

# Biotech fish labeling replaces local GMO control proposal

## House passes bill requiring labeling for genetically engineered salmon

By MATEUSZ PERKOWSKI  
Capital Press

SALEM — A proposal to give local governments in Oregon the power to regulate biotech crops has been scrapped in favor of a labeling requirement for genetically engineered fish. Lawmakers recently considered overturning the state's prohibition against local restrictions on genetically modified crops, which was passed in 2013.

Biotech critics claim that local ordinances are necessary to prevent cross-pollination between transgenic, conventional and organic crops because the state and federal governments have failed to act on the issue.

Opponents of the proposal argued that it would complicate farming across county lines, reduce crop options and put a strain on local govern-

ments that would have to enforce such ordinances.

However, the original language of House Bill 4122 was "guttled and stuffed" at the committee level with a labeling requirement for genetically engineered fish, and the revised version was approved 32-27 by the House on Feb. 17.

Supporters of the labeling requirement said it would allow consumers to choose conventional fish if they had doubts about the health or environmental safety of biotech salmon, which the federal government approved last year.

"We deserve as consumers to have the choice where we put our money," said Rep. Ken Helm, D-Beaverton.

Genetically engineered salmon will likely be cheaper than wild-caught fish from Oregon, so labeling will allow consumers to support their local industry, said Val Hoyle, D-Eugene.

"If they don't understand the difference, they will just buy the fish that is less expensive," she said.

Rep. John Davis, R-Wilsonville, said the bill was pre-

mature because the U.S. isn't importing the biotech salmon from Canada until the Food and Drug Administration decides whether to require labeling.

The Oregon fishing industry is also free to label its fish as being wild-caught or non-genetically engineered, said Rep. Mike Nearman, R-Dallas.

"There's simply not a need for this to be done as a matter of state law," he said.

While the proposal to allow local restrictions on biotech crops was removed from the bill, it may get resurrected in future legislation.

The bill's sponsor, Rep. Paul Holvey, D-Eugene, said he wishes problems could be worked out amicably, but farmers who fear cross-pollination from biotech crops don't currently have a system to prevent economic losses.

After the Legislature pre-empted local regulation of seeds — including biotech crops — in 2013, their concern hasn't been addressed, he said.

"I think they have a legitimate issue that needs to be solved," Holvey said during a

previous committee hearing. "I hope the Department of Agriculture solves it or the legislature does in the future."

Rep. Shemia Fagan, D-Clackamas, said she hopes the recent discussions in the legislature will pressure the Oregon Department of Agriculture to come up with a solution.

Fagan noted that heirloom crop varieties cannot be replaced once they're lost, so she hopes to give farmers some method to protect such cultivars.

"There is some urgency to this issue," she said.

Rep. Nearman said it would be unfortunate if the current system of voluntary cooperation among farmers were replaced with a "bureaucratic solution" for cross-pollination concerns.

"They try to solve their problems by talking with each other and working with each other," Nearman said. Rep. Susan McLain, D-Hillsboro, said she agreed that an ideal solution would allow all types of farmers to co-exist.

"Let's not pre-empt that possible pathway," she said.

## New rule may jeopardize container trade, coalition says

By DAN WHEAT  
Capital Press

A new maritime rule on container weight documentation that goes into effect July 1 could create "major turmoil at marine terminals" and "significantly impede" U.S. exports, the Agriculture Transportation Coalition warns.

The coalition, based in Washington, D.C., is calling for a congressional inquiry into how the London-based International Maritime Organization adopted the rule without U.S. exporter or importer notice or advice or consideration of the impact it would have on the U.S. economy.

The rule, an amendment to IMO's Safety of Life at Sea (SOLAS) will require all shippers, importers and exporters, to certify and submit the Verified Gross Mass (VGM) to steamship lines and terminal operators before containers are loaded onto vessels, the coalition says.

VGM is the combined weight of cargo and container. Currently, the shipper is responsible for accurately reporting the weight of cargo. The shipper does not own, control or maintain containers which are owned or leased by carriers.

