

Washington board on path to step into managing manure

By **DON JENKINS**
Capital Press

A Washington health agency continues to craft new regulations for commercial farms by expanding an old rule that bars “stable manure” from fouling “populous districts.”

If the state’s Board of Health follows through, the modernized “Keeping Animals” rule would apply to livestock waste everywhere. Local authorities would be obliged to penalize farmers for odors, flies, rodents and other pests. Manure couldn’t be stored within 35 feet of a neighbor’s property or public road.

“This looks like something that’s going to compound regulations on agriculture,” Washington Cattlemen’s Association lobbyist Mark Streuli said. “It’s got us on the edge of our chairs.”

The board’s staff has been working on the rule on-and-off for a decade. Environmental groups have supported expanding the rule, arguing it’s necessary to protect human health.

Farm groups say other laws already regulate animal waste and that the health board’s policy direction conflicts with the state’s right-to-farm law that shields agriculture from nuisance lawsuits.

A new rule has not been formally proposed. A draft finished this month differed little from one that was circulated in June.

“We’ve been along a certain track of thinking,” said the board’s policy adviser, Stuart Glasoe, who’s been working

on the rule.

Livestock and pet waste would need to be “contained or covered,” according to the draft rule. Animal waste couldn’t be stored within 100 feet of a drainage ditch, unless the ditch was uphill or behind a barrier, such as a levee.

Farmers could be fined for violating the law. Local health officials, police departments and sheriff’s offices must enforce board of health rules or themselves be fined, according to state law.

The current Keeping Animals rule exempts “manure on farms and isolated premises,” unless a health officer issues an order. The rule bars manure from accumulating where it could pollute drinking water.

The new rule could be much more encompassing. It would be particularly helpful to people who breathe air blowing from large farms, Friends of Toppenish Creek Executive Director Jean Mendoza said.

She said the draft rule was “probably adequate.”

The rule requires manure in stables in towns to be covered in a “watertight pit or chamber.” The manure must be removed at least once a week in the spring and summer. During the fall and winter, stables have to be cleaned often enough to satisfy a health officer. The rules would “not necessarily” be applied to manure lagoons on dairies, though “potentially it’s possible,” Glasoe said.

Glasoe said he’s aware of concerns that the rule will conflict with the right-to-farm law. “We certainly have tried to keep an eye on that,” he said.

\$2.3M cleanup complete at controversial Oregon dairy

By **MATEUSZ PERKOWSKI**
Capital Press

Oregon farm regulators are satisfied with the cleanup of a defunct Oregon dairy with a history of wastewater violations and are reviewing a proposal to restart its operations.

Inspectors from the Oregon Department of Agriculture have verified that solid and liquid waste was fully removed from Lost Valley Farm before the Oct. 31 deadline established under a legal agreement.

No cattle are currently allowed to occupy the facility in Boardman, Ore., but its plumbing and waste infrastructure is clean and functioning, said Wym Matthews, manager of ODA’s confined animal feeding operation program.

“It can sit there and accept stormwater without any discharge activity,” he said.

The large dairy was controversial in Oregon even



George Plaven/Capital Press File

Wastewater lagoons are emptied at the former Lost Valley Farm as part of cleanup operations. The facility’s cleanup was completed before the Oct. 31 deadline established under a legal agreement with Oregon regulators.

before it began operating in 2017 due to concerns about the environmental effects of housing up to 30,000 cows at the facility.

Repeated problems with wastewater management prompted ODA to fine the dairy more than \$10,000 and eventually to seek the revocation of its CAFO permit last year.

Meanwhile, Greg te Velde, the facility’s owner, filed for bankruptcy and lost control of his dairies after a judge found he had continued gambling and mishandling money.

The trustee appointed to operate Lost Valley Farm and te Velde’s two dairies in California, Randy Sugarman, reached a deal with ODA to clean up the facility while

restructuring the overall company’s debt.

The budgeted cost of the cleanup was \$2.3 million, which Sugarman said was a “sizable sum” but likely represents “a small fraction of the estate’s potential administrative liability to the State of Oregon,” according to a bankruptcy document.

Nearly 50,000 tons of manure were removed from the site, with most of it applied to the farm’s cropland and some exported to another company that works with soils.

Sugarman was required to continue overseeing the facility’s cleanup and operations even after the dairy was sold to Easterday Farms earlier this year for \$66.7 million.

Ongoing monitoring of groundwater at the site has shown no signs that wastewater discharged from manure lagoons has negatively affected the aquifer, said Matthews.

US suspends plans to hike tariffs Tuesday on Chinese imports

By **PAUL WISEMAN**
and **KEVIN FREKING**
The Associated Press

WASHINGTON — The Trump administration is suspending a tariff hike on \$250 billion in Chinese imports that was set to take effect Oct. 15, and China agreed to buy \$40 billion to \$50 billion in U.S. farm products as the world’s two biggest economies reached a cease-fire in their 15-month trade war.

The White House said the two sides made some progress on the thornier issues, including China’s lax protection of foreign intellectual property. But more work will have to be made on key differences in later negotiations, including U.S. allegations that China forces foreign countries to hand over trade secrets in return for access to the Chinese market.

The U.S. and Chinese negotiators have so far reached their tentative agreement only in principle. No documents have been signed.

President Donald Trump announced the trade truce Oct. 11 in a White House meeting with the top Chinese negotiator, Vice Premier Liu He. The news followed two days of talks in Washington.

“You’re very tough negotiators,” Trump said to the Chinese delegation.

