

# Oregon producers urged to pay attention, speak up

By ERIC MORTENSON  
Capital Press

PORTLAND — Producers should watch for localized efforts to restrict genetically engineered crops and pesticide use at the county and city level, while in the upcoming session of the Oregon Legislature, the concern is “budget, budget, budget,” the policy director for Oregonians for Food and Shelter said.

Speaking at the annual Northwest Agricultural Show, Scott Dahlman said he expects legislation regarding GMO crops, pesticides, fertilizer, labor, water and other ag concerns.

“When the Legislature’s in town, that’s when we get worried,” Dahlman said.

He said a “wild card” in the upcoming session is the state’s new agriculture department director. Alexis Taylor replaced Katy Coba, who was “absolutely wonderful for us” and maintained good relations with legislators, he said.

Taylor has a strong ag background, “But it’s fair to say she will have a lot to learn



Eric Mortenson/Capital Press

Scott Dahlman, policy director with Oregonians for Food and Shelter, said crop regulations, pesticides and “budget, budget, budget” issues will dominate the Oregon Legislature’s session this year.

about Oregon ag,” Dahlman said.

One bill already proposed, Senate Bill 499, would remove pesticide applications from the activities protected under Oregon’s “right to farm” law and forestry practices. Traditionally, the state has held producers can’t be sued for noise, dust and other normal practices, but the bill would remove pesticides

from protected activities.

“We’re very worried about anything that would roll that back and open up farmers and foresters to nuisance lawsuits,” Dahlman said.

He said producers need to be careful.

When applying pesticides, for example, producers must follow label instructions exactly, Dahlman said.

“There is no room for er-

ror,” he said. “Activists are out there looking for mistakes.

“Agency investigations are becoming front page news,” he added. “All it takes is one bad apple out there and it’s on the front page of the Oregonian.”

He said conflicts within agriculture — a recent example would include herbicide drift from farm operations harming vineyards — should be handled among producers. “We’re seeing a disturbing trend of certain groups running to the Legislature” instead of sitting down with their neighbors to resolve problems, he said.

To make themselves heard, producers should call up their legislators, introduce themselves and be willing to tell their story. The latter involves being willing to testify before legislative committees that are considering bills.

Dahlman said legislators tire of hearing from lobbying groups such as OFS.

“They listen to constituents,” he said. “The best expert on what you do is you.”

# IDWR issues water right curtailment notices

By JOHN O’CONNELL  
Capital Press

BOISE — The Idaho Department of Water Resources has sent notices ordering the curtailment of about 70 junior water rights on the Eastern Snake Plain, effective Feb. 2.

The notices, dated Jan. 17, apply only to water users junior to June 20, 1989, who are not participating in a mitigation program granting them safe harbor from the Surface Water Coalition’s water call.

James Cefalo, IDWR’s water resource program manager for the Eastern Region, explained the curtailment orders were made to ensure senior coalition members receive “reasonable carryover” of last storage water and don’t take current snowpack and projected streamflows into account. Though some irrigation rights are included in the curtailment order, Cefalo explained IDWR Director Gary Spackman will issue a new order at the start of the irrigation season in April that will factor in the current outstanding snowpack and replace the recent curtailment order.

Spackman will update the water outlook for the purposes of water users who haven’t participated in a mitigation plan three times during the irrigation season. Cefalo said a recent Idaho Supreme Court ruling requires that aquifer health be taken into account in Spackman’s calculations,

as measured by spring flows from the Thousand Springs area.

“It may be there is always some level of curtailment. That factor of the equation could always generate some level of curtailment,” Cefalo said.

Cefalo added that the curtailment order didn’t differentiate between consumptive and non-consumptive uses so some water users who received a notice may not need to curtail. For example, he said the Idaho Falls School District received notice to curtail water rights used in its heating and cooling system, but won’t actually be required to curtail because the same amount of water that enters the system is pumped out.

Lynn Tominaga, executive director of Idaho Ground Water Appropriators Inc., said some groundwater districts are compiling lists of wells that are not participating in a mitigation plan to give to IDWR. Tominaga said an exceptionally dry year could result in more water users seeking to join IGWA for safe harbor from the call, but they would also be expected to contribute financially for past mitigation efforts.

