the lease lands," the complaint said.

According to the plaintiffs, these plans violate legislation passed by Congress in 1964, known as the Kuchel Act, which requires the Fish and Wildlife Service to "continue the present pattern of leasing" of property within the refuges.

The lawsuit also claims the government insufficiently studied the "direct and indirect adverse environmental effects" of the restrictions, while failing to show they actually helped waterfowl.

Aside from the irrigators' complaint, the U.S. Fish and Wildlife Service is also contending with a lawsuit filed by environmentalists who claim the agency unlawfully lets farmers use pesticides on leased refuge acres.

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