New AVA created for NW Idaho and E. Washington

By SEAN ELLIS
Capital Press

BOISE — Wineries and grape growers in Northwestern Idaho and part of Eastern Washington now have their own American Viticultural Area, which is a specific grape-growing region that is federally recognized as unique.

The Alcohol and Tobacco Tax and Trade Bureau has approved a petition to create a Lewis-Clark Valley AVA.

"It's great news for us," said Colter's Creek Winery owner Mike Pearson, who organized the petition. "Getting our own AVA is pretty exciting."

An AVA is federally recognized as having certain unique growing conditions, boundaries and history and provides wineries and grape growers in that area with their own, marketable identity.

This is Idaho's third AVA since 2007, and second since November, and the Idaho Wine Commission expects the new designations to act as a catalyst for development as they spur more growers to explore the region, IWC Executive Director Moya Shatz-Dolsby said in a news release.

Idaho has already lured experienced wine makers from other regions in recent years, she said.

"Vintners are coming for the opportunity to be pioneers in wine making and to be part of our rapidly growing industry," she said.

The new AVA designation is also good news for Washington, which now has 14 AVAs, said Heather Bradshaw, communications director for the Washington State Wine Commission.

"We are really excited about this shared AVA ... and we think it will help our entire (Northwest) wine region to grow," she said.

The Idaho and Washington wine industries are teaming up with local economic development groups to heavily promote the new AVA to consumers, media, tourism operators and potential new markets.

The IWC received an $88,000 specialty crop grant to do that and the Clearwater Economic Development Association received a $67,000 specialty crop grant.

The region includes 16 vineyards and close to 100 acres of wine grapes, including 14 red and nine white varieties. The AVA encompasses 479 square miles, with 72 percent of the land on the Idaho side.

The area was one of the premiere wine grape growing regions in the Northwest at one time but mostly vanished after Prohibition. However, it's making a comeback and the AVA designation will help, Pearson said.

He said the designation was anticipated and about 40 acres of new wine grapes will be planted in the next few weeks, the largest single planting of new vines in that area in a long time.

"There is a lot of interest right now," Pearson said.

The petition for the Lewis-Clark Valley AVA was submitted in 2009 but was delayed because the boundaries of Washington's Columbia Valley AVA had to be partially redrawn to avoid overlap.

The Lewis-Clark AVA is marked by steep river canyons and plateaus and is centered around a 40-mile strip of canyons surrounding the cities of Lewiston and Clarkston. It includes parts of five counties in Idaho and Washington.

Courtesy of the U.S. Forest Service

The Idaho State Department of Agriculture is making progress against an outbreak of Japanese beetles discovered in Ada County.

ISDA Japanese beetle treatment area cut in half

By JOHN O'CONNELL
Capital Press

BOISE — An Idaho State Department of Agriculture Japanese beetle eradication program has reduced the Ada County population of the invasive pest by nearly 90 percent, and the agency plans to cut its treatment area in half this season, officials say.

For several years, ISDA has monitored statewide for the beetles, which are known to eat more than 300 species of plants and are a quarantined pest in the West.

ISDA Section Manager Jared Stuart said the agency captured 3,000 beetles in Ada County in 2013, prompting the establishment of the eradication program, which is now in its fourth year.

The beetles are well established in the Eastern U.S. Stuart said Idaho's monitoring efforts have been focused on new subdivisions and other areas where out-of-state nursery stock is transported.

The beetles' larvae feed on the root system of grasses and turf, and they emerge as adults to feed on other plants.

"Anyone trying to export nursery stock outside of the state, if (the beetles) were to become an established pest here, they would need extensive certification and treatment of plants to export to other states and Canada," Stuart said.

Stuart said ISDA has already obtained permission to treat turf, using granular insecticide, from 60 percent of affected households in Boise's Warm Springs area and continues to contact homeowners for permission.

The agency plans to make its first treatment in mid-May, followed by its second and final treatment in mid-July.

In 2015, Stuart said just 365 beetles were captured in monitoring traps. He said a few areas in Warm Springs and properties along State Street will be removed from the treatment program this summer due to a lack of beetle detections last summer. Monitoring traps will remain in place in those areas to confirm the beetles are gone. Stuart said eradication can be declared once an area has had zero confirmed catches for two years.

"One of the things we tell people is if we can get rid of it now, it keeps people from treating a lot later if it becomes an established pest," Stuart said.

Stuart said no insecticide will be applied to vegetable or flower gardens, bushes or trees. The beetle is about a half-inch long, with a metallic-green body and copper-colored wings.

Oregon farmers fighting bank to sell radish seed

By MATEUSZ PERKOWSKI
Capital Press

Several warehouses are caught in the middle of a legal dispute over radish seeds between Oregon farms and an out-of-state bank.

Both the farms and the bank claim to own the radish seeds, which are currently stored at five Oregon warehouses.

Whether those warehouses are acting as "agents" of the farms or the bank will be a key legal question in a lawsuit that's scheduled to go to trial on June 6.

"The core question is the agency question," U.S. Chief District Judge Michael Mosman said during an April 20 court hearing in the case.

