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# Opinion

## Editorial Board

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## OUR VIEW

# Hirst ruling trips up Legislature

Washington state is unique in two ways. First, its Supreme Court has taken over the duties of the Legislature, telling the state's elected officials how to write the operating budget by ordering it increase funding for schools.

Second, the high court issued a ruling that in effect won't let rural landowners drill a water well unless they can prove it won't diminish stream flows.

In short, the supreme court appears to be running the state, not the Legislature or Gov. Jay Inslee.



Someone should check the state constitution to see whether the court should have ultimate control over the state's elected officials.

The Legislature last week failed to resolve a simple matter of policy. Its inability to do so has left many rural landowners in limbo, vastly reducing the value of many parcels of land.

Under the court's so-called Hirst decision, a landowner must prove — at his own expense — that a well won't impact surface water, fish or senior water rights holders.

Just how is that supposed to work? Such a policy is tantamount to telling rural landowners to forget about water wells unless they pay a

hydrologist to perform a full study of their watershed. Such a study would be fabulously expensive, thus having the effect of banning most rural developments — or at least those requiring water.

House Democrats wanted a two-year moratorium on the requirement while the Legislature worked out a fix. Senate Republicans instead chose to hold the state's capital budget in abeyance until a fix was passed this year.

In the meantime, another fix was proposed but it gave the

tribes veto power over many new wells.

Why the tribes were brought into the picture, we cannot say, other than as a way to scuttle the legislation.

All that was needed is for the Legislature to provide a direct fix to the court's overreaching ruling, specifying that rural landowners can drill a water well for common domestic uses.

As is too often the case, the House leadership appeared all too ready to take a straight-forward issue and turn it into a complex one.

## OUR VIEW

# Transload facility will be a game changer for onion growers

Officials in southeast Oregon are calling a proposed rail transload facility in Malheur County a game changer for the local agricultural economy.

It's big news, particularly after a disastrous winter that saw local farmers lose 100 million pounds of onions from last year's crop when heavy snows destroyed 60 storage sheds.

The \$5.3 billion transportation package passed by the Oregon Legislature includes \$26 million to create the facility near Ontario.

The facility will be a big benefit to the area's agricultural sector, particularly the onion industry, Rep. Cliff Bentz, R-Ontario, said.

The 300 growers in the Treasure Valley of Oregon and Idaho raise 1.5 billion pounds of Spanish big bulb onions each year. There are 30 packer/shippers.

Much of the crop is shipped to

East Coast markets by rail now. But to do that, the onions first have to be trucked more than 200 miles to the nearest transload facility in Wallula, Wash. Shippers say that costs about 50 cents per 50-pound bag of onions, and wipes out the geographic advantage the area has over competitors in Washington.

Packers say the facility could put \$15 million a year back into the hands of farmers, and turn a trip to the final market that now takes weeks into days.

"This thing is huge," Paul Skeen, an onion farmer who is president of the Malheur County Onion Growers Association, told Capital Press. "It's a big, big deal. It will allow us to move product faster and cheaper."

Getting onions to market faster and cheaper is a big deal in itself, but growers also see the opportunity to expand the region's market share once its access improves.

Kudos go to Bentz, who has been working over the last couple of years to get Oregon's urban legislators to pay a bit more attention to the needs of rural Oregonians, particularly those in his far eastern district.

At Bentz's invitation, House Speaker Tina Kotek, D-Portland, made a three-day trip to Eastern Oregon last year and saw first-hand the challenges farmers and other businesses in the region face.

That eventually led to the passage of House Bill 2012, which provides \$5 million for a special economic development region in Eastern Oregon.

In the context of a \$5 billion spending package, a \$26 million investment in Eastern Oregon is small potatoes. But it will produce a big return for people in a region that hasn't had a lot of good economic news over the years.

# Dairy farmers shot down again, but we aren't giving up

By ARDEN TEWKSBURY  
For the Capital Press

Guest  
comment  
Arden Tewksbury



On June 2, the dairy division of the USDA received our petition asking for a milk hearing to consider eliminating the present system used to price milk to dairy farmers. In its place we strongly urged the USDA to consider a pricing formula that considers dairy farmers' cost of production.

However, despite thousands of petitions signed by consumers and dairy farmers, along with support letters from county commissioners as well as support letters from various national and state farm organizations, the USDA has turned down our request at this time.

At this time, I want to publicly thank the people who helped us. First, a big thank you to the members of Pro-Ag and many other dairy farmers from several states that gathered hundreds of signatures on petitions.

