

Calif. wage hike could force farm mechanization

By **TIM HEARDEN**
Capital Press

SACRAMENTO — Proposals to incrementally raise California's minimum wage to \$15 an hour could lead to job losses throughout agriculture, escalate the push toward mechanization and send some farm operations out of state, industry insiders say.

Growers of labor-intensive crops such as stone fruit, berries and vines would find it nearly impossible to compete in the global marketplace unless they could find a way to harvest with less labor, said Barry Bedwell, president of the California Fresh Fruit Association.

"You're going to see an accelerated trend toward crops that use less labor, and a trend toward more research of mechanization," Bedwell told the Capital Press. "Unfortunately, we're also going to see an accelerated trend of people moving their operations, if they can, outside of California."

A rapid increase in the minimum wage from the current \$10 an hour would cause many farm jobs to be eliminated, agreed Bryan Little, the California Farm Bureau Federation's director of employment policy.

"It's just going to make it more and more expensive to employ people," Little said.

Farm groups' concerns were heightened March 28 when legislators and labor unions announced a tentative deal to take the state's minimum wage to \$15 an hour by 2022. A union-backed initiative to reach the \$15 threshold by 2021 has qualified for the November ballot.



Tim Hearden/Capital Press

A picker at Maywood Farms in Corning, Calif., pulls figs off a tree and puts them in his bin during the August harvest. Though many laborers earn above the minimum wage, California farm groups believe proposals to raise the state's minimum wage to \$15 an hour could lead to job losses and an escalated push to mechanization.

One-two punch

For growers, the measures are part of a one-two punch as lawmakers are also considering a bill to end exceptions for agriculture from California's overtime laws. Under the bill by Assemblywoman Lorena Gonzales, D-San Diego, ag employers would have to observe the same eight-hour work day and 40-hour work week as other employers rather than paying overtime only after 10 hours in a day or 60 hours in a week under current state law.

In many cases, the proposed laws could end up harming the people they were intended to help. Chuck Herrin, whose Sunrise Farm Labor provides about 2,500 workers each year in the San Joaquin Valley, told The Associated Press that farmers would likely hire 10 percent fewer workers because of the higher cost of business.

"It's going to be devastat-

ing" to fieldworkers and their dependent relatives, Herrin told the AP.

One Fresno County farmworker is hopeful. Rafael Gutierrez, 53, earned \$11 an hour from his last job picking peaches and grapes while his girlfriend makes \$14 an hour at Target.

"Right now, we're just making it," Gutierrez told the AP. "Life is expensive."

The proposed increase would enable him to treat his family to weekend dinners out and a short vacation to Disneyland, he told the wire service.

Many California farmworkers already earn well above the minimum wage, largely because a labor shortage in recent years has given workers leverage in negotiating with growers. For instance, the average wage for a strawberry harvest worker is \$12.56 an hour, and it's higher during the peak months, said

Carolyn O'Donnell, spokeswoman for the California Strawberry Commission.

Fewer jobs

But contingency plans made in response to a labor crunch that has cost U.S. agriculture an estimated \$3.1 billion a year could end up edging some workers out. Growers of many commodities that have traditionally been picked by hand are attempting to integrate technology.

For example, the raisin harvest, which has required as many as 60,000 workers during its six-week peak, is rapidly being mechanized, according to a University of California-Davis report. In 2014, one-quarter of California's 185,000 acres of raisin-type grapes were harvested by machine, the university's migration experts reported.

"I think (the higher minimum wage) probably will accelerate that," the Farm Bu-

reau's Little said. As another example, he pointed to processing tomatoes, which 20 years ago were hand-picked but are now mostly mechanically harvested.

Other growers may move some or all of their operations out of state, industry insiders say. One major strawberry producer has indicated that any future expansion of its operation will happen in Mexico and not California, the Fresh Fruit Association's Bedwell said.

In the Imperial Valley, rising costs could prompt more growers of vegetables and other annuals to plant their crops in Arizona or Mexico, where some have already gone because of California's stricter labor and workers' compensation laws, the CFBF has noted.

"When you combine this (minimum wage) with the overtime bill ... then look at paid sick leave, the Affordable Care Act and piling more and more costs onto employers, eventually you just get to the point where it becomes an unsustainable thing to be able to employ as many people as you do," Little said.