The amendment was created in response to claims of incidents of damage due to overweight containers although the IMO SOLAS committee did not reference any instance where a ship was damaged or sank exclusively due to overweight underreported containers, the coalition states in a Feb. 9 position paper.

Peter Friedmann, executive director, could not be reached for comment.

There has been no congressional or federal review or approval of the rule and no input from the shipping community, the paper states.

Shippers, steamship lines, terminal operators and governments are scrambling to create best practices and guidelines for the new rule, according to the coalition.

Weights printed on containers are typically not accurate, the rule imposes liability on the shipper to certify equipment it does not own, it will disrupt flow of cargo through ports and no means exist to facilitate VGM data, the coalition's paper states.

The rule will result in new costs on all participants in the U.S. export supply chain, the paper states.

## Oregon crop and insect growth gets a head start

### Degree days point to an early spring in Oregon, experts say

By MATEUSZ PERKOWSKI  
Capital Press

The growing season is off to a fast start in Oregon again this year, prompting another unseasonably early resurgence of plant and insect life.

Based on heat units known as degree days, the growth of temperature-sensitive crops across much of the state is more than a month ahead of the 30-year average, according to Oregon State University data.

A growing degree day is the difference between a base temperature — 50 degrees Fahrenheit for many crops — and the average of the daily high and low temperatures.

For example, a day with a high of 80 and a low of 40 would have an average of 60 degrees. After subtracting the base of 50, the day would have 10 degree days. Degree days are cumulative during a growing season. The base used by OSU was 41 degrees.

The year also started warm in 2015, but the situation this year is less precarious because snowpack levels are generally above average across Oregon.

Last year, they were low-



Capital Press photo

Daffodils bloom in the Willamette Valley Feb. 16. Based on heat units known as degree days, the growth of temperature-sensitive crops across much of the state is more than a month ahead of the 30-year average, according to Oregon State University data.

er than normal, reducing the availability of irrigation water in many areas.

For producers of certain fruit crops, the early spring poses a danger to vulnerable blooms and growing shoots that could be damaged by a cold snap.

"It opens up a wider window of risk," said Tom Peerbolt, a crop consultant who works with berry growers in Oregon's Willamette Valley.

Caneberries and blueberries that experienced early bud break in 2015 faced a similar hazard from freezing temperatures, but it fortunately did not

materialize, Peerbolt said.

With more precipitation in 2016 compared to last year, plants are growing in warm, water-saturated soils that increase their susceptibility to root rot, he said.

Even so, favorable conditions last autumn have resulted in healthy bud counts and generally robust plants, which bodes well for the 2016 berry harvest — barring any serious problems, he said.

While spring has come early for the past three years, Peerbolt noted that farmers were dealing with one of the lowest accumulations of de-

gree days on record in 2011, which significantly delayed crop development.

"Who knows what to expect anymore?" he said. "It's the extremes that are very hard to plan for."

With an earlier start to spring, there's also more time for insect populations to build up during the growing season.

For example, farmers will likely have to fight three full generations of codling moths — and part of a fourth generation — as they did in 2015, said Len Coop, associate director of Oregon State University's Integrated Plant Protection Center.

Typically, only two generations of codling moths, and part of a third, will hatch in one season.

Growers can prepare by setting traps out early, as well as pheromone-based dispensers aimed at disrupting reproduction, Coop said.

Fortunately, pest populations will be starting at a low point, even if they're starting early, he said. "We had a pretty hard frost and I think it knocked back a lot of overwintering insects."

In 2015, the early spring contributed to low yields for grass seed in Oregon's Willamette Valley, but that problem was aggravated by drought, said Tom Chastain, a seed crop physiology professor at OSU.

