

Grazing, timber groups lose national forest rule challenge

Opponents of the 2012 planning rule fear reduced logging, grazing

By MATEUSZ PERKOWSKI
Capital Press

Grazing and timber groups have lost their challenge against high-level federal regulations that govern activities across all national forests.

In 2012, the U.S. Forest Service established a new "planning rule" that lays out national forest management principles, replacing a previous policy established 30 years earlier.

The planning rule is used to develop management plans for individual forests, which in turn determine allowable grazing and logging levels.

The National Cattlemen's Beef Association, the American Forest Resource Council and other industry groups filed a lawsuit claiming the 2012 planning rule doesn't

comply with existing national forest laws.

The new rule prioritizes environmental concerns over grazing and timber production, effectively overriding the will of Congress when it passed three statutes: the National Forest Management Act, the Multiple-Use Sustained Yield Act and the Organic Administration Act, according to the complaint.

The plaintiffs argue that the 2012 planning rule establishes "ecological sustainability" as the top forest purpose and "ecosystem services" as a new type of forest use without any basis in existing laws.

The Forest Service and several environmental groups that intervened in the case claimed that it was within the federal agency's authority to

create the new policy.

Environmental groups successfully used litigation to stop previous planning rule changes from going into effect in 2000, 2005 and 2008, but now alleged that the timber and grazing plaintiffs lacked legal standing to oppose the 2012 revisions.

U.S. District Judge Ketanji Brown Jackson has agreed with the environmentalists and threw out the lawsuit because the plaintiffs failed to show they'd be directly injured by the 2012 planning rule.

The plaintiffs argued they'd suffer economic harm because the rule would eventually reduce logging and grazing on national forests, with overstocked trees also increasing the risk of wildfire. To support their allega-

tions, the groups pointed to language in the rule that said grazing must be modified in areas where it's identified as a "stressor."

The rule also stated that current trends in the national forest timber program will continue, which the plaintiffs interpreted as further logging declines.

However, the judge said the plaintiffs did not demonstrate these alleged harms were an "imminent" effect of the 2012 planning rule, as the new policy doesn't direct on-the-ground activities.

Jackson said the allegations of reduced logging and grazing are "sheer speculation," since there are still several "intervening decision points" between the planning rule and site-specific projects.



Eric Mortenson/Capital Press

An experimental canola field blooms last May near Salem in this file photo. A bill before the Oregon Senate would extend the experimental propagation of canola in the Willamette Valley for three more years.

Oregon canola bill in Senate

Bill that would extend canola production has already passed the House

By MATEUSZ PERKOWSKI
Capital Press

SALEM — Opponents of a proposal to extend canola production in Oregon's Willamette Valley want to stop the bill in the Senate after its resounding win in the House.

House Bill 3382, which would allow 500 acres of the crop to be grown in the region for an additional three years, passed the House 42-16 and is now being considered by the Senate Committee on Environment and Natural Resources.

A six-year moratorium on canola production in the Willamette Valley was established under 2013 legislation, but 500 acres were allowed to be cultivated for the first three years as part of an Oregon State University study.

Proponents of HB 3382 say that extending production on a limited acreage for the full six years will avoid disrupting their market, but opponents who fear cross-pollination with related seed crops argue the bill will double the "seed bank" of potential volunteers.

"It's unnecessary and should be rejected," said Nick Tichinin, president of the Universal Seed Co., during a May 11 hearing.

Leaving the Willamette Valley free of canola for the final three years of the moratorium was intended to provide insights about problems with volunteers, he said.

Opponents say that canola seeds have been shown to persist in the soil and remain viable for several years.

Tichinin said canola threatens specialty seed production in Oregon just as it did in France, Italy and Britain, which were dealt a severe blow as seed buyers decided to source prod-

uct from elsewhere.

Allowing additional canola production undermines the carefully crafted legislation from 2013 and "jumps the gun" because OSU's study is still incomplete, according to opponents.

Supporters of HB 3382 counter that the legislation wouldn't have a negative impact on the specialty seed industry.