Rising costs

Under the legislative deal that Gov. Jerry Brown hailed as potentially historic, California's minimum wage would increase to \$10.50 in 2017, to \$11 an hour in 2018 and by a dollar a year until 2022, the Los Angeles Times reported. After that, wages would rise with inflation, though in tough economic times the governor could delay increases, according to the AP.



Dan Wheat/Capital Press

Workers prune Kanzi apple trees in the Mt. View Orchard, East Wenatchee, Wash., on March 14.

DOL to continue enforcement, WAFLA warns

By **DAN WHEAT**
Capital Press

YAKIMA, Wash. — The Wage and Hour Division of the U.S. Department of Labor will continue robust enforcement of wage laws and regulations with agricultural producers throughout Central Washington this season, a farm labor association says.

The division outlined its enforcement strategy at a meeting in Yakima, according to an email labor alert to members from WAFLA, formerly the Washington Farm Labor Association.

Violations will result in civil monetary penalties, especially for repeated offenses, WAFLA said.

Investigators will place heavy emphasis on start and stop times of actual hours worked and compensation for piece-rate workers for non-productive time, the alert states. That includes travel time between fields, time moving equipment and idleness due to machine breakdowns.

Common violations include failure to provide workers with the WH-516 form disclosing terms and conditions of work and failure to post the Migrant and Seasonal Worker Rights poster, WAFLA said.

DOL said it will continue to use "hot goods" seizures of crops, when warranted, to prevent products produced in violation of labor laws from entering the supply chain, WAFLA said.

WAFLA offers webinars and mock audits of DOL inspections.

Last August, a Mesa apple grower paid a \$16,000 fine to get apples cleared for packing after DOL investigators allegedly found children working in his orchard and placed a hold on the packing. The grower said two children were not picking but were in an orchard because the workers had no child care.

U.S. honey production falls following big year

By **CAROL RYAN DUMAS**
Capital Press

U.S. honey production came back down to earth in 2015 after exceptional production in 2014.

At 156.5 million pounds, honey production was 12 percent lower than in 2014, according to the National Agricultural Statistics Service.

The decline was on a 3 percent decrease in honey-producing colonies and a 10 percent decrease in yield per colony. The total colony count, at 2.66 million, was down 80,000 colonies, and yield per colony was down 6.2 pounds to 58.9 pounds.

The production decline was no surprise to Darren Cox, president of Cox Honey of Utah and president of the American Honey Producers Association.

Many beekeepers reported

problems with failing queen bees, others reported more mite problems and struggles with mite control, he said.

Beekeepers in the Midwest had issues with neonicotinoid dust from treated corn seed, which migrated directly onto hives and onto blooming plants, making their way back to hives, he said.

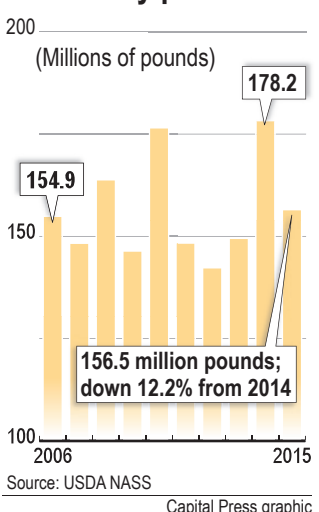
Still others were hit by fumigants and insect growth regulators in California from almond and peach growers applying more chemicals for crop protection, he said.

"Overall, I've heard honey production was down for many, many people," he said.

NASS statistics show 2015 honey production was 21.8 million pounds below 2014's 178.3 million pounds, which was up 29 percent over the previous year.

Production increased in

U.S. honey production



18 of the 40 states reporting but was down in the top five states. Top producer North Dakota was down 14 percent to 36.3 million pounds on the same number of colonies. Second-ranked South Dakota was down 21 percent to 19.1 mil-

lion pounds on 10,000 more colonies.

Cox said many California beekeepers sent their hives to the Dakotas due to drought-related challenges, including a lack of pollen variety and needed nutrition for queens. But he believes there is starting to be too many bees in the Dakotas for good honey production, he said.

In the Intermountain West, a lot of beekeepers said bee hives didn't build up well due to the combination of contact with crop protection chemicals and a bad queen year in California, and just shut down as soon as winter hit. Cold July weather took a toll at the higher elevations, he said.