## Washington drains water funding, replenishment uncertain

By DON JENKINS  
Capital Press

LACEY, Wash. — The \$200 million the Legislature dedicated a decade ago to develop new water supplies for Eastern Washington has been nearly exhausted, leaving the state with no long-term plan

### LEGAL Request for Proposals Fiscal Year July 1, 2016 - June 30, 2017

The Oregon Beef Council is soliciting proposals for projects in the following areas:

- 1) Positive Producer Image
  - 2) Studying Legislation
  - 3) Education related to beef
  - 4) Generic promotion of beef
- Any individual or organization may propose projects in any of the categories listed above.

Projects must meet the Beef Council's mission of enhancing the beef industry's image of profitability of Oregon's beef industry. Approved projects must comply with the Beef Promotion and Research Act and O.R.S. 577

To present a proposal you must complete and submit an Authorization Request Form by March 18, 2016 at 4:00 p.m.

Download an Authorization Request Form from [orbeef.org](http://orbeef.org) or by contacting the Oregon Beef Council office (503) 274-2333 or via e-mail at [julie@orbeef.org](mailto:julie@orbeef.org). legal-6-3-4/#4

to complete projects that have been years in the planning, a Department of Ecology official told an advisory group Feb. 11.

"We have come to a moment where we have to figure out where we go from here," Office of Columbia River Director Tom Tebb said. "We're at a key point in the program's life."

The office opened in 2006 with the broad mandate to "aggressively pursue" new

water supplies. The office has spent all but \$7 million of the original appropriation.

Although little water has actually reached farmers, storage and conservation projects are on the cusp of delivering, Tebb said. "We want to see it through," he said.

Irrigators will have to pay much of the cost for new pipelines and pumps, and the federal government may help fund some projects, particularly in the Yakima River Basin.

### LEGAL CHERRY AVENUE STORAGE 2680 Cherry Ave. NE Salem, OR 97301 (503) 399-7454 Sat., Feb. 27th • 10 A.M.

- Unit 11 Julia Porter
- Unit 41 Mike San Felipe
- Unit 80 Karla Michael / Don Wentz
- Unit 85 Angela Kinzel
- Unit 138 & 185 Rachel Choudry
- Unit 142 Angelique Goldschmidt
- Unit 151 Arias Santos Guadalupe

Cherry Avenue Storage reserves the right to refuse any and all bids  
Legal 8-7/#4

### LEGAL SECRETARY OF STATE NOTICE OF TEMPORARY RULEMAKING

Oregon Department of Agriculture, Market Access & Certification Program, Administrative Rules Chapter #603, Sue Gooch, Rules Coordinator, (503) 986-4583. Amend: OAR 603-048-0200, 603-048-0600.

**RULE SUMMARY:** The 2015 legislative assembly revised statutes relating to industrial hemp, ORS 571.300 to 571.315. Substantial revisions to the statute include reducing the length of terms for industrial hemp licenses and agricultural hemp seed production permits from triennial to annual. This temporary rule establishes annual licenses and permits allowing for the issuance of these licenses and permits for spring planting 2016.  
8-4/#4

### LEGAL PURSUANT TO ORS CHAPTER 87 Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 3/1/2016. The sale will be held at 10:00 am by AJ'S AUTO REPAIR

1858 13TH ST SE, SALEM, OR 2006 CHRYSLER PT CRUISER VIN = 3A4F4Y8B06T249419  
**Amount due on lien \$5,402.80**  
Reputed owner(s)  
Richard Vorseth  
Reliable Credit Assn  
Legal 8-2-1/#4

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Reports reviewed by: Ronald A. Sorensen CA Geophysicist PGP #957 & Suzanne Dudziak Geologist OR.G1273/WA.747 ROP-6-4-1/#24

