

# Groups argue proposal would rescind water rights

## California plan calls for increased river flows to benefit fish

By **TIM HEARDEN**  
Capital Press

SACRAMENTO — A state proposal to send more water down the Sacramento and San Joaquin rivers to benefit fish would harm farms and ranches and could lead to lawsuits, farm groups argue.

The State Water Resources Control Board is taking comments through Dec. 16 on a plan to require up to 75 percent of what would be the rivers' natural flows to reach the Sacramento-San Joaquin River Delta.

About 48 percent of the rivers' outflow is now diverted for agriculture and cities, according to a scientific report by California's top water panel.

But the plan could lead to "significant lawsuits" because it would essentially rescind water rights, said Joel Nelsen, president of California Citrus Mutual.

"It sets a terrible precedent," Nelsen said. "It cancels out all pre-1914 water rights by fiat and it establishes new water rights, and I don't think you can do that. ... Once you start taking water rights, then you've got a dictatorship."

"I would argue that was never envisioned when that board was set up," he said.

Paul Wenger, president of the California Farm Bureau

Federation, said in a statement that dedicating more river flows to fish amounts to "a one-two punch" aimed at rural residents and businesses.

He said the Sacramento River plan, announced Oct. 19, would dedicate more Delta outflow to fish during the winter and spring — when the water could be filling reservoirs for both human and environmental uses later in the year.

By limiting water that could be stored in reservoirs, the plan would reduce surface-water supplies for much of California, Wenger said.

"The state board's river flow plans threaten to sentence rural California to perpetual drought, in the name of fishery flows that may very well prove ineffective," he said.

Water board officials argue that greater quantities of Delta outflow are needed in the winter and spring to support species and habitat, noting that the number of juvenile salmon migrating out of the Delta in spring increases with increased flow.

Over the coming months, board members will study the potential impacts from letting as little as 35 percent to as much as 75 percent of the rivers' unimpeded flows go to the Pacific Ocean.

The board is also considering setting limits on reverse flows in the Old and Middle rivers at the southern end of the Delta, which are caused by the state and federal project pumps and trap fish, officials contend. The plan also

includes salinity objectives in the southern Delta.

But Wenger countered that previous decisions to flush more water through the Delta have not resulted in greater fish populations.

"If more water equaled more fish, we should be seeing results, but we're not," he said. "We will continue to insist that water supplies dedicated to fish be subject to the same metrics and efficiency standards as those that farmers and homeowners must meet."

Scientists have spent years studying how to improve water quality in the Delta, which provides irrigation water for nearly 4 million acres of farmland to the south and water for millions of urban residents.

The Delta has a host of environmental problems, including saltwater intrusion.

Protections for fish have already led to drastic reductions in pumping south of the Delta. Growers without senior water rights received no federal water in 2014 and 2015 because of the drought, and farms on the west side of the San Joaquin Valley received only 5 percent of their requested allocations this year.

The water board will hold a public workshop on the proposal on Dec. 7, and there will be several additional opportunities to comment as the proposal moves forward. For information on the plan and how to comment, visit [www.waterboards.ca.gov](http://www.waterboards.ca.gov).



John O'Connell/Capital Press

Henry Etcheverry, an Eastern Idaho sheepherder who is president of the Western Range Association, would like to see changes in the H-2A labor program.

## Sheep industry criticizes H-2A rule changes

By **JOHN O'CONNELL**  
Capital Press

INKOM, Idaho — Federal reforms a year ago haven't enticed more domestic workers to take sheep industry jobs, say leaders of an organization that hires foreign labor for Western sheep ranchers.

Instead, officials of the Twin Falls, Idaho-based Western Range Association believe the November 2015 rule changes to the H-2A temporary agricultural worker visa program have become needlessly complicated and delayed the approvals of badly needed workers.

Henry Etcheverry, an Eastern Idaho Basque sheep rancher who started a three-year term as the association's president in June, said his organization's more than 200 sheep operations have collectively hired only two domestic workers since the changes were enacted.

One worker was fired for being intoxicated on the job. The other never showed up for work.

Sheep ranchers are required to advertise job openings before filling them with foreign H-2A workers, but Etcheverry finds the few locals who express interest are typically out for a "camping trip."

"It's just a pipe dream," Etcheverry said. "This government thinks there should be availability of (jobs) for domestic people, but domestic people don't want to herd sheep — at least not for any period of time."

H-2A visas fill a critical labor need for U.S. agriculture. But Etcheverry said the application process is so complicated that most operations rely on outside help, such as the association.

Etcheverry intends to visit with federal officials about the need for reforms during a November sheep producers' convention in Sun Valley, Idaho.

H-2A workers are allowed to work at a U.S. sheep ranch

for up to three years, with their status renewed annually.