Honey production in California, at 8.2 million pounds, was down 4.8 percent year over year on 45,000 fewer colonies and a decrease of 9 pounds per colony.

In California's fourth year of drought, honey production for Wooten's Golden Queens operation near Redding was "pretty close to zippo," said beekeeper Glenda Wooten.

"It was a tough, tough year for bees," with nothing growing the year before and nothing blooming in 2015, she said.

She and her husband, Shannon, had to supplement their roughly 5,000 hives from spring through much of the summer and again in the fall.

Honey production was also lower in Idaho, which was down 16 percent on 11,000 fewer colonies and a loss of 2 pounds per colony. Oregon's production declined 5 percent on the same number of colonies but 2 pounds less per colony.

Washington's production was up 7 percent on 5,000 additional colonies and unchanged yield per colony.

Imnaha Pack blamed for killing Wallowa County ram

By **ERIC MORTENSON**
Capital Press

A dead sheep found March 25 in Wallowa County was killed by wolves, according to Oregon Department of Fish and Wildlife.

A range rider found a dead adult ram in a private pasture in the county's Upper Swamp Creek area.

The sheep appeared to have been killed that morn-

ing, according to an ODFW depredation report. A "significant portion" of the sheep had been eaten, but bite marks and other signs confirmed that wolves were responsible, according to the report. Signals from two GPS collars showed that Imnaha Pack wolves OR-4 and OR-39 were within 500 yards of the carcass site at 3 a.m. and 6 a.m., according to the report.

The Imnaha Pack is a busy one.

On March 9, also on private pasture in the Upper Swamp Creek area, a calf was found dead with all of its internal organs and most of its muscle tissue consumed. Only the skull and hide were intact of what was estimated to be a 500-pound steer. It was estimated to have been killed March 7 or 8. ODFW confirmed the wolf kill based on bite mark

size and location, tracks, scat and other kill site evidence, according to a depredation report.

The livestock owner saw two wolves about 400 yards from the carcass, leaving the site. ODFW staff in a plane later in the day saw four members of the Imnaha Pack about 3 miles away.

A calf was found injured in Wallowa County March 16, but ODFW decided coyotes were responsible in that case.

LEGAL

SECRETARY OF STATE
NOTICE OF PROPOSED RULEMAKING HEARING
Oregon Department of Agriculture, Plant Program,
Administrative Rules Chapter #603,
Sue Gooch, Rules Coordinator, (503) 986-4583.
Adopt: 603-054-0014 and Amend: 603-054-0016,
603-054-0017, 603-054-0018.

RULE SUMMARY: Nursery license fees were last adjusted in 2014. This proposed rule would adjust the nursery license fee depending on each nursery license type. License fee increases are needed to cover an existing program budget deficit and to adjust for future inflation. For license fees for Dealers, Florists and Landscape Contractors, as well as, Greenhouse Growers of Herbaceous Plants the base rate would increase from \$129 to \$148 (15%) and the millage rates would increase by 8%. For license fees for Nursery Stock Growers and Collectors of Native Plants the base rate would increase from \$129 to \$148 (15%) and the millage rate would increase by 18%. The license fee increase for Nursery Stock Growers and Collectors of Native Plants is higher than the other two license types so that the department can recover all costs associated with providing services to these nurseries. In addition, definitions will be added to nursery license fee schedules for clarification. The following is an example of how fee increases are calculated for Nursery Stock Growers and Collectors of Native Plants: If gross sales are up to \$20,000 the current fee is \$129, proposed new fee formula: 15% x \$129 = \$148; \$20,001 - \$100,000 current fee is \$129 plus .0040 over \$20,000, proposed new fee formula: \$148 + [(0.004 x \$100,000) - \$20,000] = \$526; \$100,001 - \$200,000, current fee: \$449 plus .0037 over \$100,000, proposed new fee formula: \$526 + [(0.0037 x 18%) x (\$200,000 - \$100,001)] = \$963. Hearing date: April 8, 2016 at 10:00 a.m. Location: Oregon Department of Agriculture, Conference Room D, 635 Capitol St NE, Salem, OR 97301. Last day for public comment is April 15, 2016.

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