

# Lawsuit claims USDA undermining organics board

By CAROL RYAN DUMAS  
Capital Press

Cornucopia Institute has filed a lawsuit against USDA alleging misconduct by the department resulted in its inappropriate influence in the workings of the National Organic Standards Board.

Cornucopia alleges USDA actions demonstrate a “shirking of its duty to maintain the integrity of organic food standards on behalf of the American people,” according to the complaint, filed in U.S. District Court in Wisconsin on April 18.

The NOSB is a 15-member, independent, federal advisory committee that provides recommendations to USDA regarding the implementation of the Organic Food Production Act. It is also charged

with developing and reviewing a national list of allowed and prohibited substances for use in organic agriculture and organic food processing.

Cornucopia claims USDA has illegally hijacked the NOSB to make it and the National Organic Program friendlier to the needs of big agribusiness interests that have gotten into the growing organic market.

The lawsuit alleges non-growers were appointed to NOSB seats reserved for owners or operators of organic growers. By appointing unqualified people — agribusiness executives — to those grower seats, USDA deviated from the viewpoint balance in the NOSB required by federal law, the complaint states.

Cornucopia is joined in the lawsuit by two certified

organic farmers — Dominic Marchese of Farmdale, Ohio, and Rebecca Goodman of Wonewoc, Wis. — who applied for seats on the NOSB but were passed over by USDA in favor of agribusiness executives, the complaint states.

“Not only are farmers being denied their right to participate in organic decision-making, but statistics illustrate the corporate representatives sitting in farmer seats have been decisively more willing to vote for the use of questionable and controversial materials in organics, weakening the organic standards,” Cornucopia Co-Director Will Fantle said in a press release announcing the lawsuit.

The lawsuit also alleges USDA inappropriately influenced NOSB by disbanding a

policy development subcommittee, allowing the self-appointment of a USDA deputy administrator as NOSB co-chairman, removing the NOSB’s ability to set its own work plan and agenda, and changing the rules regarding allowed substances in organic production without public notice or comment.

“USDA, through NOSB, has a responsibility to ensure that food bearing the organic certification has been produced using organic measures,” the complaint states.

“USDA’s unlawful meddling with the composition and rules governing the NOSB has created an NOSB hostile to the public interest it was created to protect,” the complaint states.

The plaintiffs claim USDA’s actions undermine the

integrity of organic food standards, causing both economic and reputational harm to organic farmers.

The complaint alleges USDA violated the Organic Food Production Act and the Federal Advisory Committee Act.

The USDA defended its NOSB selections.

“USDA selects National Organic Standards Board (NOSB) members each spring based on nominations made by the organic industry,” USDA said in a statement to the Capital Press. “While we cannot comment on the pending litigation, we stand by our procedures to ensure that the NOSB, like all of our advisory boards, includes a diverse group of experts that best represent the organic agriculture industry.”



Courtesy of Calif. Dept. of Water Resources  
Snow covers the mountains during the California Department of Water Resources’ third snow survey of the winter, conducted at Phillips Station about 90 miles east of Sacramento, on March 1.

## March storms were likely swan song for El Nino, forecasters say

By TIM HEARDEN  
Capital Press

SACRAMENTO — The sometimes-ferocious rainstorms that hit California in March were likely the beginning of the end for El Nino, as the warm ocean system that produced a wet winter in many parts of the West is continuing to fade.

Any storms that remain on tap this spring will likely be mild and not contribute much to seasonal precipitation totals, experts say.

“Now that we’re into the spring months, widespread rain events will become less and less likely as we transition into our ‘spring shower and thunderstorm’ season,” National Weather Service warning coordinator Michelle Mead said in an email.

As surface temperatures in the equatorial Pacific Ocean continue to drop, the federal Climate Prediction Center has issued a formal La Nina watch for next fall, confirming speculation over the past few months that conditions favoring storms in Northern California and dry weather is the rest of the state could develop.

“Nearly all models predict further weakening of El Nino, with a transition to (neutral conditions) likely during late spring and early summer,” scientists from the CPC’s National Centers for Environmental Prediction wrote in an April 14 advisory. “Then, the chance of La Nina increases during the late summer or early fall.”

While El Nino typically produces warmer-than-average storms coming from the south, La Nina is cooler and often means wet winters in the Pacific Northwest and far Northern California, perhaps feeding key reservoirs like Shasta Lake but leaving the rest of California dry.

The big storms in March that enabled the U.S. Bureau of Reclamation to give full water allocations to Northern California farms put a cap on an El Nino season that was one of the strongest on record. But while the storms produced above-average precipitation in much of the Sierra Nevada, they provided below-average snowpack and the snow is melting quickly, Mead said.