“The department is shooting across the bow,” Tominaga said of the recent curtailment order. “They want people to know they’re going to be curtailment if they don’t have a mitigation plan or join a groundwater district.”

# Judge orders destruction of radio collar data from wolves, elk

## Helicopter landings and data collection in Idaho violated environmental laws

By MATEUSZ PERKOWSKI  
Capital Press

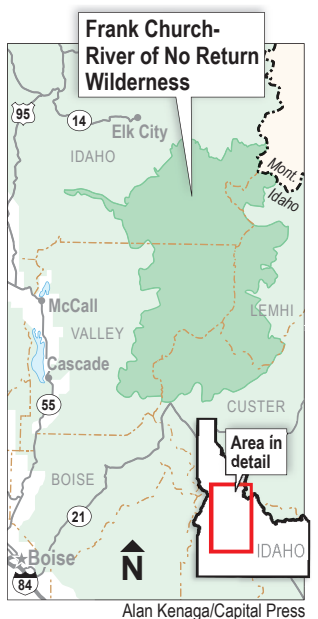
A federal judge has ordered Idaho wildlife officials to destroy radio collar data collected on wolves and elk in the Frank Church Wilderness.

The U.S. Forest Service violated federal environmental laws by allowing the Idaho Department of Fish and Game to land helicopters and collar wildlife within the 2.4 million-acre wilderness area, according to U.S. District Judge Lynn Winnill.

Winnill has prohibited Idaho officials from using data collected from 57 elk and three wolves outfitted with radio collars early last year because the Forest Service permitted the project contrary to the National Environmental Policy Act and the Wilderness Act.

Though the helicopter missions are now over, “this is the rare or extreme case” where the destruction of data is warranted to prevent IDFG from justifying future incursions into the wilderness, Winnill said.

“The only remedy that will directly address the ongoing harm is an order requiring destruction of the data — no monetary award or other such sanction will alleviate the on-



Alan Kenaga/Capital Press

assumed” that “opportunistic collaring of wolves” would be in line with the agency’s “common practice” during past helicopter flights, according to an agency official’s affidavit.

“IDFG uses monitoring data to make informed wildlife management decisions, including appropriate hunting seasons, and to provide technical information and recommendations to USFS on wildlife habitat issues,” the official said. “Requiring the destruction of data would diminish our knowledge of how elk and wolves use this unique landscape and how they interact.”

Three environmental groups — Wilderness Watch, Friends of the Clearwater and Western Watersheds Project — sought an injunction against the project, but it was completed before any court hearings could be held.

The Forest Service and IDFG argued the lawsuit was moot, but Winnill disagreed, ruling that Idaho officials are likely to undertake similar short-duration projects in the future.

The judge also agreed that the Forest Service circumvented a NEPA requirement to analyze long-term effects of the helicopter expeditions.

The federal government allowed IDFG “to get away with slicing its long-term helicopter collaring project into a one-year sliver of a project to mitigate the cumulative impacts,” he said.

The Forest Service couldn’t make an informed

going harm,” he said.

Based on aerial surveys, Idaho wildlife officials believed that elk populations in the wilderness area were plummeting due to predation by wolves. This conclusion led them to draft a plan to eliminate roughly 60 percent of the resident wolves in the area.

Initially, IDFG wanted to tranquilize and collar wolves and elk in the course of more than 1,000 helicopter landings over 10 years to “confirm their suspicions,” the ruling said.

However, the agency kept scaling back the project until it required only 120 helicopter landings to collar 60 elk — and no wolves — over two days in January 2016.

Though the permit issued by the Forest Service only allowed elk to be collared, an IDFG crew leader “wrongly

decision about the “necessity” of collaring because IDFG had divided its project “into a smaller proposal that hid the true nature of the impacts,” which also violated the Wilderness Act, Winnill said.