The lawsuit involves multiple Oregon farms that are fighting for the right to sell off radish seeds they grew in 2014 under contract for Cover Crop Solutions, a Pennsylvania company that was unable to pay for the crops due to weather-related demand disruptions.

The Oregon farms filed liens to ensure they'd be treated as secured creditors with collateral in the company's assets if it went bankrupt.

Meanwhile, Northwest Bank of Warren, Pa., also claimed the radish seeds served as collateral for a $7 million loan taken out by Cover Crop Solutions.

The dispute prompted the bank to file a lawsuit against numerous Oregon farms in federal court, seeking a declaration that it had a priority security interest in the seed.

As the June 7 trial date approaches, it now appears the role of warehouses used to store the seed will be pivotal in the litigation.

Matuesz Perkowski/Capital Press

Oral arguments were held April 20 at the Mark O. Hatfield U.S. Courthouse in Portland, Ore., in a legal dispute over radish seeds between Oregon farmers and an out-of-state bank.

The farmers say they merely turned over the seeds for cleaning and storage, meaning they retained possession of the crop at the warehouses.

Farmers don't "wash their hands" of responsibility for the seed when it's taken for cleaning and storage, so they continue to own it until it's accepted by the purchaser, which never occurred in this case, said Paul Conable, an attorney for the growers.

"If the warehouse had burned down or the seed had been stolen, the risk of loss is borne entirely by the grower under the contract," Conable said.

The bank, on the other hand, claims the warehouses acted as agents of Cover Crop Solutions, so the seeds were part of the company's inventory and served as the bank's collateral.

Jonathan Radmacher, an attorney for Northwest bank, argued "there is nothing more for the growers to do" once the seed is accepted by the warehouse, which performs cleaning, packing and shipping based on instructions from Cover Crop Solutions.

"It's not as if the seed is ever going to the CCS office. It's always going from the warehouse to the buyer," Radmacher said.

Several important legal question hinge on who owns the seed at the warehouse facilities.

For example, farms claim to have "possessory liens" on the crop, even if it was stored at a warehouse, that are superior to the bank's security interest in the crop.

Several growers who never delivered their radish seed to a warehouse have already won this legal point.

In February, Mosman ruled that Hawman Farms, one of the defendants, had a valid priority lien due to its continuous possession of the crop. Since then, other farms in a similar position were also found to have valid priority liens.

Northwest Bank says the remaining farmers don't have possessory liens because the radish seed became the inventory of Cover Crop Solutions once it arrived at the warehouses.

While those growers did file grain producer liens to retain a security interest in the crop, their liens have all since expired, the bank claims.

Farmers counter that the grain producers liens could not have expired because they haven't yet "attached" to the crop, which would only occur if it were actually purchased.

The bank also claims grain producers' liens don't apply in this situation because the crop was produced under contract, with Cover Crop Solutions supplying farmers with radish seed.

The farmers were paid for growing and harvesting the seed, then returning it to Cover Crop Solutions, so they didn't have actual ownership of the crop, the bank claims.

Strong storms spoil California prune blossom

By TIM HEARDEN
Capital Press

RED BLUFF, Calif. — Prune producers' worst fears about El Nino have come true, as strong storms spoiled the March blossom and left many growers with about half of their normal crop — or less.

Low temperatures, high winds and heavy rains disrupted pollination, resulting in a much heavier-than-normal shed of the developing fruit in the last two weeks, the Prune Bargaining Association reports.

Tyler Christensen, who grows plums, walnuts and almonds and operates the Mill Race Dryer in Red Bluff, said some in the industry believe this year's overall production could be as low as between 20 and 30 percent of last year's estimated 100,000-ton crop.

"What's in the tree seems to look pretty good, but there's just not enough there," Christensen said. He added that growers will have to find ways to cut costs because of the loss of income.

"We're going to do our best to cut back on nitrogen inputs to limit vegetation growth, and we'll probably err on the side of less water than more water," he said. "That's about all we can really do as far as cultural practices go."

The association was warning growers in the fall that a warm and wet winter could threaten the 2016 crop, although industry insiders were more concerned about disease problems in trees. At the time, El Nino was bringing ongoing rain and cloudy skies in Chile during the spring growing season. California and Chile together account for about 80 percent of the world's dried plum production.

Growers initially thought this year's bloom was strong and would produce a good crop, but then much of the developing fruit started to drop. After a warm early spring impacted last year's crop, growers were relieved in early January that trees had already received the 300 to 350 hours of chilling they'd need for the winter.

In March, however, some orchards experienced up to 8 inches of rain and heavy winds that blew petals and pollen off the trees, according to an association news release. The cold and wet weather also disrupted bee flight.

In University of California Cooperative Extension test blocks near Yuba City, Calif., some trees show only 2 percent to 12 percent of the blossoms growing into fruit in their lower half.

"By the first of May, we usually see that 20 to 40 percent of the blossoms set," UCCE farm adviser Franz Niederholzer said in the release. "This year even some well-cared-for orchards have only 25 to 30 percent of a normal crop."