

Oregon environmental regulators gauge water quality

Recent tour focused on 'strategic implementation areas' in Wasco County

By MATEUSZ PERKOWSKI
Capital Press

Oregon is getting better at identifying and rectifying water quality problems but conditions are still far from "rainbows and unicorns," according to the state's top environmental regulators.

Traditionally, Oregon has implemented projects aimed at improving water quality without sufficiently monitoring how those efforts were working, said Richard Whitman, director of Oregon's Department of Environmental Quality.

Over the past five years or so, however, the state's approach to preventing "non-point" pollution from agriculture has strengthened the gov-



Mateusz Perkowski/Capital Press

Officials from the Oregon Department of Environmental Quality and members of the Environmental Quality Commission, which oversees the agency, tour water quality improvement projects in Wasco County.

ernment's ability to analyze on-the-ground data over time, he said.

"Without that, we're flying blind," Whitman said. "We haven't had that historically in Oregon until recently."

Officials from DEQ and members of the Environmental Quality Commission — which oversees the agency — recently toured streams

near The Dalles that had garnered additional scrutiny under the state's agricultural water quality program.

The Oregon Department of Agriculture is charged with enforcing the agricultural water quality program but DEQ sets the standards for water quality and reviews conditions.

"We are the regulatory function and they are the science function,"

said John Byers, manager of ODA's agricultural water quality program. "We work in tandem."

According to DEQ's most recent water quality index for Oregon's rivers, about 49 percent of sites were "excellent or good," 18 percent were "fair" and 33 percent were "poor or very poor."

In 2017, about 34 percent of sites were considered to be "improving," 8 percent were "declining" and the rest showed no trend. To compare, 24 percent were improving and 6 percent were declining in 2016.

Forests had the largest proportion of good and excellent sites, at about 75 percent, and the smallest proportion of poor and very poor sites, at less than 10 percent.

More than 40 percent of the river sites in cities were of "very poor" water quality, the highest level of any other land use.

"Urban areas, as we might suspect, have some of the worst water quality problems in the state," said Whitman.

Roughly 25 percent of the river sites on agricultural lands were rated "very poor" and 35 percent were rated "poor." About 30 percent were considered "good" or "excellent," while remaining sites on farmland were "fair."

Since 2013, the ODA has focused on water quality in "strategic implementation areas" in which the agency relies on aerial photos and other data to find problems, rather than depend solely on complaints.

Wasco County has had three SIAs in Mill Creek, Threemile Creek and Eightmile Creek, partly because the county's soil and water conservation district was eager to participate in the new approach. Byers said.

"Initially, it seemed a little scary to invite the regulators in," said Shilah Olson, district manager of the Wasco SWCD.

Landowners identified as having water quality problems have sought help from local soil and water conservation districts without ODA having to issue penalties, said Byers.

Oregon town fights back against Mormon crickets

Pests can swarm fields, damage crops

By GEORGE PLAVER
Capital Press

April Aamodt likens it to the zombie apocalypse.

It was about this time last year when hordes of hissing, cannibalistic Mormon crickets began swarming the small town of Arlington, Ore., climbing up the sides of houses, marching down the streets and devouring local crops.

"It was awful," said Aamodt, who lives in Arlington along the Columbia River in north-central Oregon. "My land was infested with thousands of them. I was working from 5:30 in the morning to 9 at night trying to kill crickets."

The community is now bracing for round two, but this time Aamodt said they have a plan. With help from Oregon State University Extension and the Oregon Department of Agriculture, residents are mapping hot spots of Mormon crickets and targeting the grotesque insects with an arsenal of pesticides and bait.

Aamodt, who works for the Gilliam County District Attorney's Office, is at the forefront of the battle, hoping to avoid a repeat of last year's creepy, crawly invasion.

"Everyone has to do their part to prevail against this infestation," she said.