## Used Inventory Specials

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<p><b>JD 9510R</b>, 4440 hours, 4WD, premium cab, new engine, PS trans., 4 remotes, bareback, 800-38 duals.....<b>PRICE REDUCED! \$300,250</b> Tekoa 12464</p>	<p><b>JD 9560RT</b>, 1037 hours, premium cab, 36" tracks, PS trans., 5 remotes, 1000PTO, A/T ready.....<b>PRICE REDUCED! \$292,500</b> Fall River Mills 902075</p>	<p><b>CASE IH 435</b>, 2745 hours, 4WD, PS trans., 55gpm pump, 4 remotes, 710/70R-38 duals.....<b>PRICE REDUCED! \$162,250</b> Four Lakes 117203</p>
<p><b>JD 9300</b>, 9631 hours, 4WD, standard cab, 24 spd trans., 3-pt hitch, 4 remotes, 710-42 duals.....<b>PRICE REDUCED! \$43,400</b> McMinville 40643</p>	<p><b>JD 9410R</b>, 3 hours, <b>NEW 2014</b>, premium cab, 1000 PTO, 5 SCV's, IF 800-38 duals, A/T complete.....<b>PRICE REDUCED! \$253,230</b> Tekoa 12424</p>	<p style="background-color: #008000; color: white; padding: 2px; text-align: center; font-weight: bold;">COMBINES</p> <p><b>JD 9560R</b>, 771 hours, premium cab, PS trans., 1000 PTO, 4 SCV's, IF800/55R46 Opti trac duals.....<b>PRICE REDUCED! \$288,700</b> Tekoa 7998</p>
<p><b>JD 9460R</b>, 273 hours, premium cab, PS trans., bareback, 5 SCV's, 880/70R-38 duals.....<b>PRICE REDUCED! \$253,400</b> Tekoa 11475</p>	<p><b>JD 9510RT</b>, 223 hours, <b>NEW 2014</b>, premium cab, 36" tracks, PS trans., 1000 PTO, 5 SCV's, A/T complete.....<b>PRICE REDUCED! \$310,240</b> Colfax 904465</p>	<p style="background-color: #008000; color: white; padding: 2px; text-align: center; font-weight: bold;">COMBINES</p> <p><b>JD 5660</b>, 233 hours, small grain, Vari stream rotor, Powercast tailboard, no platform.....<b>PRICE REDUCED! \$298,800</b> Tekoa 765336</p>
<p style="background-color: #008000; color: white; padding: 2px; text-align: center; font-weight: bold;">COMBINES</p> <p><b>JD 9760</b>, 2815 hours, small grain, 18% Rahco leveler, 4WD, 635F platform and cart.....<b>PRICE REDUCED! \$167,150</b> Tekoa 717882</p>	<p><b>JD 5670</b>, 460 hours, small grain, Vari stream rotor, Powercast tailboard, 615P BPU platform.....<b>PRICE REDUCED! \$290,400</b> Merrill 765545</p>	<p><b>JD 5680</b>, 958 hours, small grain, 35% Rahco leveler, 635F platform and cart, A/T ready.....<b>PRICE REDUCED! \$367,400</b> Colfax 755717</p>
<p><b>JD 5690</b>, 619 hours, small grain, 27% Hillco leveler, duals, 635F platform and cart.....<b>PRICE REDUCED! \$409,800</b> Walla Walla 765123</p>	<p><b>JD 5680</b>, 1002 hours, small grain, 35% Rahco leveler, no platform.....<b>PRICE REDUCED! \$360,400</b> Colfax 755718</p>	<p><b>JD 5680</b>, 881 hours, small grain, 35% Rahco Leveler, 635F platform and cart.....<b>PRICE REDUCED! \$388,700</b> Four Lakes 755668</p>
<p><b>JD 9860</b>, 2355 hours, small grain, 27% Rahco leveler, duals, 635F platform and car.....<b>PRICE REDUCED! \$150,500</b> Tekoa 715774</p>	<p><b>JD 5680</b>, 664 hours, small grain, 35% Rahco leveler, duals, 635F platform and cart.....<b>PRICE REDUCED! \$347,600</b> Walla Walla 747035</p>	<p><b>JD 9860</b>, 2472 hours, small grain, 35% Rahco leveler, no platform.....<b>PRICE REDUCED! \$159,400</b> Tekoa 720722</p>

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