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## Idaho

# Potato growers file lawsuit against PCN quarantine

By SEAN ELLIS  
Capital Press

BOISE — A group of potato growers in East Idaho affected by a federal pale cyst nematode quarantine has filed an administrative lawsuit that seeks to overturn it.

The lawsuit claims the PCN program has failed to comply with the legal requirements of several federal acts and that state and federal regulators have enforced the regulations in an ad hoc manner.

"The PCN program and regulations were put in place without proper notice to or input from the appropriate stakeholders," a joint news release from the growers stated. "As a result, (plaintiffs) have been burdened by the arbitrary and capricious manner in which the PCN program has been handled in Idaho."

The lawsuit was filed April 28 in federal court in Boise and names USDA's Animal and Plant Health Inspection Service and the Idaho State Department of

"The PCN program and regulations were put in place without proper notice to or input from the appropriate stakeholders."

Agriculture as defendants.

The lawsuit was filed by a group of 15 potato farmers, landlords, packaging sheds and ranchers from the Shelley area impacted by the quarantine, put in place following the discovery in 2006 of a potato field infested with PCN.

PCN is a tiny worm that feeds off potato plant roots and can reduce yields in high numbers. It is considered a quarantine pest by more than 80 nations.

Stephanie Mickelsen, one of the plaintiffs, said the producers tried in vain to get regulators to make changes to the program and filed the lawsuit as a last resort.

"We've run out of options," she said. "This was not our first choice. This was our last choice."

Spokeswomen for APHIS and ISDA said their agencies

couldn't comment on pending litigation.

The 38-page complaint alleges APHIS failed to comply with its legal obligations under the National Environmental Policy Act, Plant Protection Act and Administrative Procedure Act.

"APHIS' ad hoc and ever-changing protocols have put, and will continue to put, fields owned or farmed by plaintiffs into a circuitous and undefined state of regulation for an undefined period of time," the complaint states.

It says the federal agency "has applied and continues to apply ad hoc and impossible-to-satisfy conditions on plaintiffs" and "continues to change and add to the ad hoc conditions it has placed on plaintiffs without a basis in law or fact to do so."

The complaint asks for both APHIS' and ISDA's

PCN rules to be vacated and it asks the court to "immediately end the quarantine and regulation of all fields owned or farmed by plaintiffs."

The complaint claims APHIS failed to conduct a proper environmental analysis as required by NEPA of how its use of methyl bromide, a pesticide used to eradicate certain pests, could impact the environment.

APHIS' applications of this pesticide has caused "significant disruption to plaintiffs' farm operations, has made farm crops toxic and unsellable and has caused disease and death to livestock owned by multiple plaintiffs," the complaint alleges.

Walter Bithell, plaintiffs' attorney, said the agency should have been aware of new scientific information that shows residue from the pesticide can harm certain crops, primarily hay, grown after it is applied.

"It was the responsibility of APHIS to know that," he said.



John O'Connell/Capital Press

University of Idaho Extension seed potato pathologist Phil Nolte reflects on his career from his office in Idaho Falls, during his second to last day before retirement on April 29. UI has offered Nolte's job of superintendent of its Teton Research & Extension Center to an internal candidate and is seeking someone to fill his faculty position.

## University of Idaho filling key ag positions

By JOHN O'CONNELL  
Capital Press

IDAHO FALLS — University of Idaho has made an offer to an internal candidate to run its Teton Research & Extension Center, said College of Agricultural and Life Sciences Dean John Foltz.

UI Extension seed potato pathologist Phil Nolte, who had served as the rural research facility's superintendent since February of 2011, retired on April 30, following 24 years of serving the spud industry with the university.

UI officials say they hope to close the application process for Nolte's replacement by June 1 and have the position filled by August, separating Teton supervisory responsibilities to avoid overwhelming their new hire.

Foltz said UI has also made an offer to a candidate to serve as a new area extension economist and anticipates making an announcement within a few days. The master's-level position will serve a 100 percent extension role and will be tasked with duties such as completing production cost studies, analyzing the financial state of Idaho agriculture and running farm management schools.

Foltz said UI Extension economist Paul Patterson, who will retire in June, has been taking on many of those responsibilities.

"One of their focuses is to work with our county faculty and get them up to speed on things related to economics and working with producers," Foltz said.

Foltz said the college is also seeking approval to appoint a search committee to find a direct replacement for Patterson. It would be a Ph.D. position with a 70 percent emphasis on extension and a 30 percent focus on research.

Patterson said he has tentative plans to continue completing a cost-of-production analysis for the potato indus-

try, at least for one more year.

"My focus has always been to help producers and clientele solve problems," Patterson said. "Because of that focus, I think I've built some pretty good relationships with the producers and commodity groups, particularly potatoes, barley and sugar beets."

Nolte was regarded as a leading international expert on bacterial ring rot in potatoes, Foltz said.

"We're going to look for somebody who has similar training and education to serve the industry," Foltz said.