According to a government fact sheet, the program changes improve administrative efficiencies and "promote greater consistency in the review of H-2A applications, provide workers employed in the U.S. with improved health benefits and protections and provide greater clarity for employers with respect to compliance of program requirements."

Sheep ranchers, however, say the federal government couldn't keep pace with H-2A applications under the revised rules and failed to process renewals in time, forcing many operations to send workers home and then bear the expense of re-processing them and bringing them back.

Castleford, Idaho, rancher Mike Guerry had to return 30 workers to Peru and Chile from January through March.

He noted the new rules roughly double minimum wages for sheep workers over the next three years, though sheep prices are down.

Other changes require operators to give each employee a cell phone and prohibit compensating workers who would rather use their own phones, restrict workers from cutting wood and restrict lodging and dining facilities from within 500 yards of a corral, though watching sheep is a key role of a sheepherder.

Guerry said operators may even be fined for failing to publicize benefits offered in excess of minimum requirements.

Tremonton, Utah, rancher Lane Jensen, the association's interim executive director, said another change specifies herders can't deliver supplies to one another.

Jensen said the association is lobbying to restore the status of members who were short of workers and kept them past deadlines when the government failed to renew their H-2A visas.

## Agriculture's voices must be heard on Columbia River, group warns

By **MATTHEW WEAVER**  
Capital Press

The Pacific Northwest Waterways Association is encouraging farmers, ranchers, shippers and others involved in agriculture to share the importance of the Columbia-Snake River system during a public comment period.

The U.S. Army Corps of Engineers, Bureau of Reclamation and Bonneville Power Administration are preparing a new environmental impact statement on the Columbia River system and the 14 federal projects in the Columbia Basin. The public comment period ends Jan. 17.

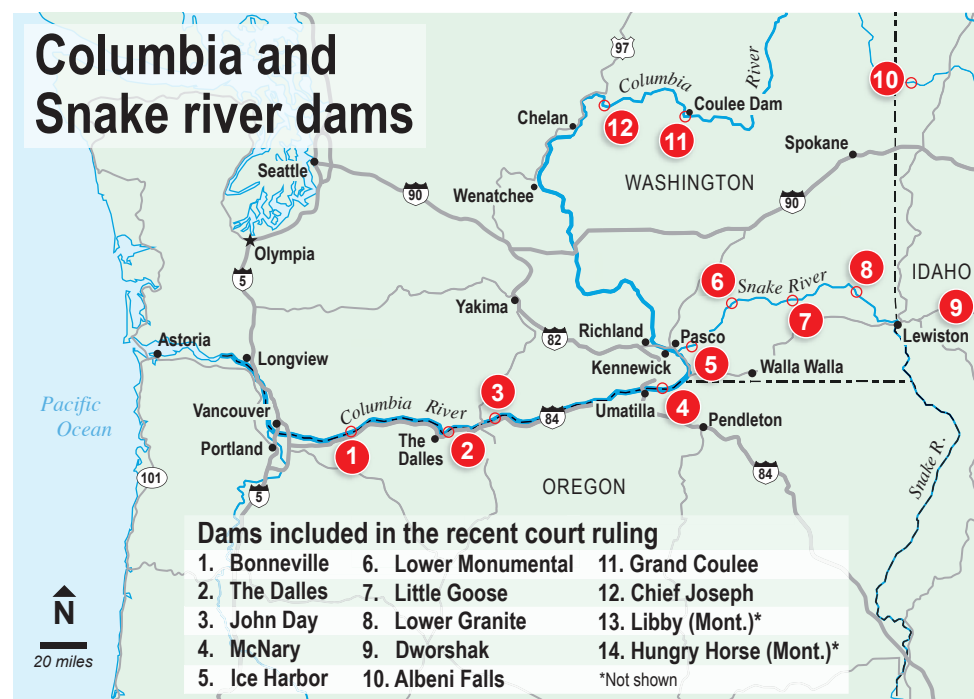
The EIS is in response to U.S. District Judge Michael Simon's ruling in May. He found the federal government failed to use the best available science to consider salmon recovery, including the possibility of breaching one or more dams on the Lower Snake River. He told the agencies to create an updated plan for the river system within five years.

The agencies are determining what to study as part of a scoping process, said Kristin Meira, executive director of the PNWA.

"We're looking forward to a very robust study of the entire river system," she said.

Many opinions exist on the future of the system, she said.

"There's also a lot of misinformation out there about barging, fish numbers and the



Sources: U.S. Army Corp. of Engineers

Alan Kenaga/Capital Press

### Online

For a list of the meetings go to <http://www.crsco.info/>

true impacts of the dams on the river," she said.

Farmers who ship grain and others who rely on the river system should ask the federal agencies to consider all possible impacts to the region's economy as they consider changes, Meira said.

