

# Washington H-2A use may jump 60 percent

Labor tighter every year, growers say

By DAN WHEAT  
Capital Press

Use of H-2A-visa guestworkers in Washington, mostly to tend and harvest tree fruit, may increase by close to 60 percent this year over last, says the director of the farm labor association that arranges for the most H-2A workers in the state.

“There’s not enough seasonal workers. We’re not able to generate more by increasing pay. It feels just like 2006 when everyone put down their picking bags and picked up framing hammers,” says Dan Fazio, director of WAFLA in Olympia.

In other words, when the economy is doing well, domestic workers tend to quit pruning and picking fruit trees and turn to higher paying jobs in construction and hospitality.

An added damper on ag labor, Fazio said, is the Trump administration not ignoring illegal immigrants to deport when it looks for felons among them.

“I just pray I-9 (employment eligibility) audits are not used to trigger mass deportations before we get immigration or labor laws changed,” he said.

Large and small tree fruit growers are increasing their use of H-2A workers although it’s still challenging for small growers to get them for short windows of time, he said.

In 2017, the U.S. Department of Labor approved 18,796 H-2A workers for Washington and about 12,000 of those were hired or arranged by WAFLA.

“We could be close to 30,000 this year with 20,000 of that through WAFLA,” Fazio said. “That’s more than we thought it would be. It’s the biggest jump yet.”

It would be a 59.5 percent increase over 2017. Usage went up 37.3 percent in 2017, 15 and 30 percent the prior two years and was up 42 percent in 2014 and 2013.

Scott McDougall, president of McDougall & Sons Inc., Wenatchee, has struggled to find enough workers in the past, hiring prison labor in 2011.

He said he’s been increasing H-2A workers by about 15 percent



Dan Wheat/Capital Press

New H-2A workers pick cherries at Griggs Orchards near Orondo, Wash., on June 19. The Griggs family is among many smaller growers turning to H-2A foreign guestworkers to assure getting tree fruit picked.

a year for several years to keep up with new plantings. He said smaller growers who have not used H-2A are turning to it more all the time. Still, he estimates, 70 percent of the Central Washington tree fruit workforce is domestic, not H-2A.

“I don’t know how you can have all the investment in orchard and infrastructure and not make that investment (in H-2A) to make sure you have someone to do all the jobs you need to do on time,” McDougall said.

Employers using the H-2A program have to be open to hiring domestic workers for the same jobs for the first half of the H-2A contract period. McDougall said he gets very few workers that way.

“Labor is adequate but we wouldn’t get any of our work done if we relied on domestics,” he said.

Ninety percent of his H-2A workers return from year to year, which he likes because it cuts down on training

and they’re reliable and legal.

The big down side, he said, is the cost of a \$14.12 minimum wage, plus housing and transportation.

A lot of growers have stayed out of H-2A, he said, banking on having the new H-2C program, if passed by Congress, that won’t require housing or transportation and will lessen minimum wages.

Roger Pepperl, marketing director of Stemilt Growers LLC, Wenatchee, said H-2A is “imperative” to company orchard operations and is increased each year.

“We are getting by on workers but it can be tough in some isolated locations. The packing side has been running good but only because of great management of part-time summer workers, which includes college students,” Pepperl said.

Reggie Collins, general manager of Chelan Fruit Cooperative, Chelan, said he had the 1,000 people he needed for double shifts on

three cherry packing lines in June and July but mainly because California’s cherry crop was light and more workers migrated to Washington.

“Now we’re winding down on cherries and we’re seeing a lot of absenteeism. That concerns us,” he said.

The cooperative needs 500 workers for double shifts on five apple and pear packing lines in a few weeks.

Chelan Fruit growers now use about 400 H-2A workers and the number is growing every year, he said. Housing being built by WAFLA in Okanogan and planned for Chelan helps, he said.

“H-2A is costly and just not in wages, housing and transportation. The first year or two they really don’t know how to pick apples or cherries and their productivity is twice as slow,” Collins said.

Dick Smithson, a Peshastin pear grower, said Wenatchee Valley pear growers are turning more

to H-2A and that he will have 16 H-2A out of a crew of 40 to 50 people to harvest pears.

“It’s harder and harder to find domestic help. They just aren’t around like they used to be,” Smithson said. “Without H-2A it would be a lot rougher for us.”

Sean Gilbert, a Yakima grower, said labor gets tighter every year, that he’s using H-2A for the first time and awaiting arrival of those workers in the next couple of weeks. They will make up less than 5 percent of his workforce, which peaks at 1,000 workers during Gala and Honeycrisp apple harvest from late August through September.

Ray Keller, general manager of Apple King LLC, Yakima, said he’s not using H-2A but has had to work hard, including advertising on Craigslist, to find pickers and packers.

“It’s an unknown right now on apples and pears,” he said. “It takes a lot of people.”

## Dam breach in Washington to cost owner \$2.5 million, plus fines

By DON JENKINS  
Capital Press

A Florida company has agreed to pay \$115,000 in fines and fund a 10-year, \$2.5 million project to repair damage to a creek caused when its dam breached last year on a southeast Washington ranch once owned by Ernest Hemingway’s oldest son.

Ecology announced the agreement with the current owner of Bonasa Breaks Ranch on Wednesday. A section of the earthen dam on the property in Asotin County gave away April 13, 2017, releasing an estimated 9 million gallons of water, sediment and debris down Rattlesnake Creek.

The breach severely damaged habitat used by federally protected steelhead, Ecology’s water quality program manager, Heather Bartlett, said in a statement. “The dam break

caused erosion, loss of thousands of mature trees that provided shade to cool water temperature, and sent boulders downstream and blocked migrating fish.”

The dam was built in the 1960s or earlier and had been enlarged without state permits in 2006-07, according to a post-breach investigation by Ecology’s Dam Safety Office. Engineers reported that the breach was most likely caused by an inadequate spillway that led to water over-topping the dam. Construction flaws would have prevented the state from issuing permits to enlarge the dam, according to the investigation.

The 18-foot-tall, 414-foot-wide dam held back a 4.3-acre pond used for fish rearing and recreation, according to Ecology. The breach flooded a 6-mile stretch of the creek leading to the Grande Ronde River.

The ranch was acquired in

2004 from Jack Hemingway’s widow by a limited liability company registered in Ponte Vedra Beach, Fla., according to public records. Efforts to reach the company’s agent, Stephen Croskrey, who signed the agreement with Ecology, were unsuccessful. Jack Hemingway was born to the famous writer in 1923 and died in 2000. He bought the property as a hunting and fishing retreat in 1990, according to a 2001 story by Forbes magazine.

The property’s owner will pay a \$15,000 fine for failing to obtain permits to enlarge the dam and \$100,000 for violating the state’s water quality law.

Over the next decade, the ranch must meet deadlines to plant trees and shrubs, remove fish barriers and create habitat. The ranch could face fines of up to \$500 a day for failing to keep on schedule, according to its agreement with Ecology.

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