Mormon crickets are not

At a glance

Mormon cricket (*Anabrus simplex*)

These insects are actually a shield-backed katydid. The common name is derived from this pest's destruction of the crops of Mormon settlers in the mid-1800s.

Appearance: 1.5 to 2 inches long (adult phase). Varied color from gray green, purplish, brown to black. Hind tibiae are spiny; its wings are underdeveloped and it cannot fly.

Behavior: One generation annually; outbreaks can last 5 to 10 years. Vast bands will migrate up to 50 miles, feeding on field and forage crops, fruit trees, vineyards and grains.

Range: Found throughout Western North America.

Habitat: Areas of rangeland shrubs, forbs and grasses.

Damage: Voracious eaters, Mormon crickets have powerful mandibles that can strip trees of foliage and destroy their fruit.

Source: Washington State University

Courtesy of U.S. Geological Survey



Alan Kenaga/Capital Press

actually crickets, but flightless members of the katydid family, closely related to grasshoppers and crickets. Their name comes from the Mormon settlers in Utah, who encountered the pests while pushing westward in the 1800s.

The insects can grow to 2-3 inches long, emerging in the springtime and undergoing seven stages of development — known as instars — before reaching adulthood, usually after 60-90 days.

Jordan Maley, OSU Extension agent for Gilliam County, said hatchlings began to surface roughly a month and a half ago, and it will be several weeks before adults are on the move.

"They consume anything that is in their path," Maley

said, highlighting the risk to agriculture.

Mormon cricket populations are cyclical, though longtime Arlington resident and rancher Dick Krebs claimed it was the worst infestation since 1942.

A public meeting was called in June 2017 to deal with the nightmare, though by that time it was too late.

Instead, Maley said they turned their attention to the next year, plotting a comprehensive strategy to keep the pesky bugs at bay.

"We're doing whatever it takes to get these things under control," he said.

Using Google Maps, landowners and townspeople have been able to report sightings of Mormon crickets right from their smartphones.



Courtesy of April Aamodt

Mormon crickets are again appearing in rangeland surrounding Arlington, Ore., along the Columbia River.

Workers from ODA have also spent the last two weeks scouting for crickets on the hilly rangeland surrounding town.

The highest concentrations of crickets seem to be about a mile west of Arlington in Jones Canyon, Maley said. In some cases, the crickets are "too numerous to count accurately," as many as 200 per square yard.

By mapping the hot spots for Mormon crickets, Maley said they can make the best use of their limited resources.

"We're just trying to make sure we're being effective," he said.

Outside the city limits, the county has agreed to pay \$105,000 for an aerial applicator to spray Dimilin, a pesticide that targets younger, smaller crickets and inhibits their growth.

Charlie Anderson, a wheat farmer up Blalock Canyon, was hit especially hard by last year's infestation, as crickets devastated 50 acres

on the outskirts of his fields. He was the first to conduct aerial spraying around his property on April 24, and so far the treatments appear to be working.

"Those crickets are gone," Anderson said. "There's not a sign of them."

Once the Mormon crickets become adults and Dimilin is no longer effective, Maley said they will begin applying 4,000 pounds of grainy Sevin bait, donated by the Utah Department of Agriculture and Food, to kill the oncoming swarm.

In town, residents are already spraying Tempo, a general use insecticide that is considered safe to use around children and pets.

The city of Arlington and Gilliam County also joined together to bring in a herd of goats to eat overgrown grass on steep, tricky hill-sides where the crickets might hide.

To prevail against the infestation, Aamodt said everyone is going to have to do their part.

"I do think that people are working together," she said. "I receive phone calls and messages every single day."

Maley said it is unrealistic to think they will solve the problem in one year, but is optimistic they are on the right track.

"We had that outbreak last summer, which was really horrendous and pretty much ruined the summer for Arlington," he said. "We got organized, and I think we're going to put a dent in it this year."

Bank challenges farmers' radish seed victory

By MATEUSZ PERKOWSKI
Capital Press

An out-of-state bank is asking a federal appeals court to overturn the legal victory of Oregon farmers who won a lawsuit over radish seed two years ago.

