

Oregon

Farmers air concerns about thefts, traffic safety

By ERIC MORTENSON
Capital Press

A Willamette Valley farmer's husband arrived home recently to find three guys and a white car backed up to the house with its trunk popped open as if ready for loading. They said they were looking for a "friend" and took off, but farmers spread the word through social media and believe the visitors are connected to a rash of thefts in the area.

The incident led to a pair of meetings this month between the Marion County Sheriff's Office and representatives of the Oregon Farm Bureau's Young Farmers and Ranchers group. Both sides agreed they need a partnership to prevent thefts from shops, fields and rural homes.

"Everyone there has been hit a couple times," said one of the meeting organizers, Jon Iverson, of Iverson Family Farms in Woodburn. Farmers report losing tools, fuel, metal of all kinds, wiring and vehicles.

The sheriff's office encourages farmers to report all losses, spokesman Chris Baldrige said. The department wants to focus resources when and where they're needed, such as during harvest when implements, tools and accessories are out in the field and tend to "disappear in chunks," he said.

Farmers can help investigators by labeling equipment and tools with a driver's license number, farm logo or other mark, Baldrige said. "We find a ton of equipment that we're never able to return," he said.

Security camera systems are a good deterrent and can capture images that help investigations, Baldrige said. Cameras should be positioned to capture a wide view, he said. Deputies will visit farms to review security measures if requested, he said.

Farmers and deputies also discussed traffic safety in what the sheriff's office calls the Northern District of Marion County.

Farmers are especially concerned about driving slow-moving equipment on rural roads and encountering motorists who are unaccustomed to seeing tractors and combines. Some impatient drivers pass when it isn't safe. Iverson said a car ran into the tractor he was driving when it tried to pass on the left as he was making a left turn and had signaled. Although the car was damaged, "They just took off," Iverson said.

In October 2014, farmer Scott Miller was killed when his tractor and trailer were rear-ended on French Prairie Road.

Baldrige, of the sheriff's office, said it appears some of the traffic in the area is from truckers trying to evade scales in the Woodburn area of Interstate 5. There's also been a substantial increase in commuters from the south Portland metro area cutting through country roads to get to Keizer and Salem, Baldrige said.

"Which is completely fine, but you've got to know what you're going to encounter," he said. "If they come across an implement doing substantially below the speed limit, they get frustrated."

The sheriff's office responds to problem traffic areas with a mix of enforcement, education and engineering, Baldrige said. Traffic teams put the pressure on speeders, while a campaign that includes social media will remind drivers that farm vehicles are on the roads. Finally, the county's public works specialists can do traffic speed studies, and review signage and the roadway width.

Restrictions proposed for hazard-prone land

Bill may limit, require structure retrofit or removal

By MATEUSZ PERKOWSKI
Capital Press

Hazard-prone properties in Oregon could face development restrictions under a land use bill that critics say is overly broad.

Under House Bill 2633, the state's Department of Land Conservation and Development would set policies to limit construction and retrofit, relocate or remove buildings in areas vulnerable to natural hazards.

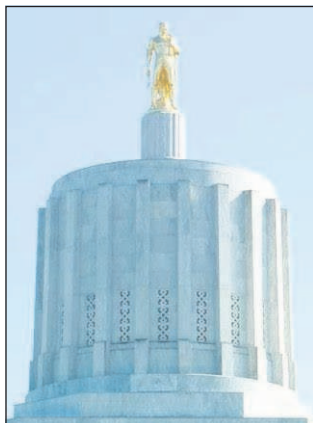
Proponents of the legislation say it's necessary to prevent costly property damage in areas susceptible to land slides, flooding and wildfires.

Conservation groups such as 1,000 Friends of Oregon argue the bill is necessary to implement Goal 7 of Oregon's statewide land use planning system, which calls for local governments to evaluate natural hazards and reduce risks to future development.

However, critics say the current language of HB 2633 is too general.

Much of Oregon could experience an earthquake or other catastrophe, said Dave Hunnicutt, president of the Oregonians in Action property rights group.

"The bill has the potential to affect every area in the state," he said during a Feb. 12 hearing in the House Committee on Rural Communities, Land Use and Water.



The dome of the Oregon Capitol is shown. Hazard-prone properties in Oregon could face development restrictions under a land use bill under consideration by the Legislature.

