



Courtesy of Kevin Lewis

Twin Lakes Canal Co. is awaiting approval of a permit by the Federal Energy Regulatory Commission for a dam on the Oneida Narrows stretch of the Bear River within Franklin County, Idaho.

Supporters of Oneida Narrows dam await ruling

By JOHN O'CONNELL
Capital Press

PRESTON, Idaho — Franklin County farmers view a dam they've proposed on the Bear River as a solution to persistent water shortages that often force them to leave acres fallow and cut off irrigation prematurely.

A public comment period on Twin Lakes Canal Co.'s planned project on the river's Oneida Narrows reach ended Dec. 16, after the Federal Energy Regulatory Commission launched an environmental review of the final license application.

The 230 Twin Lakes shareholders, representing 16,000 irrigated acres, hope FERC will grant the project a long-awaited draft environmental impact statement by a June 15 deadline. The canal company has worked for about a decade seeking to advance its proposed 109-foot dam, which would create a 4.5-mile reservoir impounding water upstream to the base of the existing Oneida Dam. Power generated from the new dam would raise revenue to repay construction costs and to replace the company's open-ditch canal system with pipe, thereby saving additional water lost to seepage.

But the project has faced strong opposition from environmental groups, sportsmen and the federal Bureau of Land Management, PacifiCorp and the Shoshone-Bannock Tribes.

Some opponents, including PacifiCorp, have filed motions asking FERC to dismiss the application. PacifiCorp argued in its public comments the dam would create "irreconcilable conflicts" with its existing Bear River hydro-power projects. PacifiCorp contends the dam would "destroy or alter" measures it's undertaken to mitigate for impacts on native Bonneville cutthroat trout.

BLM officials insist they lack authority to approve

rights of way to allow the project to disrupt a BLM-administered research natural area.

The Tribes seek to intervene based on "adverse impacts to cultural resources, fish and wildlife resources and off-reservation treaty rights."

"There are a number of absolute roadblocks to building this dam," said Kevin Lewis, conservation director with Idaho Rivers United, which also filed a motion to dismiss the application. "Instead of them realizing that, they keep forging forward and spending more money."

The Idaho Department of Water Resources has already denied water rights for the project based on public concerns, though Twin Lakes Canal Co. President Clair Bosen believes the agency would place considerable weight on the approval of a FERC permit.

Bosen said his company has also invested millions in a suite of studies to address public concerns — and gone back and updated its application to address a host of additional FERC questions.

The canal company currently operates Twin Lakes, Conde and Winder reservoirs. "Six out of 10 years, we're way short of water," Bosen said. "A lot of times, we don't even plant crops."

Wes Beutler, who farms in Dayton, Clifton and Weston, left 265 acres fallow during the 2013 season due to a tight water supply. Because he's contractually obligated to supply seed potatoes and dry bean seed, he elected to stop irrigating alfalfa after his first cutting.

"That (dam) is the only way we can come up with to solve our problem," Beutler said. "There's a moratorium on drilling any irrigation wells in the Bear River drainage now."

Beutler said many farmers in his area have already left the business due to water challenges.

Terminal operators blamed for port congestion

Union undecided on federal mediation

By MATEUSZ PERKOWSKI
Capital Press

The longshoremen's union claims that container terminal operators have purposely contributed to port congestion to blame shipping disruptions on worker slowdowns.

The International Longshore and Warehouse Union also remains undecided whether to let federal mediators participate in the labor contract negotiations with the Pacific Maritime Association, which represents West Coast terminal operators.

The PMA requested that federal mediators assist with the talks, citing a lack of progress, but the ILWU must agree to their participation.

Jennifer Sargent, a spokesperson for the union, said ILWU is still deciding whether such mediation would be useful but in the meantime wants PMA's board of directors to become directly involved in the negotiations.

The PMA says its leaders are paying close attention to the talks already and reiterated accusations that longshoremen are staging work slowdowns along the West Coast to the detriment of exporters and importers.

