

Irrigators anxious over spotted frog lawsuit

Reservoir operations blamed for lifecycle disruptions

By MATEUSZ PERKOWSKI
Capital Press

A lawsuit over the effect of water reservoirs on the threatened Oregon spotted frog could result in irrigation disruptions for more than 4,600 farmers.

Growers in two Central Oregon irrigation districts are nervously watching the case, which pits the Center for Biological Diversity environmental group against the U.S. Bureau of Reclamation, the agency operating the Crane Prairie and Wickiup reservoirs.

The lawsuit alleges the reservoirs have altered natural water flows in the Deschutes River to the point of interfering with the frog's life cycle. While the complaint asks a federal judge for injunctive relief, it doesn't specify what

At a glance

Oregon spotted frog

Binomial name: *Rana pretiosa*

Appearance: Medium-size frog ranging from 1.75 to 4 inches long. Body color varies with age. Adults appear brown to reddish brown with black spots with ragged edges.

Range: British Columbia, Washington, Oregon and California

Habitat: Found in or near perennial bodies of water that include zones of shallow water and vegetation.

Status: Threatened

Reasons for decline: Habitat loss, competition from non-native species, predation



Courtesy of U.S. Fish and Wildlife Service

Source: U.S. Fish and Wildlife Service

Alan Kenaga/Capital Press

form such an order may take.

"We're just sort of waiting to see what their next move is," said Shon Rae, communications manager for the Central Oregon Irrigation District, which depends on water from the Wickiup Reservoir.

According to the Center for Biological Diversity, the frog's egg masses are flushed out when the water levels in the reservoirs rise rapidly.

When water is later released from the reservoirs for

irrigation, other egg masses along their margins are dried up, the complaint alleges.

River flows are reduced as water accumulates in the reservoirs, stranding adult and juvenile frogs on dry land and isolating their populations, resulting in in-breeding, the group claims.

The Center for Biological Diversity contends that the federal government has violated the Endangered Species Act by operating the reser-

voirs in a harmful manner before it completes a required consultation about the effects on the frog.

An adverse ruling in the case could have a huge impact on nearly 1,000 farmers in the North Unit Irrigation District, which in dry years relies on the Wickiup Reservoir for nearly 100 percent of its water.

Even in years with healthy snowpack and precipitation levels, the district gets roughly half of its water from the reservoir.

"To return it to a natural hydrologic flow is difficult, at best, without harming local farmers and ranchers," said Mike Britton, the district's general manager. "How that would be accomplished, we really don't know."

The Central Oregon Irrigation District's 3,650 growers use water from the Crane Prairie Reservoir to supplement their irrigation needs during the early and late parts of the season, depending on river flows.

Oregon spotted frogs have survived in the area even

though the reservoirs were created nearly 100 years ago, Rae said. They've also developed a large population surrounding the Crane Prairie Reservoir.

"Essentially, we've created habitat for them," she said.

Noah Greenwald, endangered species director for the environmental group, acknowledged that the frog lives on the margins of both reservoirs and benefits from the stored water.

However, the reservoirs have to be managed with fewer major fluctuations, since quick buildups and releases of water are chaotic for the frogs, he said.

"They can still deliver water to the irrigators, they just need to do it in a more careful way," Greenwald said. "They have to do things more gradually and at different times of the year."

Such changes in management would inevitably hurt irrigators, said Mike Britton of the North Unit Irrigation District.

More water would be stored in the reservoir during irrigation season, reducing the

amount diverted for agriculture, and more water would be allowed to pass through dams during the winter, decreasing storage levels, he said.

"It's quite a conundrum," he said, noting that lower river levels in summer would hurt threatened fish. "There are other species to be considered, not just the frog."

Irrigators want to help the frog by replacing irrigation ditches with pipes, which saves water and makes them less dependent on the reservoirs, said Rae. More efficient irrigation practices will also help in this respect.

Although the irrigation districts aren't named as defendants in this lawsuit, the Waterwatch of Oregon environmental group has said they'll be named as defendants in another spotted frog case that will also include the Tumalo Irrigation District.

Such litigation threatens to distract irrigators' focus and sap resources from such improvements, she said. "It would be great if they wouldn't sue us so we could just complete the process."