Trump has yet to drop plans to impose tariffs Dec. 15 on an additional \$160 billion in Chinese products, a move that would extend the sanctions to just about everything China ships to the United States. The December tariffs would cover a wide range of consumer goods, including clothes, toys and smartphones and would likely be felt by American shoppers.

The trade war has taken an economic toll on both countries. U.S. manufacturers are hurt by rising costs from the tariffs and by uncertainty over when and how the trade hostilities will win.

“They’re trying to de-escalate,” said Timothy Keeler, a lawyer at the law firm Mayer Brown and former chief of staff at the Office of the U.S. Trade Representative. “I think it serves both sides’ interests because both sides were feeling pain.”

Brian Kuehl, co-executive director of Farmers for Free Trade, a bipartisan coalition supported by America’s leading ag commodity groups, said in a statement that the agreement doesn’t seem to address the tariffs already in place that are impacting farm exports to China.



Dan Wheat/Capital Press File

Francisco Gutiera carefully empties his picker bag aided by Ray Diaz at Mt. View Orchard, East Wenatchee, Wash., on Aug. 26. They are taking care to not bruise the organic Gala apples.

Already large apple crop grows 2.5%

By **DAN WHEAT**
Capital Press

WENATCHEE, Wash. — The large 2019 Washington fresh market apple crop is now estimated to be 2.5% more than in August, which has one analyst warning of a potential crisis while the industry’s marketing association manager is more optimistic.

The Oct. 1 storage report released Oct. 8 by the Washington State Tree Fruit Association only gives numbers for Gala, Honeycrisp and Golden Delicious, since tallies are ongoing on other varieties and 30% of the crop remains to be harvested by early November.

Gala is now estimated at 33.4 million, 40-pound boxes, up 7.65% from the association’s Aug. 1 forecast.

Honeycrisp is at 17.5 million boxes, up 6.4% from Aug. 1 and up 44.6% from 12.1 million in 2018.

Golden Delicious is at 7.2 million boxes, up 14.8% from Aug. 1. Those increases alone, without updates on other varieties, mean the total crop is now estimated at 140.7 million boxes versus 137.3 million on Aug. 1.

“It’s similar in size to 2014 (143.6 million), which was a grim year for the apple industry,” said Desmond O’Rourke, world apple analyst and retired Washington State University agricultural economist in Pullman.

“With three of the 10 major varieties going up from Aug. 1, I would expect some of the others to go up. One caveat is cold weather that could trim some later varieties,” he said.

Cold snaps have not been long enough so far to do major damage, said Brian Focht, manager of Washington Apple Growers Marketing Association in Wenatchee.

O’Rourke noted a Kroger Co. official said at the Aug. 22 U.S. Apple Association Outlook Conference that U.S. apple consumption fell 11% in the last five years because of too many apple varieties and increased competition from other fruits.

“If we get this large a crop and falling demand, the industry has a crisis on its hands,” O’Rourke said.

It may be forced to consider major collective, rather than individual company, domestic marketing promotions, he said, adding that such a promotion could cost as much as \$1 per box but likely return several times that.

“There are a lot of situations that would make sense to do it, but I don’t see that happening,” Focht said of collective promotions.

The crop estimate could shrink as growers leave some inferior fruit on trees, he said.

“I’m not willing to go as far as Mr. O’Rourke has gone and predict disaster. We have better fruit and typically better fruit translates into better sales,” Focht said.

There’s more top-grade fruit, color is better and fruit size is a little smaller in some varieties, which will improve packouts, he said.

“Certain varieties may have fewer prime retail sizes and that’s where the meat of the manifest is. The crop could be larger but be similar to last year in prime sizes,” Focht said.



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TUESDAY, NOVEMBER 12

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CORE Training is complimentary with \$4 admission to the expo. No registration is required.

A maximum of 4 credits are available (pending)

- **10:30a -12:30p** • (2 CORE credits)
Worker Protection Standard, What Does It Look Like On Your Farm, Kaci Buhl
Pesticide Fate in Off-target Environment and Mitigation Measures, Jeff Jenkins
- **11:00a** • **Pape Group, David Gaffney, Corporate Fleet Compliance Specialist**
Transportation Compliance Overview which covers:
 - DOT requirements and recordkeeping.
 - Load securement, specific to machinery regulations.
 - Truck pre-trip and annual inspection requirements.
 - Commercial driver's license requirements.
 - Size and weight limits.
 - Farm exceptions.
- **12:30p-2p Lunch Break** • on own, concessions available
- **2:00p-4:00p** • (2 CORE credits)
Oregon Agriculture Current Issues and Lesson Learned 2019, Andrea Sonnen (ODA)

WEDNESDAY, NOVEMBER 13

- **10:30a** • **Forklift Certification Training – Santiam Classroom** (Advanced online registration required, free with admission) Includes classroom, workbook written knowledge check verification followed by a driving evaluation. Program provided by Overton Safety Training and Pape Material Handlings. Class limited to 40, and is provided in English only, attendees must be able to test in English.
- **10:30a –12:15p** • **Cpr / Aed With Standard First Aid** (Advanced online registration required and \$35 fee)
- **1:00p – 5:00p** • **Train The Trainer Forklift Course - Details Online**
- **1:30p – 2:45p** • **Standard First Aid** (Advanced online registration required & \$15 fee)

Forklift Certification Training – 10:30a.m

THURSDAY, NOVEMBER 14

Santiam Building Classroom

- **10:30a -12:30p** • (2 CORE credits)
Worker Protection Standard, What Does It Look Like On Your Farm, Kaci Buhl
Pesticide Fate In Off-target Environment And Mitigation Measures, Jeff Jenkins
- **12:30p-2p Lunch Break** • on own, concessions available
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