Hunnicutt said he's not opposed to the concept of HB 2633 but is alarmed by its breadth, since retrofits or relocations of structures could be "tremendously damaging" to property owners.

"The language is dangerous," he said.

The DLCD is oriented toward land use planning and may not be the appropriate state agency to make certain decisions, he said.

For example, the Oregon Department of Forestry or Department of Geology and Mineral Industries have more experience in determining which areas are prone to landslides, Hunnicutt said.

Similarly, retrofitting structures pertains to building codes, not planning, he said.

Hunnicutt said he'd like to work with the bill's sponsors to amend the language and make it more specific.

Repeal of raw milk advertising ban likely

Legislation is part of a legal settlement

By MATEUSZ PERKOWSKI
Capital Press

SALEM — A bill that would overturn Oregon's prohibition against advertising raw milk encountered no opposition during a hearing Tuesday before state lawmakers.

The Oregon Department of Agriculture, which is charged with enforcing the advertising ban, is asking the legislature to change the statute due to a legal settlement with a raw milk producer.

Christine Anderson of McMinnville, Ore., was told by an ODA investigator in 2012 that posting prices for raw milk violated the law, which prompted her to file a lawsuit challenging the statute as unconstitutionally limiting free speech.

After reviewing the complaint, state officials decided the advertising ban was un-



Mateusz Perkowski/Capital Press

Christine Anderson handles a cow at her small farm near McMinnville, Ore., in this file photo. A lawsuit filed by Anderson led to Oregon's prohibition of advertising raw milk to be declared unconstitutional.

likely to prevail in court and agreed not to enforce the statute.

As part of the settlement with Anderson, ODA is now requesting that lawmakers repeal the prohibition by passing House Bill 2446, which was considered during a Feb. 24

hearing of the House Committee on Agriculture and Natural Resources.

The legislation removes a provision that disallows raw milk producers from advertising but does not require any warning language for the product, said Lisa Hanson, ODA's

deputy director.

Anderson told lawmakers that however they may feel about raw milk — which has been controversial due to food safety concerns — producers should be allowed to advertise a product that's legal in Oregon.

Aside from posting prices, Anderson said she wants to provide consumers with results from microbial tests and other information.

HB 2446 leaves in place all other restrictions on raw milk sales, including limits on the number of animals per site and where the milk is sold, said Michael Bindas, an attorney for the Institute for Justice, a non-profit law firm that represented Anderson.

"This is not an attempt to open a policy debate on raw milk," he said.

Brad Witt, D-Clatskanie, said the committee doesn't tolerate the infringement of constitutional rights and vowed to act on the bill as quickly as possible.

Oregon lawmakers mull land use exemptions

Bill would let eight counties opt out of statewide system

By MATEUSZ PERKOWSKI
Capital Press

Opponents of a bill that would exempt sparsely populated counties from Oregon's land use planning system claim it would undermine efforts to protect the sage grouse.

Senate Bill 25 would allow counties with fewer than 50,000 residents and no population growth to set their own land use plans without having to abide by statewide goals.

The legislation applies to

eight counties — Sherman, Gilliam, Wallowa, Baker, Malheur, Harney, Grant and Wheeler — in Eastern Oregon that are contending with shrinking populations and stagnant economies, according to proponents.

"These are not the Portland metropolitan area. They are shrinking and dying," said Dave Hunnicutt, president of the Oregonians in Action property rights group.

The bill would provide county managers with more flexibility to attract people and businesses, he said during a Feb. 23 hearing before the Senate Committee on Environment and Natural Resources.

"This is not an issue of the

environmentalists versus the developers," Hunnicutt said.

Wheeler County, for example, has only a small fraction of the state's high value farmland, said Robin Hunt-Thompson, its planning director.

Statewide rules require planners to use a soil study for land use planning, but such a study isn't available for the area, she said.

It makes more sense for local managers to be involved in such analysis, Hunt-Thompson said. "We would like to have some local control in those decisions."

Critics of the legislation argued that Oregon should apply its land use system uniformly across the state for a

variety of reasons.

It's important to note that the federal government is considering Endangered Species Act protection for the sage grouse in the West, including Eastern Oregon, said Jason Miner, executive director of the 1,000 Friends of Oregon conservation group.

If the species is listed as threatened or endangered, ranchers fear restrictions on grazing that could damage the region's economy.

One of the criteria federal officials will examine when considering the sage grouse protections is the adequacy of state regulations for preventing harm to the species, said Miner.

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