“We are two weeks into snowmelt season and based on the automated station report, the northern region has already lost one-third of its water equivalent that had built up this winter,” she said. “The higher elevation central and southern Sierra regions have lost 25 percent.”

While many northern reservoirs are nearly at capacity for the first time in several years, reservoirs in the central and southern half of the state are still half-full or less, Mead said.

Though the precipitation improved drought conditions in Northern California, much of the middle of the state is still in the most severe of drought categories, according to the U.S. Drought Monitor.

State officials have said the uncertainty surrounding next winter’s rainfall and snowpack underscores the need for Californians to continue to conserve water for an ongoing drought, which is now in its fifth year.

# Hard cider makes easy connection between urban, rural

By ERIC MORTENSON  
Capital Press

ODELL, ORE. — About 3,200 people packed the Hard-Pressed Cider Fest here April 16, which itself isn’t that unusual. In terms of consumer tastes and response, hard cider is following in the successful Pacific Northwest footsteps of regional beer and wine.

The news may lie in who attended. Anecdotally, at least, the crowd’s demographics leaned heavily to young and urban. Cider makers say the same kind of people who like microbrews and fine wine also like hard cider.

And rural producers, generally, are glad they do. In some cases, especially with niche markets, winning the favor of city buyers can lead to success.

“Seattle and Portland are really good about trying new things,” said Bob Fox, who manages Fox-tail Cider in the Hood River Valley, where the festival was held. He said many of the people stopping at his tasting station were from those cities, and from Bend and the Tri-Cities area as well.

Fox is a fifth-generation orchardist, an operation that began with his great-great-grandfather, August Paasch. He said he grows “Pears and cherries, apples, peaches and whatnot.”

Looking to diversify operations, the family branched off a new business and began making Fox-tail Cider in 2012.

“So far, so good,” Fox said. “People keep drinking it, so we keep making it. It’s a good agricultural product. I think it helped out with the apple market.”

Hood River vineyard owner and winemaker Rich



Patrick Martin of Bull Run Cider in Forest Grove, Ore., pours a tasting glass during the Hard-Pressed Cider Fest April 16 in Hood River, Ore. More than a dozen Northwest cideries brought samples of their products.



Eric Mortenson/Capital Press  
Multiple Pacific Northwest hard cider makers were pouring tastes April 16 at the Hard-Pressed Cider Fest in Hood River, Ore.

Cushman said hard cider is a good fit for the valley. With the cornucopia of fruit grown

### Online

<http://www.foxtailcider.com/home.html>

nearby, much of which can be used to make or flavor cider, the valley ought to lay claim to the title of the U.S. “cider capital,” he said.

“I think we should be all over that in Hood River,” he said.

Cushman said there is “huge interest” in cider and demand is strong. “We need more staff to really serve the market that’s out there for us.”

Cushman teamed with high school classmate Steve Bickford, an orchardist and vineyard owner, to form Hood River Ciderworks in 2013. Valley residents, long familiar with traditional, fresh-market pear and apple production, appear to have embraced wine, cider and other new forms of

value-added agriculture.

“They now recognize that diversity in business is a good thing to have here, rather than focus solely on one business segment like lumber or something,” Cushman said. “Some other counties, that was their entire ball of wax and they’re still struggling.”

Detailed attendance data for the cider fest, including where online ticket buyers reside, wasn’t immediately available. But the Hood River Chamber of Commerce, the event organizer, believes urban attendance was strong.

Industry observers say production of hard cider — the alcoholic cousin of sweet apple cider — is growing rapidly, especially in the West.

A retired Cornell University apple researcher and professor, Ian Merwin, estimated that people in Oregon, Washington and California drink

80 percent of the hard cider consumed in the U.S. Speakers at the U.S. Cider Association’s annual convention, held in Portland in February, said cider accounts for 1.7 percent of alcohol sales nationally, but about 4 percent in Portland and Seattle.

The February convention attracted about 1,200 cider makers, apple growers, distributors and others from 44 states and eight countries.

In related news, the Northwest Cider Association announced Emily Ritchie will become the group’s executive director effective May 2.

Ritchie, now the association’s program manager, previously was a marketing and sales associate for Truitt Family Food in Salem and directed the Oregon FoodCorps program at the Oregon Department of Agriculture.

# Foresters seek solution to clear-cut image problem

By MATEUSZ PERKOWSKI  
Capital Press

Oregon’s timber industry has a blemish on its otherwise positive public image: People consider clearcutting unsightly.

Most Oregonians know that state law requires trees to be replanted after harvest, but clearcutting is nonetheless associated with negative words, including “ugly,” “sad” and “greed,” according to the Oregon Forest Resources Institute, which educates the public about forestry.