### LEGAL

#### PUBLIC NOTICE OF SALE

State of Oregon Department of Forestry

OF APPROXIMATELY 115 ACRES OF IMPROVED PROPERTY KNOWN AS THE D.L. PHIPPS FOREST NURSERY

Location: D.L. Phipps Forest Nursery 2424 Wells Road Elkton, Oregon 97436

Description:  
Parcel No. 1 (Elkton Nursery): Beginning at a point on the property line between Norman L. Compton and Keith Kesterson 1265.6 feet North and 957.0 feet West of the one-quarter corner common to Sections 1 and 12, Township 23 South, Range 8 West, Willamette Meridian; thence South 18° 14' West 2436.7 feet along the Keith Kesterson property line; thence North 57° 30' West 1099.8 feet; North 65° 45' West 1122.0 feet; North 63° 45' West 330.0 feet; North 73° West 48.8 feet to a point on the Howard F. Carnes Property line; thence North 30° 54' East 1451.8 feet along the Howard F. Carnes property line; thence North 84° 29' East 1068.0 feet; South 48° 56' East 572.2 feet; North 18° 14' East 550.6 feet; South 58° 34' East 754.0 feet to the point of beginning, all in Douglas County, Oregon.

Parcel No. 2 (Road to Elkton Nursery): Beginning at a point 25 feet South of the center of the Existing County Road No. 203, said point being 532.7 feet North and 1773.0 feet East of the Northeast corner of the William F. Bay Donation Land Claim No. 38; Township 23 South Range 8 West, Willamette Meridian, thence along the center line of a road right of way 50 feet in width South 26° 01' West 639.5 feet; South 11° 57' East 83.5 feet; South 4° 29' East 365.7 feet; South 39° 52' East 446.3 feet; South 22° 34' East 97.7 feet; South 69° 10' West 104.9 feet; South 36° 44' East 67.9 feet; South 45° 30' West 78.2 feet; South 69° 26' West 99.8 feet; South 0° 08' East 70.5 feet; South 12° 45' East 289.2 feet; South 12° 36' East 323.0 feet; South 72° 19' East 71.8 feet; thence along a 70 foot right of way North 67° 27' East 66.0 feet; South 30° 19' West 192.3 feet; thence North 56° 16' East 82.0 feet; South 19° 13' West 81.8 feet; South 87° 17' East 48.4 feet; South 36° 39' East 222.7 feet; South 13° 48' West 71.3 feet to a point on the North boundary of the proposed Elkton Nursery site 1370.5 feet North and 1128.8 feet South of the one-quarter corner common to Sections 1 and 12, Township 23 South, Range 8 West, Willamette Meridian, all in Douglas County, Oregon.

Zoning: Exclusive Farm Use (EFU)

Sale:  
This property is owned in Fee Simple by the Oregon Department of Forestry (ODF).

Price:  
Minimum asking price for the entire property in "As Is" condition is One Million Three Hundred Sixty Five Thousand dollars (USD \$1,365,000).

Compliance with RFP:  
All Proposals must comply with a Request for Proposal issued by ODF. A copy of the RFP can be obtained from:

Oregon Department of Forestry Administrative Services Program  
Facilities Section - Bldg. "F"  
2600 State Street  
Salem Oregon 97310  
Attn: D. Chris Stewart, P.E.  
Facilities Director  
Phone: (503) 945-7375

Public Commentary:  
The Public is invited to comment on the values of this property to the people of the State of Oregon; including its values for fish and wildlife habitat and public access to other property in accordance with OAR 125-045-215(7). All such comments must be in writing and sent to the Submittal Address described below. Comments are due no later than 3 PM (Pacific Time), Monday, March 7, 2016.

Deadline:  
Proposals must be in writing and signed by a person authorized on behalf of the Offeror in accordance with 125-045-0235(6), and received at the following address by no later than 3 PM (Pacific Time), Monday, March 7, 2016.

D.L. Phipps Nursery Proposal  
Oregon Department of Forestry  
Facilities Section - Bldg. "F"  
2600 State Street  
Salem Oregon 97310  
Attn: D. Chris Stewart, Facilities Director  
Phone: (503) 945-7375

\*Reservation of Rights by ODF: Pursuant to ORS 270.130; ODF reserves the right to accept or reject any proposal.

Pursuant to OAR 125-045-0235(3)(e): Terminal Disposition of this State Real Property Interest may be subject to a Right of First Refusal.