"It's really important that these agencies hear from all users so they understand how extensive the impacts of the river are," she said. "It really

is absolutely critical to our Northwest economy, so everybody needs to lend their voices and say, 'This river matters to me. Don't forget to study my part of the river as you think about any changes in the future.'"

Those who favor removal of the dams on the river system are also likely to participate, Meira warned.

"This is a great opportunity to have the facts be documented and make sure we're all aware of what's happening on the river as we think about how it should be operated," she said. "For the benefit of

our fish, but also making sure we have the ability to move cargo, generate power and have irrigation here in the Northwest."

The agencies will have public meetings around the region and two web seminars. Meira encourages ag industry members to attend.

"They're not only a chance to come in and provide your voice, they're also great information sessions," she said. "Maybe you know about one part of the river, but you don't know about all the different things happening on the river."

## OSU officials mull future of ag facility

By **JOHN O'CONNELL**  
Capital Press

POWELL BUTTE, Ore. — Oregon State University officials are mulling their options for the future of a research farm that's been put to little use since 2010, due to the discovery of a previously unknown species of potato cyst nematode.

OSU's 80-acre Central Oregon Agricultural Research Center in Powell Butte once filled a crucial role in the Tri-state Potato Breeding Program — expanding experimental potato seed developed collaboratively by OSU, University of Idaho and Washington State University.

Forage researchers also used the facility.

But in recent years, the sole project in Powell Butte has been evaluating the potential for a newly discov-



Courtesy of Inga Zasada

Six-month-old potato plants grow in Powell Butte, Ore., exposed to varying rates of *Globodera ellingtonae* nematodes. The trials have shown the previously uncharacterized nematode doesn't seem to hurt potato yields.

ered PCN species, *Globodera ellingtonae*, to damage commercial potato crops.

Though *G. ellingtonae* reproduces rapidly on spuds, the trials, which concluded in 2015, produced no evidence

that the pest affects tuber quality or yield.

Researchers also said they found no visual symptoms of nematode damage among the potato plants in infested fields.

"We've never seen much decrease in yield unless we go to extreme high numbers," said Russ Ingham, an OSU professor of botany and plant pathology.

Inga Zasada, a research plant pathologist with USDA's Agricultural Research Service in Corvallis, Ore., explained the nematode was found in two isolated locations in Teton County, Idaho, and at the OSU facility in 2008.

The discoveries were the result of extensive soil sampling done throughout U.S. potato country following the 2006 discovery of a highly destructive pest, pale cyst nematode, in a small area of Eastern Idaho.

The new species closely resembles nematode samples found in South America, Zasada said.

## Idaho farm commodity reps join governor on trade mission to China

By **SEAN ELLIS**  
Capital Press

BOISE — Representatives of Idaho's milk, potato, wheat and hay industries will join Gov. Butch Otter on a trade mission to China Oct. 28-Nov. 5.

Several agribusinesses will also be represented during the visit to the world's most populous country. Idaho's last trade mission to China was in 2012.

China is Idaho's third-largest export market for agricultural products, and the nation's 300 million middle

class citizens are driving demand for food products that Idaho's farming industry specializes in, Otter told Capital Press in an email.

"Those consumers are ... providing a lot of opportunity for our Idaho exporters," said Otter, a rancher and farmer. "That's why our dairy industry, wheat growers, alfalfa farmers, animal feed producers and potato processors are joining me on this trade mission."

Dairy is Idaho's No. 1 farm commodity in terms of cash receipts and industry representatives will join the trip to China, including Idaho Milk

Products, which is based in Jerome and produces milk protein concentrate and cream and already sells product in China through a broker.

"We're just trying to expand that market and we'll be trying to find additional places where we (might) be able to sell," said marketing manager Ron Hayes.

The strong U.S. dollar makes it difficult to sell dairy products internationally right now, he said, but "we look at (China) as a large potential growth opportunity."

China, with a population of 1.4 billion, has the world's second large-

est economy, which grew at an annual 6.7 percent rate in the second quarter, said Laura Johnson, who manages the Idaho State Department of Agriculture's market development division.

"It's a huge market with tremendous potential," she said.

Representatives of the Idaho Potato Commission as well as Idaho potato processors will also be on the trade mission to China, which imports processed potato products but not fresh spuds.

U.S. potato exports to China totaled 127,821 metric tons from July

2015 to June 2016 and were valued at \$148 million, according to data provided by Potatoes USA. That makes China the No. 4 export market for processed U.S. potatoes.

When it comes to frozen french fries, which Idaho specializes in, China plays leapfrog with Mexico for the No. 2 spot.

Seth Pemsler, vice president of the IPC's retail and international divisions, said he will focus on the processed side during the mission but the industry is also trying to position itself should China ever allow fresh potato imports.