Nolte has helped the spud industry cope with emerging disease threats since he started with UI in 1991. Shortly after his hiring, Nolte said the potato industry was ill prepared for fusarium dry rot that could no longer be controlled by the major class of fungicides used to manage it. Nolte led an educational campaign on managing for fungicide resistance. A while later, he had to deal with potato virus Y developing chemical resistance and becoming better acclimated to Idaho's climate.

In recent years, he's helped the industry respond to the arrival of zebra chip disease.

Don Thill, UI's director of the Idaho Agricultural Experiment Station, said the state is once again fully funding the Teton facility, which was tapped for closure during the recession and spared thanks to investments by Idaho commodity groups. Thill said UI has upgraded equipment at the facility, done electrical work, made irrigation system improvements, overhauled buildings and added a new equipment storage facility.

Thill said Teton provides a crucial high-elevation research environment for breeding trials and is home to development of foundation seed for commercial potato, barley, wheat and oat planting.

## Stripe rust shows up in Idaho wheat

Fungus may become widespread if more cool, wet weather arrives this spring

By JOHN O'CONNELL  
Capital Press

IDAHO FALLS, Idaho — A University of Idaho Extension cereals pathologist is worried about the early arrival of stripe rust in winter wheat in western and south-central Idaho and northern Utah.

Juliet Marshall said stripe rust — a destructive fungal pathogen of grain that can be carried long distances by wind — was discovered April 29 at the UI's Parma Research & Extension Center. It was evenly distributed throughout a winter wheat field.

On April 30, a crop consultant discovered stripe rust in a commercial winter wheat field in Filer, Idaho.

"Right now it's only showing up in small areas, but I fully expect it to be widespread," Marshall said.

The disease was also recently discovered in three winter wheat lines at Utah State University's Small Grains Research facility. David Hole, a wheat breeder at the Logan, Utah, research facility, said this season promises to be ideal for evaluating experimental lines for stripe rust resistance, though growers who irrigate could face a challenge.

"When it arrives this early, we still have a lot of cool, potentially wetter weather ahead," Hole said. "If there's an inoculum source and susceptible lines, there's the potential to have significant infections before things turn hot enough to turn it off."

Marshall said stripe rust is also expected to be severe in Washington, where it was found in January. It's already widespread in Oregon and California.

Marshall said Idaho's winter wheat crops are nearing the flowering stage, when applications are prohibited by fungicide labels. In spring wheat, Marshall advises growers throughout Idaho to spray a fungicide along with their herbicide applications if they've planted susceptible varieties — including Bullseye, Jefferson, Klasic, Snow Crest, UI Winchester, WB-Paloma, WestBred 936, Penawawa, UI Pettit, UI Stone and Alturas.

Some of the lines that have shown stripe rust resistance in UI trials include Cabernet, Dayn, LCS Star, SY Basalt, WB 9229, WB 9411, WB 9668, Seahawk and Alpowa.

Marshall said Idaho had just a few late-season stripe rust cases near Ashton last season and experienced its last outbreak in 2011. She believes a mild winter helped stripe rust gain a foothold this season, and overwinter in Washington, Oregon, California and possibly parts of Idaho.

She said Idaho's stripe rust infections typically don't surface until late May, and the early arrival could cause more extensive crop damage.

Spores compete for plant



John O'Connell/Capital Press

University of Idaho Extension cereals pathologist Juliet Marshall discusses the recent discovery of stripe rust infections in Parma and Filer, Idaho. Plants infected with the fungal disease are pictured on her computer monitor.

nutrients and can cut wheat yields in half and reduce kernel size. She said growers may need to make an extra fungicide application to protect their crops. She advises growers who discover infections before spraying fungicides to apply triazole-based products, which are more costly but have a curative effect on stripe rust.

Marshall plans to begin scouting UI trial plots and growers' fields for stripe rust, which is easily detectable by chalky, bright-orange spores. She believes heavy rainfall that damaged grain late last summer resulted in significantly more volunteer plants in fields, which provide a "bridge" to carry diseases such as stripe rust and barley yellow dwarf virus into the next crop.

Marshall said the mild winter has also stressed winter grains by triggering them to break dormancy before irrigation water became available, making them more susceptible to disease.



This file photo shows an example of a strip rust infection in winter wheat. A crop consultant discovered stripe rust in a commercial winter wheat field in Filer, Idaho.

## Idaho ranks No. 3 in milk production

BOISE, Idaho (AP) — Idaho was the third highest milk producing state last year, behind California and Wisconsin.

The U.S. Department of Agriculture says Idaho cows produced about 13.9 billion pounds of milk in 2014.

The Idaho Press-Tribune reports that's an increase from 13.4 billion pounds in 2013 and helped Idaho take the No. 3 spot back from New York.

California is the top producer with more than 42 billion pounds of milk, and Wisconsin comes in second with more than 27 billion pounds.

Idaho had 575,000 head of milk cows in 2014 that each produced an average of 24,000 pounds of milk.

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