According to an OFRI survey, 68 percent of Oregon residents had a favorable view of the forest products industry — more than for tourism, construction and high-tech manufacturing — and 62 percent agreed that current forest protection laws are strong enough.

Even so, only 25 percent said that clearcutting was acceptable compared to 45 percent who found it unacceptable.

About 24 percent had a neutral opinion and 6 percent said they didn’t know, which

is a sizable amount of people who can be swayed in an election, said Mike Cloughesy, OFRI’s director of forestry.

Public perceptions of forestry practices could impact Oregon’s timber industry in 2016, as three prospective ballot initiatives seek to restrict logging and aerial spraying of herbicides this year, he said.

Educating people about legal requirements to protect waterways and wildlife, as well as practices that reduce soil disturbances, can improve their perception of clearcutting, said Cloughesy.

The industry may also consider using techniques to make clearcuts less jarring aesthetically, he said. “It’s important that we do visual

management.”

It’s not always economically feasible to harvest trees in way that’s pleasing to the eye, but the added investment can be worthwhile in areas that are highly visible to the public, according to experts at a recent timber industry conference on visual management.

Photos of denuded hillsides and landslides have commonly been used by environmental groups in campaigns, such during elections for Washington’s Commissioner of Public Lands, said Gordon Bradley, a retired University of Washington forestry professor.

“This imagery is not without consequence,” he said.

Though it’s often said

that “beauty is in the eye of the beholder,” research has shown that people have similar preferences and dislikes for certain landscape features, Bradley said.

A guiding principle is to “minimize discordance” between the harvest area and the surrounding landscape, he said.

Clearcuts that have geometric shapes with straight lines and sharp corners are more likely to contrast with the organic, undulating shapes of the hills and horizon, Bradley said.

Irregularly shaped clearcuts that complement the scenery and emulate natural meadows are less visually grating, he said.

“Squares stand out, but so do triangles,” Bradley said. “You want what you’re adding to the landscape to fit.”

### LEGAL

#### NOTICE OF OREGON BEEF COUNCIL PUBLIC BUDGET HEARING

NOTICE HEREBY IS GIVEN that a public meeting will be held pursuant to ORS 577, the Oregon Beef Council Statute, by Conference Call on Friday May 6, 2016, at 8:00 am upon a proposed budget for the operation of the Oregon Beef Council during Fiscal Year July 1, 2016 to June 30, 2017.

At this meeting, any producer of beef in Oregon has the right to be heard with respect to the proposed budget, a copy of which is available for inspection, under reasonable circumstances, in the Oregon Beef Council office in Portland. Any producer of beef in Oregon may join this conference call by calling toll free 1-866-210-1669. Participant login number is 7890221.

For further information, contact the Oregon Beef Council office at 1827 NE 44th Ave., Ste 315, Portland, Oregon 97213.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to the Oregon Beef Council at 503-274-2333.

Dated this 22nd Day of April 2016

ATTESTED: Jason Chamberlain, Chairman  
William N. Wise, CEO

17-4/#4

### LEGAL

#### NOTICE OF OREGON TALL FESCUE COMMISSION BUDGET HEARING TO: ALL OREGON TALL FESCUE SEED GROWERS

Notice is hereby given that a public hearing will be held pursuant to ORS 576.416 (5), on Thursday, May 19, 2016, at 6:00 p.m., at the Cascade Grill Restaurant, 110 Opal St. NE, Albany, Oregon, upon a proposed budget for operation of the Tall Fescue Commission during the fiscal year July 1, 2016 through June 30, 2017. At this hearing any producer of Oregon-grown Tall Fescue seed has a right to be heard with respect to the proposed budget, a copy of which is available for public inspection, under reasonable circumstances, in the office of each County Extension Agent in Oregon. For further information, contact the Tall Fescue Commission business office, P.O. Box 3366, Salem, OR 97302, telephone 503-364-2944. The 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 the Commission office at 503-364-2944.

17-2/#4

### LEGAL

PURSUANT TO ORS CHAPTER 819  
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 5/6/2016. The sale will be held at 10:00am by Wiltse Towing, LLC 3120 Cherry Ave NE Salem, OR

2007 Jeep Commander SUV  
VIN= 1J8HG48K17C562681  
Amount due on lien \$3,540.00  
Reputed owner(s)  
Jamina Ameilia Bells Owens  
Legal-17-2-4/#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 5/4/2016. The sale will be held at 10:00 am by

VISION DIESEL  
12142 SKY LANE AURORA, OR  
2004 FORD F250 P/U  
VIN = 1FTNW21P14EE02713  
Amount due on lien \$898.13  
Reputed owner(s)  
Traci & Nicholas Butler  
Ford Motor Credit  
Legal-17-2-4/#4