Agricultural exporters have urged the parties to reach an agreement because port disruptions are costing them millions of dollars and permanently damaging relationships with overseas customers.

The ILWU claims that congestion is caused by mismanagement by the terminals and that operators in Seattle and Tacoma have canceled night shifts to exacerbate the problem, hoping to blame it on longshoremen.

Both the union and terminal operators seem content to trade barbs without actually escalating the situation, said Jim Tessier, a labor consultant and former PMA employee

who is critical of both parties.

For example, the PMA could lock out the longshoremen from its facilities or implement a final contract offer, which could cause longshoremen to strike, he said.

As for ILWU's demand that PMA's board of directors directly participate in negotiations, it would be naive and ineffective for the terminal operators to accept that condition, Tessier said.

The board is already instructing its negotiators, so such a change would not actually make any difference, he said. "They're all going to say the same thing, no matter who is saying it."

Washington steps up testing for bird flu

Residents asked to report sick and dead birds

By DON JENKINS
Capital Press

Washington wildlife officials are asking the public to help them find wild birds infected with a lethal and contagious strain of avian influenza that has struck British Columbia poultry, surfaced in a backyard flock in Southern Oregon and caused concern in Asia and Europe.

The virus, deadly to domestic poultry but rarely fatal in migratory waterfowl, may endanger hawks, falcons and eagles, state Fish and Wildlife veterinarian Kristen Mansfield said.

Mansfield said she's surprised there have been no reports of dies-offs among native wild birds, but there is a risk. "We really want to enhance our surveillance," she said.

The department encourages people to report dead or sick wild birds by calling 1-800-606-8768.

State and federal game managers also plan to approach hunters and ask to take samples from harvested birds.

Game managers will focus their efforts in Whatcom, Skagit and Snohomish counties in northwest Washington, and in Thurston and Clark counties in southwest Washington. "It's kind of the next step down the flyway," WDFW waterfowl section manager Don Kraege said.

"The sampling procedure takes less than a minute per bird and will help us determine the prevalence of the disease in wild birds," he said.

The highly pathogenic H5N2 bird flu was found this month in a dead northern pintail duck at Wiser Lake in Whatcom County. A captive gyrfal-



Don Jenkins/Capital Press

Wild birds mix Dec. 24 in the Coweeman River in southwest Washington. The Washington Department of Fish and Wildlife plans to step up testing of wild birds for avian influenza.

con that ate a wild duck shot at the same lake died from highly pathogenic H5N8 bird flu, a closely related virus.

Kraege said the falcon's death showed the potential for the virus to kill raptors.

The ducks breed in Alaska and northeast Asia and migrate south through Canada and toward Europe.

The discovery in Washington of a duck with highly pathogenic bird flu was the byproduct of an ongoing investigation into a die-off at Wiser Lake.

Mansfield said the department has submitted about 20 duck carcasses collected from the lake this month for testing in Madison, Wis. Every duck, including the one with bird flu, died of aspergillosis, a fungal disease that has killed ducks at the lake before.

Game managers believe the ducks are feeding on moldy grain somewhere in the area, but haven't found the source.

So far, only the one duck was found to have highly pathogenic bird flu. "Just because of the other event, we found it," Kraege said. "It's kind of a needle in the haystack finding."

Washington State Department of Agriculture spokesman

Hector Castro said the department is monitoring flocks in Whatcom County but has not seen any cases of bird flu in poultry.

WSDA is advising backyard flock owners to keep their birds away from wild birds.

The bird flu that infected a backyard flock of guinea fowl, chickens and turkeys in Winston, Ore., in Douglas County is the first case of highly pathogenic H5N8 virus in poultry in North America, according to the World Organization for Animal Health.

The virus has not been reported in commercial flocks, but South Korea, which has battled the same strain all year, has temporarily banned the import of U.S. poultry.

