

Oregon water rights fee wins committee approval

Specific amount of fee stripped from legislation

By MATEUSZ PERKOWSKI
Capital Press

SALEM — A proposal to impose a new annual fee on all water rights in Oregon has passed a key legislative committee, but the amount is no longer specified.

House Bill 2706 originally set a \$100 yearly fee for every water right, capped at \$1,000 for individual irrigators and \$2,500 for municipal governments.

The bill is intended to pay for water management conducted by the Oregon Water Resources Department, but opponents say it unfairly targets irrigators who are already under financial strain.



Mateusz Perkowski/Capital Press

A linear irrigation system operates in a corn field in Oregon's Willamette Valley. State water regulators want to increase water rights transaction fees by 15.88 percent over four years, the third hike since 2009. A proposal to impose a new annual fee on all water rights in Oregon has passed a key legislative committee but the amount is no longer specified.

Rep. Ken Helm, D-Beaverton, proposed an amendment stripping the specific amounts from HB 2706 to "lower the heat" on the

bill and demonstrate that a fee amount is not "pre-ordained," he said.

Rep. David Brock Smith, R-Port Orford, said he wouldn't support the amend-

The House Energy and Environment Committee approved the amended bill 5-4 during an April 17 work session, referring it to the Joint Committee on Ways and Means, which isn't subject to normal legislative deadlines.

Helm said he's overseeing a work group that's discussing a companion bill, House Bill 2705, which requires irrigators to install measuring devices to gauge water use and was previously referred to the House Rules Committee.

During those negotiations, the water rights fee has "diminished in popularity and significance" but may still provide a useful funding source, he said.

Rep. David Brock Smith, R-Port Orford, said he wouldn't support the amend-

ed version of HB 2706 because leaving the fee amount blank "scares me more."

The only fee amount acceptable to irrigators in the Klamath Basin is zero, said Rep. Werner Reschke, R-Klamath Falls, who likewise opposed the bill.

Finding a new source of funding for water management is a good idea, but the burden shouldn't fall disproportionately on irrigators, said Rep. Cliff Bentz, R-Ontario.

Much of the activities performed by OWRD staff are aimed at protecting in-stream interests, which aren't subject to any fee under HB 2706, he said.

"The cost of management should not focus on the six to seven percent (of water) that is actually diverted," Bentz said.

Oregon GMO liability bill survives Legislature's deadline

Proposal could remain alive through end of legislative session

By MATEUSZ PERKOWSKI
Capital Press

SALEM — Biotech patent holders would be legally responsible for losses caused by their genetically engineered crops in Oregon under a bill that's survived a crucial legislative deadline.

House Bill 2739 would allow landowners to sue biotech patent holders for the unwanted presence of genetically modified organisms, or GMOs, on their land.

The bill has now been referred to the House Rules Committee, which isn't subject to an April 18 legislative deadline that recently killed other proposals.

The move could effectively allow HB 2739 to stay alive through the end of the 2017 legislative session, scheduled to end in late June.

However, the House Judiciary Committee made the referral without a "do pass" recommendation, and even then, two of its 11 members voted against the action.

It's unfair to punish biotech developers — which range from small startups to major corporations — for what happens with crops they have little control over, said Rep. Rich Vial, R-Scholls, who voted against HB 2739.

The proposal should have been vetted by a committee with experience in agriculture, said Rep. Bill Post, R-Keizer, who also voted against it.

Rep. Mitch Greenlick, D-Portland, and Rep. Chris



Sean Ellis/Capital Press File

Malheur County farmer Jerry Erstrom points out a genetically engineered creeping bentgrass plant June 14, 2016, on an irrigation ditch bank near Ontario, Ore. The grass, which was genetically modified by Scotts Miracle-Gro Co. to resist the Roundup weed killer, escaped from field trials in 2003. House Bill 2739, which would hold biotech patent holders liable for damages from GMOs, recently survived a legislative deadline.

Gorsek, D-Troutdale, expressed similar concerns about the bill, though they voted in favor of the referral.

Even though the bill wasn't sent to the House Rules Committee "with a bow on top" recommending passage, it's nonetheless good news for the Center for Food Safety, a group that supports more GMO regulation, said Amy van Saun, legal fellow with the organization.

"For me, it was a great sign that it wasn't allowed to die," said van Saun.

Amendments to the bill are being discussed, but those remain confidential, she said.

Class-action lawsuits have already been filed over GMO contamination of non-biotech crops, but HB 2739 would provide farmers with legal recourse in more limited instances of cross-pollination, she said.

"We would be a pioneer in doing something like this," van Saun said.

Oregonians for Food and Shelter, an agribusiness group, is disappointed that such poorly written legislation is moving forward in the process, said Scott Dahlman, the group's policy director.

No states have passed a law that would hold biotech patent holders liable similarly to HB 2739, he said.

Research shows farmers as a group may benefit from drought

By SEAN ELLIS
Capital Press

BOISE — Droughts can be harsh on the farmers who are directly impacted, but farmers as a group benefit from droughts because they reduce production and drive prices up, according to a University of Idaho ag economist.

"The old thing that drought is bad for farmers is just not there," Garth Taylor said. "The sky is not falling when there's a drought."

Taylor pointed out that during the most recent extended drought period in the United States, the value of crop production in the U.S. set records in 2012 and 2013.

Crop value records were set in California from 2012 to 2014 despite that state suffering a severe drought, and records were also set in Idaho, Washington and Oregon in 2012.

During the severe drought that plagued Washington in 2015, crop value reached the second-highest level ever, behind 2012.

Taylor's presentation came during a joint meeting of the Western Snow Conference and Weather Modification Association here April 18.

"That was a very unique perspective and view on drought that I had not heard before," moderator Mel Kunkel, an Idaho Power hydro-meteorologist, told attendees. "It gives me something to think about."

Taylor said he studied crop production values, farm income and weather data in nine Western states as part of his study and used 37 different equations.

In Idaho, he found that during nine drought periods since 1958, farm income or farm GDP in the state reached record levels.



Associated Press File

Irrigation water runs along a dried-up ditch between rice farms on May 1, 2014, in Richvale, Calif. A researcher from the University of Idaho says that while drought hurts individual farmers, it often benefits farmers as a group through higher prices.

Despite droughts being good for farmers in the aggregate, they're still hard on many individual farmers, Taylor said.

"Droughts are mean, vicious, local things," he said. "But drought is good for farmers, especially if it happens to (you) and not to Garth."

Drought achieves what many farmers know needs to happen — less production — to better balance supply and demand, Taylor said.

"The more the quantity goes down, the higher the prices," he said. "That is very much overlooked when we

look at the effects of drought and climate change."

Taylor told Capital Press that many farmers are initially shocked when he shares this data with them "but when you explain it to them, they understand. They realize what you're talking about."

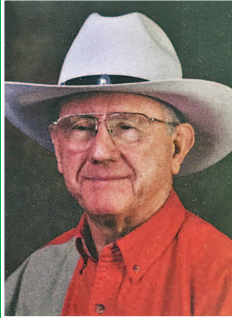
"You've heard farmers say, gee, if we could just get everybody to reduce potato production 10 percent this year or onion production 20 percent, we'd do all right with prices," he said. "When you have good water years, it causes prices to go down because you're over-producing."

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