Northwest Bank of Warren, Pa., recently argued before the 9th U.S. Circuit Court of Appeals that growers were wrongly allowed to keep the seed, which the bank hoped to seize as collateral for a loan.

More than 40 Oregon farms produced the radish seed in 2014 under contract with Cover Crops Solutions, a company that went out of business without paying for the crop.

Cover Crop Solutions owed about \$7 million to Northwest Bank, which filed a lawsuit against the growers arguing the seed should be sold to repay that debt.

In 2016, U.S. District Judge Michael Mosman ruled the bank did not have collateral in the seed, which the company challenged before the 9th Circuit.

During oral arguments in Portland on May 11, Northwest Bank claimed to have a security interest in all the goods owned by Cover Crop Solutions, including the radish seed.

"The district court made a mistake. CCS clearly owned the seed," said Thomas Sondag, attorney for the bank.

Northwest Bank also argued the growers liens — which would provide the top security interest in the seed — did not "attach" to the crop because it hadn't been delivered to a buyer, Sondag said.

Seed cleaners had accepted some of the radish seed but the judge found they weren't agents of Cover Crop Solutions, which meant the crop wasn't part of the defunct company's inventory.

"They themselves proved the warehouse was not the agent of the purchaser," he said.

Paul Conable, attorney for the farmers, countered that Cover Crop Solutions had turned over its rights to the radish seed contracts to Blue Moon, a company that owns the seed variety patent. Growers were allowed to sell the seed as long as they made royalty payments to Blue Moon.

Apart from that issue, the farmers also had liens providing them with a superior security interest in the radish seed, Conable said.

Agricultural liens would have attached if the bank had taken possession or sold the seed, according to the farmers.

FDA warns Oregon juice maker about fungal toxin

By MATEUSZ PERKOWSKI
Capital Press

An Oregon juice manufacturer has received a warning letter from the U.S. Food and Drug Administration for inadequately controlling for patulin, a harmful fungal toxin.

The Hood River Juice

Co., which sells apple juices and ciders under the "Ryan's" brand, used a system of inspection and sorting that wouldn't sufficiently limit patulin below 50 parts per billion, according to FDA.

When FDA officials inspected the company's facility in Hood River, Ore., in late 2017, they noted that

internal tests had identified three batches with patulin levels of 187, 92 and 67 parts per billion.

"Even a small percentage of rotten, moldy, and damaged apples may contain high levels of patulin to result in the finished product exceeding FDA's action level for patulin of 50 ppb," the warning letter said. "Any apples which are rotten, moldy, bruised or damaged should be trimmed or culled from production."

Apples at the facility were stored "outside for extended periods without atmospheric or temperature controls in open, wooden bins," increasing the likelihood they'd become contaminated with

the toxin, the agency said.

The FDA said the Hood River Juice Co. had violated "hazard analysis and critical control points," or HACCP, regulations by manufacturing an adulterated product.

While the company responded to the inspection by vowing to revise its HACCP plan to deal with the problem, the agency hasn't yet received that update.

The agency also faulted the company for not properly monitoring cleanliness of food contact surfaces to prevent cross-contamination, such as leaving "clumps of apple mash on mesh press bags after cleaning" and "peeling paint with apparent black, mold-like growth on the ceiling above press bags."

Hood River Juice Co. sent a response to FDA claiming to have corrected these problems but hasn't provided documentation, the agency said.

Inspectors also found the company mixed batches of apple juice to lower patulin levels, which isn't allowed under federal law and still renders the finished product adulterated, according to the warning letter.

Batches containing more than 50 parts per billion of patulin were diverted by Hood River Juice Co. for products intended to be fermented for vinegar or cider, the FDA said. The agency recommended the company get "written assurances" from clients that fermentation would occur.

David Ryan, the company's president, did not reply to requests for comment.