In addition, we had letters from the county commissioners from 11 counties of Pennsylvania; they were Clarion, Jefferson, Bradford, Lycoming, Union, Sullivan, Wyoming, Susquehanna, Wayne and Pike. Also one from Chenango County, N.Y., and a support letter from the treasurer's office of Jefferson County. Also support letters were received from the Pennsylvania Farmers Union, Pennsylvania State Grange and from the Susquehanna County Farm Bureau and the New York State Grange.

A very important letter was submitted by the Tioga County Development Corp. (Don't confuse this corporation with the county commission.)

On the national scene, a support letter was submitted by the Family Farm Defenders of Wisconsin. In addition, letters were received from the Food and Water Watch group of Washington, D.C. Also, the National Grange was one of the early supporters along with the National Family Farm Coalition. Both organizations are based in Washington, D.C. Here is the big one: Willie Nelson's National Farm Aid signed a support letter!

On the flip side, two national farm organizations refused to participate.

One would think all of this support would convince the USDA that something is wrong on the way milk is

priced to dairy farmers.

The real clincher should have been when I used the USDA's figures for pricing dairy farmers' milk in the 10 Federal Milk Marketing Orders for 2016. The weighted average of the 10 Federal Orders using the present pricing formula gave dairy farmers \$15.38 per cwt.

However, using the USDA's figures, the national average cost of producing milk came in at \$21.87 per cwt. This means the average dairy farmer was short-changed \$6.59 per cwt. Collectively, this means the total loss to dairy farmers in 2016 was approximately \$13 billion of needed income. Using a multiplier of five means the rural economy lost at least \$65 billion in 2016. Not our figures, but USDA's.

Wow! What's wrong with this picture? You tell me!

Now here is a real kicker. I might not have these figures correct, but I think they are near enough to make dairy farmers very upset. Written into the present pricing formula is called a make allowance for processors that manufacture dairy products. This figure averages nearly \$2.50 per cwt. on manufactured dairy products that are sold into the market. However, I understand that in some way this \$2.50 (or whatever it is) is subtracted from the price that dairy farmers should be receiving in their pay price. I understand this make allowance in all probability enables the manufacturers of dairy products to cover their cost. Of course, they should have that opportunity when they sell their products on the market.

There is no make allowance on Class I milk (bottlers of milk). Oh, by the way, I see in many stores where American cheese is selling for \$6.99 a pound.

The USDA letter said they were denying our petition for the present time. Personally, I'm not giving up. The fight has just begun.

Arden Tewksbury is the manager of the Progressive Agriculture Organization in Meshoppen, Pa. He can be reached at 570-833-5776.



Sean Ellis/Capital Press File

Onions are sorted at a packing-shipping facility in southwestern Idaho last year. A rail transload facility planned in Oregon's Malheur County could save onion shippers in the region up to \$15 million a year and speed delivery of their produce to East Coast markets.

## Readers' views

### Fire agencies need to work with ranchers, each other

The July 7th front page story about the 46,621-acre range fire in Grant County, Wash., reveals some serious issues.

I live 15 air miles from the fire and stayed on high alert for days. The record

spring rains have left the range with huge amounts of dried dead weeds and grass. We receive virtually no rain from June to October. The first observers of fires are the local ranchers and farmers. They are familiar with the land, wind currents, water sources, and who has available bulldozers and road graders. These initial minutes after a range fire is started are critical in containing it, minimizing

damages and putting it out.

The problem of blocking local ranchers from initial action is well defined in your article. The various fire districts, state fire agencies and U.S. Forest Service arrive late and spend time debating who is in charge, what is the plan, and where the district lines are. The lost rangeland, dead cattle, and cattle grazing areas can bankrupt a rancher. Luckily, no lives were lost in this

instance. Historically that is not always the case.

Once the fires are out and fall rains arrive, mud slides blocking roads can be a common occurrence.

I find it hard to believe county, state and federal agencies cannot come together and amicably solve this problem. The 2017 fire season has months yet to run.

William Riley  
Soap Lake, Wash.

## Letters policy

Write to us: Capital Press welcomes letters to the editor on issues of interest to farmers, ranchers and the agribusiness community.

Letters policy: Please limit letters to 300 words and include your home address and a daytime telephone number with your submission. Longer pieces, 500-750 words, may be considered as guest commentary pieces for use on the opinion pages. Guest commentary submissions should also include a photograph of the author.

Send letters via email to opinions@capitalpress.com. Emailed letters are preferred and require less time to process, which could result in quicker publication. Letters also may be sent to P.O. Box 2048, Salem, OR 97308; or by fax to 503-370-4383.