Hong Kong's Center for Food Safety on Monday banned poultry from Douglas County.

Douglas County chicken producer and processor Kerry Olson said he raises chickens for local consumption. Many rural residents raise chickens and sell the eggs, he said.

"Almost anybody out in the country has a small flock," he said.

Olson said he raises chick-

ens in the summer only and in cages to protect them from predators. He has no chickens on the farm now. "If this happened in the middle of June, I would have a concern," he said.

Low pathogenic avian influenza is common in wild birds. WDFW tested more than 10,000 wild birds between 2005 and 2011 and 10 percent had the virus. No sicknesses or deaths were linked to the virus, according to WDFW.

Highly pathogenic H5N8 appeared for the first time in European poultry in November. This month, more H5N8 cases have been reported in Italy, the United Kingdom, Germany, Russia, Vietnam and Japan.

Although the virus in British Columbia has been identified as highly pathogenic H5N2, it shares many of the gene segments of H5N8, according to the World Organization for Animal Health.

The bird flu has struck 11 B.C. farms and claimed 245,600 birds, according to the Canadian Food Inspection Agency. Several countries, including the United States, have banned B.C. poultry and poultry products.

Farm groups hope for clearer food safety regulations

By MATEUSZ PERKOWSKI
Capital Press

On-farm hazelnut and hop dryers will likely escape federal regulations for food processing facilities but the fate of mint stills remains unknown, experts say.

The U.S. Food and Drug Administration is leaning toward excluding on-farm drying facilities from its proposed rules for processors under the Food Safety Modernization Act.

Under the latest proposed revision to the food manufacturer regulations, the FDA considers drying to be part of the harvesting process, said Stephanie Page, food safety and animal health director at the Oregon Department of Agriculture. That point is significant because the FDA requires manufacturers to develop preventive control plans to mitigate risks and increase their analysis of hazards, which would be burdensome for farmers.

The original rules for manufacturers didn't specifically exempt drying facilities, which worried the hazelnut industry, said Mike Klein, executive director of the Oregon Hazelnut Marketing Board.

Increased plantings of hazelnuts in recent years will spur demand for new on-farm drying facilities, but greater government scrutiny might dissuade growers from building them, he said.

"We don't want anything to happen to discourage that, because it's a crucial step in the harvest process," Klein said.

Hop drying and baling would also be excluded from food manufacturer regulations, but the industry is still concerned that the crop hasn't been specifically exempt from FDA's proposed produce safety rules.

Those rules require irrigation water testing and other practices that don't make sense for a beer-making input, said Ann George, administrator of the Hop Growers of America trade group.

"Nobody is going to take hops and chop down on them for snack food," she said. "There is no necessity for the added layer of regulation on hops."

It's also unclear whether on-farm distilling of mint oil will be covered by the food manufacturing rules.

Mint oil is a food ingredient and undergoes further processing before it's consumed, so distilling should be considered a part of harvesting, said Bryan Ostlund, administrator of the Oregon Mint Commission.

The oil is naturally anti-microbial and high-pressure steam distilling kills pathogens, he said. "I don't think anything can survive that process."

Growers want mint stills excluded from the processing rules to avoid unnecessary audits and recordkeeping require-

ments, Ostlund said.

"The label of being food processing takes you into a whole new world of regulation and headaches," he said.

The FDA's manufacturer regulations have convinced I.P. Callison & Sons, a mint oil supplier in Lacey, Wash., to hire additional staff for internal audits and recordkeeping, said Les Toews, the company's vice president of purchasing.

"It's terribly expensive," he said. "For us, it seems sort of silly."

If the FDA does extend processing regulations to on-farm

mint stills, growers who already have implemented "good agricultural practices" on their farms will adjust to the rules

more easily, Toews said.

I.P. Callison & Sons can provide farmers with check box forms to ensure they're

complying with the rules, he said. "If it becomes mandatory, we're in good shape to get that program in place."



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