

Proposed Idaho field burning changes still rankle environmentalists

By SEAN ELLIS
Capital Press

BOISE — Idaho farm groups support a revised draft proposal amending the state's crop residue burning program. Environmental and public health groups are challenging the proposal, which contains program changes Idaho Department of Environmental Quality officials say are necessary to avoid a large reduction in the number of allowable burn days for Idaho farmers. The two sides will meet July 20 to try to iron out their differences. After field burning was

halted in Idaho in 2007 because of a lawsuit, the two sides reached an agreement in 2008 that created the current field burning program and allowed farmers to resume using the tool. But the two sides are drifting apart on the DEQ proposal, which was offered after the federal standard for ozone was tightened in October. DEQ can only allow farmers to burn if ozone and small particulate matter levels are not expected to exceed 75 percent of the federal standards for those air pollutants. To avoid a large reduction in allowable burn days because

of the new ozone standard, DEQ has proposed loosening Idaho's ozone standard to 90 percent of the federal standard. The department's first draft proposal also proposed tightening the state's standard for small particulate matter, known as PM 2.5, to 65 percent of the federal standard. DEQ officials said that was a fair trade-off to protect public health while continuing to allow farmers to burn their fields to control pests and diseases. But after farm groups said there is no scientific evidence that shows tightening the state's PM 2.5 standard would

make it less likely that field burning in Idaho would impact public health, DEQ revised its proposal to leave the state's PM 2.5 standard unchanged at 75 percent of the federal standard. Based on public comments submitted to DEQ, that revision is not going over well with environmental groups. Conservation Voters for Idaho Executive Director Courtney Washburn said her group supports loosening the ozone standard to 90 percent only if the PM 2.5 standard is tightened an equal amount, to 60 percent, a comment echoed by other environmen-

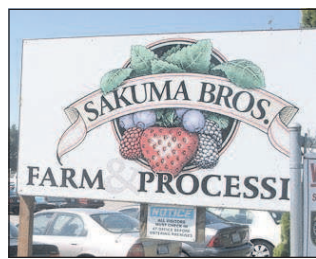
tal groups. "We have serious concerns over DEQ's backsliding on the PM 2.5 and feel that the proposed limits are not protective of public health" stated Austin Hopkins, a conservation assistant with the Idaho Conservation League. But Idaho-Eastern Oregon Seed Association Executive Director Roger Batt said field burning has little or no impact on ozone levels and the Environmental Protection Agency is reviewing the federal PM 2.5 standard, "with the possibility that more stringent standards may be adopted in the future."

The assumption is that EPA will enact a more stringent PM 2.5 standard, Idaho Farm Bureau Federation President Bryan Searle said. "Arbitrarily adjusting the criterion of this pollutant for the sake of emotional equality, while knowing that the PM 2.5 (standard) will be adjusted in the near future, is irrational and unreasonable," he said. Idaho Grain Producers Association President Terry Kulik said the proposed changes "will result in more high-quality burn days for farmers while maintaining the public health outcomes of the program."

Sakuma berry farm proposes vote on union

Grower loses on bid to reduce attorney fees

By DON JENKINS
Capital Press



Don Jenkins/Capital Press

Sakuma Brothers Farms proposed July 8 that workers cast secret ballots to determine whether they want union representation, the same day a federal judge dealt the Washington berry grower one final loss in a class-action lawsuit by ordering the company to pay out almost \$250,000 in legal fees.

The Skagit County-based business had planned to meet July 14 with representatives of Families United for Justice to work out the details of holding an election overseen by a neutral party and involving about 300 to 330 workers, Sakuma spokesman Roger van Oosten said.

If a majority votes to be represented by the group, "we'll sit down and work out a contract with the workers," he said.

Families United for Justice said in a statement that it was encouraged by Sakuma's offer, though it complained the company announced its proposal before Thursday's meeting.

The group has sought to represent Sakuma's workers for four years and has organized protests at the farm and events along the West Coast to promote a boycott of products that contain Sakuma berries.

Sakuma grows and processes strawberries, blueberries, blackberries and raspberries. The 85-year-old family-owned business was started by brothers from Japan. It also operates Norcal Nursery in Red Bluff, Calif.

Sakuma CEO Danny Weedon decided it was in the best interest of the employees and the company's future to hold a vote, van Oosten said.

"I wouldn't say (the boycott) is threatening the survival of the farm. I would say it's an annoyance. This is an opportunity to bring some clarity to it," he said.

Families United for Justice advocates a \$15-an-hour min-

imum wage, plus overtime. Washington's current minimum wage is \$9.47 an hour. Van Oosten said the average pay for piece-rate pickers for the recently completed strawberry harvest was about \$17 an hour.

In a separate matter, U.S. District Judge Marsha Pechman in Seattle on July 8 awarded \$251,699 to Columbia Legal Services and Terrell Marshall Law Group, the full amount the firms sought for representing Sakuma workers before the state Supreme Court.

Pechman's decision was the last piece of business in a 2013 class-action lawsuit brought by two Sakuma workers alleging pay violations.

Sakuma settled most issues out of court by paying 408 workers a total of \$500,000 and their lawyers \$350,000.