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NOTICE OF OREGON HOP COMMISSION PUBLIC BUDGET HEARING

The Oregon Hop Commission will hold a public hearing, pursuant to ORS 576.416(5), for the purpose of receiving comments on the Commission's proposed 2018-2019 budget on Thursday, June 21, 2018, 12:00 noon, at Wellspring Conference Center, 1475 Mt. Hood Avenue-Woodburn, OR 97071. At this hearing any producer of Oregon grown Hops has the right to be heard with respect to the proposed budget. Any person wishing to comment on the budget is welcome to do so either orally or in writing. A copy of the proposed budget is available for public inspection during normal business hours, under reasonable circumstances, at the Oregon Hop Commission office located at 3667 Third Street - Hubbard, Oregon.

For further information, contact the Oregon Hop Commission office at (503) 982-7600 or michelle@oregonhops.org. The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours in advance.

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PURSUANT TO ORS CHAPTER 87

Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 6/1/2018. The sale will be held at 10:00am by
COPART OF WASHINGTON
2885 NATIONAL WAY, WOODBURN, OR
2013 FORRI 31 FT R.T.
VIN = 4X4T5CB21DC006525
Amount due on lien \$1,495.00
Reputed owner(s)
COLUMBIA FORD INC.

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CHERRY AVENUE STORAGE

2680 Cherry Ave. NE
Salem, OR 97301
(503) 399-7454
AUCTION
SAT., JUNE 2, 2018 • 10A.M.
Unit AS-11: Anthony Ballentine
Unit AS-15D: Jamie Zepeda
Unit AS-38: Stephen Wellong
Unit #64: Fabiola Juarez Contreras
Unit #161: Jamie & Taunya Newman
Unit #173: Marc Wilson
Unit #2198: Norma Brito
Unit #220-C: Gabino Frias-Perez

CherryAvenue Storage reserves the right to refuse any and all bids.

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NOTICE OF BEEF COUNCIL PUBLIC BUDGET HEARING

NOTICE IS HEREBY GIVEN that a public meeting will be held pursuant to ORS 577, the Oregon Beef Council Statute, by Conference Call on Wednesday, June 6, 2018, at 9:00 am upon a proposed budget for the operation of the Oregon Beef Council during Fiscal Year July 1, 2018 to June 30, 2019.

At this meeting, any producer of beef in Oregon has the right to be heard with respect to the proposed budget, a copy of which is available for inspection, under reasonable circumstances in the Oregon Beef Council office in Portland. Any producer of beef in Oregon may join this conference call by calling toll free 1-866-210-1669. Participant login number is 7980221.

For further information, contact the Oregon Beef Council office at 1827 NE 44th Ave., Ste 315, Portland, Oregon 97213.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to the Oregon Beef Council at 503-274-2333.

Dated this 10th day of May, 2018
ATTESTED: Jason Chamberlain, Chairman
William N. Wise, CEO

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The Budget hearing for the 2018-2019 fiscal year for the Oregon Sweet Cherry Commission will be held at the Columbia Gorge Community College, Building 1, Room 1.166 located at 400 E Scenic Dr. in The Dalles, OR. The budget hearing will open at 2:15 p.m. on Tuesday, June 5, 2018. A copy of the proposed budget can be reviewed at the Hood River Extension Office, 3005 Experiment Station Drive, Hood River, OR during normal business hours or by contacting the OSCC office at 541-386-5761.

LEGAL NOTICE

NOTICE OF PUBLIC HEARING
The Oregon Potato Commission will hold a public budget hearing at 3:00 p.m. on Friday, June 8 2018 at the Imperial River Company, 304 Bakeoven Rd, Maupin Oregon. Any person wishing to comment on the budget is welcome to do so either orally or in writing. A copy of the proposed budget is posted on www.oregonspuds.com and may be obtained by writing to the Commission, Bill Brewer, 9320 SW Barbur Blvd., Suite 130, Portland, Oregon 97219 or Email brewer@oregonspuds.com