



John O'Connell/Capital Press

Rick Fellows, a partner in a holding company that owns a farm through which Bannock County proposed to forcibly validate a U.S. Forest Service public access, testifies during a No. 19 public hearing in Pocatello. The county commission voted against the proposal Jan. 14.

## Bannock County opts against public access through farm

By JOHN O'CONNELL  
Capital Press

POCATELLO, Idaho — The Bannock County Commission has voted against forcibly validating an old farm road through private property as an official access to public land.

The county's attorney, Ian Service, initially made the case that the public had a right to use the road to access the Caribou National Forest's Bell Marsh area under a prescriptive easement. Essentially, he argued the public was legally entitled to use the road because of a long and continual history of use.

Service later reversed his recommendation, concerned the county had produced insufficient evidence to support a prescriptive easement.

Service said the general listing "Bell Marsh" appeared among 47 county public land accesses in a 1989 review, but he noted there are two other Bell Marsh accesses. Service contacted county officials from that period, but they couldn't say with certainty which access was intended. Furthermore, the South Bell Marsh access in question has never been maintained by the county, appears on no county maps and is the only county access with a hazy history.

"In our research we've been unable to find anything written or on the map where the county had anything to do with South Bellmarsh Creek Road," said Commissioner Steve Hadley.

The county sheriff's office voiced concerns about patrolling the primitive road, Service said. Service said the sheriff's office has also been asked to look into threatening voice mails left on commissioners' county cell phones declaring "hunting season on commissioners."

"We fully expect whichever decision we make today will be met with legal action from someone," Commissioner Howard Manwaring said before the vote.

Rick Fellows, one of the property owners, said people have illegally cut trees from his land, used it to dump garbage, torn down gates and driven four-wheelers through farm land he has enrolled in the Conservation Reserve Program.

"We can at least limit and monitor who goes up there," Fellows said.

Brandon West, another property owner, said children, disabled people and many others who ask permission to use the land will be granted access. He said "wounds are too fresh" for him to grant permission to certain neighbors, who "dug in their heels" during the access debate.

West considers the commission's decision to be a victory for any owner of property in the county.

"It's good for everybody because government just doesn't have the right to come and grab ground from us," West said.

Jason Beck, land owner/sportsman coordinator with the Idaho Department of Fish and Game, said South Bellmarsh was the only one of the three accesses that could accommodate trucks. Though the other accesses are approved for ATVs, Beck said department reg-

ulations restrict the use of ATVs for big game hunting off of full-sized roads.

"This was a step back for this one property, but we're going to work as hard as we can on every other property to maintain a positive relationship (with land owners)," Beck said.

## Calif. strawberry acreage to decline slightly in 2015

By TIM HEARDEN  
Capital Press

WATSONVILLE, Calif. — Water issues and the proliferation of some new varieties may be reasons that California's overall strawberry acreage is expected to decline again this year.

Growers are expected to plant 37,438 acres of strawberries in 2015 — down from last year's total of 38,937 and from the 2013 total acreage of 40,816, according to the California Strawberry Commission.

Planted acreage normally fluctuates in strawberry fields, but some growers are also grappling with a lack of water — particularly in Ventura County, where some farms rely on surface water and encountered shutoffs last year, commission spokeswoman Carolyn O'Donnell said.

In addition, rising labor and fumigation costs may be prompting growers to plant fewer acres, thinking that good yields from newer varieties could help them keep up with demand, O'Donnell said.

"If you could be a little more efficient without planting as many acres, that's just farming efficiency," she said. "When



Tim Hearden/Capital Press

Strawberries grow in a field near Cottonwood, Calif., last spring. Strawberry acreage is down slightly again this year, according to the California Strawberry Commission.

they make planting decisions, they have no idea what's going to happen next year in terms of water ... They have to balance the knowns and unknowns for the next season."

The commission's acreage estimate comes as growers finished 2014 having produced more than 191.9 million trays for the year — a slight decline from the nearly 194.8 million flats produced in 2013.

Rain in early December dampened strawberry yields along California's Central Coast, setting production behind the previous year's pace.

Through much of 2014, growers were on a pace to enjoy their eighth record-setting year in the last nine seasons.

"In any given year, the weather is going to dictate how much you get out of the fields," O'Donnell said.

Strawberries are a year-round fruit in California, as winter harvests move south with the sun. The peak season is the spring and early summer, when all of the state's major growing regions are producing berries. About 85 percent of the nation's strawberries come from California.



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