Raw milk's growth expands WSDA's workload

By DON JENKINS
Capital Press

TUMWATER, Wash. — Raw milk dairies have weathered recalls, illnesses and warning labels to enjoy "tremendous growth" in Washington, creating a large gap between licensing fees the dairies pay and the money the state spends on testing unpasteurized products, according to the state Department of Agriculture.

Federal authorities ban interstate raw milk sales and brand unpasteurized dairy products as unsafe and without nutritional advantages. Washington, however, has largely supported raw milk dairies, adopting laws to spur the industry's growth and assessing dairies a fraction of the costs for inspections, tests and emergency responses.



Don Jenkins/Capital Press

Washington State Department of Agriculture microbiologist Fonda Olsen holds up a raw milk sample at the department's microbiology lab in Tumwater. Despite sicknesses, recalls and warnings, raw milk dairies have thrived in Washington. WSDA has asked the Legislature for money to hire another microbiologist to keep up with the workload.

At WSDA's request, Gov. Jay Inslee's budget proposal to the 2016 Legislature includes \$125,500 from the

general fund to hire another microbiologist to test raw milk. WSDA had asked for twice

that amount to hire two microbiologists.

WSDA's only other funding requests were to control Asian gypsy moths, a threat to Christmas trees and nurseries, and apple maggots, a menace to the state's most valuable farm product.

WSDA's request for more microbiologists to test raw milk came after it studied how much the department's food-safety programs spend monitoring raw milk.

Although raw milk makes up only 10 percent of the samples sent to WSDA's microbiology laboratory, it accounts for one-third of all tests run at the lab.

Besides the tests conducted on pasteurized milk, raw milk undergoes additional screening and potentially five more tests for illness-causing

pathogens, the laboratory's director, Yong Lui, said.

WSDA estimates it spends \$460,000 a year licensing, inspecting, and collecting and testing samples from 40 raw milk dairies.

The department also says it responds to one to five cases of contaminated raw milk each year, spending \$4,666 per incident.

Raw milk producers pay the standard \$250 dairy plant license fee, raising about \$10,000 a year.

The study concluded that the assessment for raw milk dairies would have to be more than \$12,000 to cover the department's expenses.

"Since many raw milk producers are very small firms with only a few cows, an annual assessment of that magnitude would be extremely

challenging for most raw milk licensees to absorb," according to the study's conclusion.

The U.S. Food and Drug Administration and the Centers for Disease Control and Prevention warn against consuming raw milk or unpasteurized dairy products.

Washington is one of 12 states, which also include Idaho and California, that allow raw milk to be sold in retail stores, according to the National Conference of State Legislatures. Some 19 other states, including Oregon, allow raw milk to be sold directly to consumers, such as at dairies or farmers' markets.

WSDA has issued 15 raw milk recalls in the past eight years. Nevertheless, the number of licensed dairies has increased to 39 from seven in 2007.

Retired Amalgamated official sugar man of year

Capital Press staff

Vic Jaro, the retired president and CEO of Idaho-based Amalgamated Sugar, has been named the sugar industry's man of the year for 2015.

Jaro received the international Sugar Club's Dyer Memorial Award on Dec. 9 during a dinner in New York City.

Jaro joined Amalgamated, the nation's second largest processor of sugar beets, in 1973 as a mechanical engineer with the company's Twin Falls plant, according to a press release.

Amalgamated process-

es beet sugar from Idaho, Washington and Oregon.

By 2002, he was vice president of agriculture, and he was president in 2006, until he retired earlier in 2015, following a 42-year career with Amalgamated.

Jaro also served on the board of trustees of the U.S. Beet Sugar Association and as chairman of the Sugar Association.

Jaro graduated from the U.S. Merchant Marine Academy, serving as an officer in the Merchant Marine and Naval Reserve prior to joining Amalgamated.

The press release credits

Jaro with playing a major role in introducing genetically modified beets engineered to resist Roundup herbicide, and with establishing National Sugar Marketing, which is a joint venture with Sucden Americas to market Amalgamated's sugar.

He also led efforts to modernize beet pile management, helping the company reduce sugar losses, helped implement practices that boosted yields and implemented an improvement plan that increased profitability at three Amalgamated factories, according to the press release.

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