"Five hundred acres is a drop in the bucket in the Willamette Valley and I don't think it will hurt to continue for three more years," said Eric Bowers, a farmer near Harrisburg, Ore.

Tomas Endicott, of Willamette Biomass Processors, argued that canola poses no bigger threat to related brassica seed crops than turnips or radishes, which are grown without any regulation in the area.

Halting canola production in the Willamette Valley will prevent Endicott's company from using its full oilseed crushing capacity and delay any possible investment in expanding the facility, he said.

Scott Setniker, a farmer near Independence, Ore., said he already grows closely related crops like chard and sugar beets without cross-pollination problems.

While canola opponents say their market is threatened, the current system is already harming farmers who want to grow the crop for its rotational and financial benefits, Setniker said.

Canola supporters say the crop gives them more weed treatment options when grown in rotation with grasses and is more easily marketable as a commodity compared to other seeds, which are produced under contract and typically aren't paid for as quickly.

"I can't have all my eggs in that one basket," Setniker said.

Export, import picture helping apple sales

By DAN WHEAT
Capital Press

WENATCHEE, Wash. — Washington apple exports are up and U.S. apple imports are down, which is a good thing for the state's apple industry as it continues to work to reduce its potential carryover from the large 2014 crop.

As of May 1, the industry has sold 100.3 million, 40-pound boxes of the 2014 harvest with 42.5 million left to go. That compares with 31 million boxes left to sell at the same time last year and 36 million two years ago.

A big concern among shippers is having too much old crop left as the 2015 harvest begins in August, thus keeping prices deflated.

Shipments have been running at about 3 million boxes per week but typically decline in summer as other fresh fruits hit stores. Some shippers fear a carryover of about 15 million boxes at the end of August.

Over several months, shippers shrank the 2014 crop by sending apples to processors, compost and dumping them.

The 2014 crop is now estimated at 142.8 million boxes, down from 143.6 million estimated a month ago and from 155 million at the start of November. The previous record was 128.8 million in 2012.

Exports are up almost 23 percent over last year with a lot of apples going to Mexico and India, said Danelle Huber, internation-



Dan Wheat/Capital Press

Joanna Ortega straightens Red Delicious apples on trays for packing at McDougall & Sons Inc., Wenatchee, Wash., on April 9. As of May 1, the Washington apple industry still has a lot of apples to sell from its record crop.

al marketing specialist at the Washington Apple Commission in Wenatchee.

As of April 30, 8.4 million boxes of apple have been shipped to Mexico, season-to-date, compared to 6.1 million a year ago, an increase of 38 percent, she said. India is over 4 million boxes compared to 1.8 million a year ago, she said. A lot of that has been from Washington's huge oversupply of Red Delicious.

China, closed to all U.S. apples from August 2012 to November 2014, has taken 845,000 boxes of Red De-

licious since November and could open to all varieties by the end of May, Huber said.

Total exports were at 33.7 million boxes on April 30. The commission had hoped exports would finish the year at 50 million to 60 million boxes but it may be closer to 40 million. Exports were hampered by work slowdowns at West Coast ports for five months.

Southern Hemisphere apples, fresh from harvest, can pose strong competition in the U.S. in April and May. So far, they don't seem to be this year, said Desmond O'Rourke, a retired Washington State University agricultural economist and private consultant in Pull-

man.

As of April 25, about 685,000 boxes of Chilean apples had been imported to the U.S. compared with 960,000 last year, O'Rourke said. Southern Hemisphere apple imports are down 21 percent while pear imports are up 11 percent, he said.

"Our apples are so cheap that it doesn't make much sense for Southern Hemisphere to come in," he said.

Honeycrisp is coming in from New Zealand, he said. The U.S. Honeycrisp crop is sold out.

Washington wholesale apple prices have been at their lowest in years. O'Rourke said it's not likely they will rebound because of fruit volume.