In addition, the company this year retroactively paid \$87,160 to pickers who worked in 2014 after the Supreme Court ruled piece-rate workers must be paid separately for 10-minute rest breaks. The average payout per worker was \$231.

Sakuma's attorney had argued the two law firms should receive no more than \$87,785.

"We're very pleased," Columbia Legal Services attorney Daniel Ford said. "I think the judge recognized the work involved in representing a large class of farmworkers in a complex case."

The Supreme Court decision, handed down a year ago, changed pay practices on farms throughout Washington.



Courtesy of Ceres

A researcher examines sorghum developed by Ceres, a biotech developer that was recently sold for \$17 million to the Land O'Lakes farm cooperative.

Farm cooperative buys struggling biotech developer

Land O'Lakes acquires Ceres for \$17 million

By MATEUSZ PERKOWSKI
Capital Press

A major farm cooperative is buying a money-losing biotechnology company that's introduced several genetically engineered crops exempt from USDA's regulatory process.

Land O'Lakes, a Minnesota-based cooperative

with roughly \$13 billion in annual revenues, has agreed to pay about \$17 million for Ceres, a publicly-traded California biotech firm that lost more than \$28 million in its most recent fiscal year.

Ceres' performance has disappointed investors since selling its shares to the public in 2012: Revenues have since dropped by nearly half, to \$2.7 million in 2015, while its stock price plummeted from a high of more than \$130 to as low as 16 cents before the takeover was announced.

With profits topping \$300 million in 2015, though, Land O'Lakes isn't

taking a serious financial risk with its 40-cent-per-share acquisition of Ceres, while the investment has the potential upside of expanding the cooperative's biotech portfolio.

Land O'Lakes already owns Forage Genetics International, which sells glyphosate-resistant biotech alfalfa that was targeted in high-profile lawsuits by critics of genetic engineering.

In the past couple years, Ceres has re-oriented its focus from bioenergy crops grown in Brazil to food and forage crops, such as sorghum and sugarcane.

Notably, the company has received written assurances from USDA that nine varieties of sugarcane, corn, sorghum and switchgrass it developed through various biotechnology methods don't need to be cleared by

the agency to be commercialized.

Many common genetically engineered crops must first be deregulated by USDA, which typically involves a time-consuming environmental analysis.

However, crops whose genes were altered without the use of plant pests don't have to undergo this process according to USDA's policy, which has been affirmed by the 9th U.S. Circuit Court of Appeals.

Ceres, for example, has used a "gene gun" to shoot genetic material into plant cells, thereby avoiding any parasitic or disease-causing organisms for gene transfer.

Chris Policinski, CEO of Land O'Lakes, said the "acquisition brings complementary strengths together, adds new advanced plant breeding and biotechnology to the FGI research and development pipeline and accelerates the process of bringing new forage solutions to existing and new markets."

The takeover may face some legal hurdles, however: Several shareholders are pursuing a class action lawsuit against Ceres alleging that its board of directors approved the deal against the best interest of investors.

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NOTICE OF PUBLIC MEETING

The USDA Natural Resources Conservation Service (NRCS) announces a meeting of the Washington State Technical Advisory Committee on July 26, 2016 from 9:30 am to 3:00 pm, 316 W. Boone Ave., Suite 450, Spokane, WA. Remote access is also available.

For more information contact Bonda Habets, (509) 323-2900 29-7/#4

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NOTICE OF SALE

On Friday, July 22, 2016 at 11:00 a.m. Pacific Daylight Time, Papé Kenworth will offer for sale, to the highest bidder, all, but no part of, the following equipment: One (1) 2006 Kenworth Truck, VIN 1XKAD49X6J104955. The sale will be open to the public and bids will be received orally. Terms of sale are 25% cash payment upon acceptance of the bid with the balance payable within 48 hours. The equipment will be held pending receipt of the full bid price and is sold AS IS - WHERE IS - AND WITH ALL FAULTS condition, with no representations or warranties as to fitness for any particular application whatsoever and may be examined at 4300 Hanley Dr., Suite 100, Central Point, OR 97502. Papé Trucks, Inc. dba Papé Kenworth reserves the right to bid on the equipment and the right to reject any one or all of the bids received. PAPER TRUCKS, INC. DBA PAPER KENWORTH 541-772-5211 Legal-28-2-1/#18

LEGAL PURSUANT TO ORS CHAPTER 87

Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 7/27/2016. The sale will be held at 10:00am by

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PUBLIC NOTICE BY WASHINGTON STATE PORK PRODUCERS ASSOCIATION AND THE NATIONAL PORK BOARD

The election of pork producer delegate candidates for the 2017 National Pork Producers (Pork Act) Delegate Body will take place at 12:30 pm, Wednesday, July 20, 2016 in conjunction with a Board of Directors meeting of Washington State Pork Producers Association, in Room 1 of the Soup It Up Restaurant, 116 West Main Street, in Ritzville, Washington, 99169. All Washington State pork producers are invited to attend.

Any producer, age 18 or older, who is a resident of the state and has paid all assessments due may be considered as a delegate candidate and/or participate in the election. All eligible producers are encouraged to bring with them a sales receipt proving that hogs were sold in their name and the checkoff deducted. For more information, contact Washington State Pork Producers Association, 2001 VanTine Road, Garfield, Washington. Telephone 509/397-2694.

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