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STATE OF OREGON OREGON ALFALFA SEED COMMISSION
P.O. BOX 688
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NOTICE OF ALFALFA GROWERS COMMISSION HEARING PUBLIC BUDGET HEARING TO: ALL OREGON ALFALFA SEED GROWERS

Notice is hereby given that a public hearing will be held pursuant to ORS Chapter 576.416(5), Oregon Laws 2003, at the North Willamette Research and Extension Center, 15210 NE Miley Rd., Aurora, Oregon, on June 3rd, 2015 at 8:00 a.m. The meeting will be held regarding the proposed budget for the operation of the Oregon Hazelnut Commission during the fiscal year July 1, 2015 to June 30, 2016.

At this meeting any producer of hazelnuts in Oregon has a right to be heard with respect to the proposed budget, a copy of which is available for public inspection at the industry office below. Any producer unable to attend the public meeting may submit written comments to Michael Klein at the address below by June 2nd, 2015.

For further information contact: Oregon Hazelnut Commission, 21595-A Dolores Way NE, Aurora, OR 97002
Phone 503.678-6823
Fax 503.678-6825
email: hazelnut@oregonhazelnuts.org

This meeting location is accessible to persons with disabilities. Please make any requests for an interpreter for the hearing impaired or for other accommodation for persons with disabilities at least 48 hours before the meeting by contacting staff at the location above.

Dan Cutler, Chairman
Oregon Alfalfa Seed Commission
April 30, 2015

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NOTICE OF THE OREGON HAZELNUT COMMISSION PUBLIC BUDGET HEARING
June 3, 2015

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Amalgamated names new president and CEO

BOISE — Amalgamated Sugar Co. has promoted its executive vice president, John McCreedy, to replace President and CEO Vic Jaro, who recently retired, according to a press release.

McCreedy, a University of Idaho College of Law graduate, joined the grower-owned cooperative in 2004 as its general counsel. He led the company's recent reorganization and was also charged with

overseeing labor relations and business development, according to the press release.

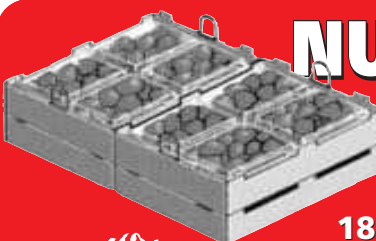
Jaro worked for nine years as Amalgamated's CEO.

Amalgamated processes sugar beets raised by its 787 members in Idaho, Oregon and Washington.



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Sixth haystack arson reported in Central Wash.

By MATTHEW WEAVER
Capital Press

The Grant County Sheriff's Office is investigating a sixth case of haystack arson in Central Washington state.

Five haystack fires caused by an incendiary device were reported in late April. The estimated damage totaled several hundred thousand dollars.

A passerby reported the most recent fire at about 11:30 p.m. May 6 near Roads 8 and R-Northwest near Quincy, Kyle Foreman, a spokesman for the office, said. No vehicles or people were seen in the area, according to a sheriff's office press release.

About 34 tons of hay was lost in what the fire marshal calls a "suspicious fire." The loss is valued at more than \$9,100. The hay was insured.

The fires seem to be the work of the same person, Foreman said.

"We have a major crimes detective from the sheriff's office working with the Grant County fire marshal's investigators to try to find out who's causing these fires," Foreman said.

"We're taking this crime seriously and we're hoping we can find the persons causing it," Foreman said. "We do need the help from the public. If anyone sees anyone that's suspicious or any suspicious vehicles at night around any haystacks, please give us a call right away so we can go check that out."

Contact the Grant County Sheriff's Office at 509-762-1160 or send information to crimetips@grantcountywa.gov. Tipsters can remain anonymous.

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NOTICE OF PUBLIC MEETING
The USDA Natural Resources Conservation Service (NRCS) announces a meeting of the Washington State Technical Advisory Committee on May 26, 2015 from 9:30 am to 3:00 pm, 316 W. Boone Ave., Suite 450, Spokane, WA. Remote access is also available.

For more information contact Sherre Copeland, (360) 704-7758.

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