

Wooden Shoe Tulip Festival returns in 2021

By SIERRA DAWN McCLAIN
Capital Press

WOODBURN, Ore. — Iverson Family Farms in Woodburn, Ore., announced Monday it will resume its annual Wooden Shoe Tulip Festival — one of Oregon's most popular agritourism events — this spring.

The event will kick off Friday, March 19, and continue through May 2. Blooms are expected to be at peak the second and third weeks of April. This year, visitors must buy tickets online in advance and follow new safety protocols.

The Iversons say they're thrilled to renew the event, which was canceled last year due to the pandemic. When COVID-19 hit last March, the Iversons canceled the festival for the first time in 36 years.

Karen Iverson Bever, one of the festival's coordinators, estimated the farm lost "well over \$1 million" in revenue. The festival drew more than 150,000 visitors from around the world the previous year.

"We are so thrilled to be able to invite guests to experience the color and beauty of our tulip fields this year," Bever said Monday.

At the farm this year, guests will be able to explore 40 acres of tulip



Capital Press File

The Wooden Shoe Tulip Festival near Woodburn, Ore., will reopen this year after COVID-19 forced its closure in 2020.

fields and 80 acres of other outdoor spaces. Iverson Family Farms, with Mount Hood as its backdrop, grows about 1,200 acres of grass seed, tulips, winegrapes, vetch seed and industrial hemp.

At this year's festival, state COVID-19 protocols permitting, the farm will offer hot air balloon trips, tram and hay wagon rides, wine tasting, an event garden and food vendor offerings.

Some activities will be canceled this year due to COVID-19, including the pony rides, photo cut-out boards and cow trains.

Visitors must buy day tickets or season passes online rather than at the gate this year. The farm will honor any unused tickets purchased in 2020 and will continuously release tickets available for purchase seven days in advance of each visit date.

Emily Iverson, who's helping run the event, told the Capital Press the farm plans to require masks and limit the number of guests each day in order to follow state guidelines. Iverson estimated that the festival will have about 50% of its usual pre-COVID attendance.

Iverson said her family has been closely watching how the Oregon Zoo, farmers markets and annual food festivals are operating and tak-

TULIP FESTIVAL

Festival dates: March 19 to May 2, 2021

Hours of operation:

Monday through Friday 9 a.m. to 6 p.m.

Saturday and Sunday 8 a.m. to 7 p.m.

ing cues from them.

The farm has also raised its ticket prices this year to help make up for last year's losses.

"Due to hardships in 2020 and the struggle of our family farm, we have made the decision to increase the prices for our tulip festival," the farm said in a statement.

During 2020, the farm pivoted, selling more than 10,000 flower pots and delivering flowers to senior homes. Iverson said the farm intends to deliver flowers to seniors again this year and plans to partner with the Alzheimer's Association and Relay for Life. Iverson, whose grandparents died of Alzheimer's and cancer, said supporting these causes means a lot to her.

Iverson said she's excited to resume the festival and continue delivering flower pots "for years to come."

Washington farm groups seek 'seasonality' in OT bill

By DON JENKINS
Capital Press

OLYMPIA — Washington farm groups hope an agricultural overtime bill will be amended in the House, raising the threshold before farmworkers become eligible for time-and-a-half during peak harvest weeks.

The bill that was passed by the Senate on March 9 blocks back-pay lawsuits and phases-in overtime pay. By Jan. 1, 2024, all farmworkers would be paid time-and-a-half after 40 hours in a week.

A tentative agreement allowing growers to choose 12 weeks a year to pay overtime after 50 hours, instead of 40, fell out of the bill shortly before the Senate voted 37-12 to send it to the House.

Some Republican senators criticized the bill for excluding "seasonality." Hawaii, one of a few states with overtime pay for farmworkers, raises the threshold to 48 hours for 20 weeks picked by the employer.

If seasonality isn't in the bill, growers may be permanently locked into paying time-and-a-half after 40 hours during peak harvests, Washington Farm Bureau associate director of government relations Breanne Elsey said.

"I do think it needs to be included in the fix this year," she said.

Senate Bill 5172 has been referred to the House Labor and Workplace Standards Committee. No hearing has been scheduled.

The bill requires dairies to begin paying overtime immediately, simply affirming a ruling in November by the Washington Supreme Court.

Overtime pay for all other farmworkers would be phased-in, beginning Jan. 1, 2022. The threshold would be 55 hours initially, dropping to 48 hours in 2023 and finally to 40 hours in 2024.

Washington State Tree Fruit Association President Jon DeVaney said the bill accomplished his organization's primary goal.

"It did appear that we were going to see overtime spread to the rest of agriculture through court actions. It was preferable that it be phased-in, rather than happen overnight as happened to dairies," he said.

"We still think there needs to be seasonal flexibility, and that's still under discussion," DeVaney said.

The bill also achieves the dairy industry's top priority by prohibiting the court's 5-4 decision from being applied retroactively. Dozens of lawsuits have been filed since the ruling, seeking up to three years' back overtime.

The DeRuyter Brothers



Washington farm groups hope lawmakers will raise the overtime threshold for peak harvest weeks.

Dairy in Yakima County was excluded from lawsuit protection. A class-action lawsuit against the dairy led to the court's overtime ruling. The lawsuit is ongoing, and lawmakers did not want to intervene, a spokesman for Senate Democrats said Thursday.

Most Republicans, including many from agricultural regions, voted against the bill, while other Republicans grudgingly voted "yes," acknowledging the court left little leverage for employers.

Two weeks ago, the bill would have immediately granted overtime pay to all farmworkers after 40 hours and still left farmers open to retroactive claims.

"We're overall pleased with the outcome, considering where we were when negotiations began," Elsey said.

Senate Democrats embraced the bill, saying in a press release it would correct an "historic injustice" and make Washington the first state to "bring the 40-hour work week to agricultural workers."

If the overtime law discourages longer hours, farmworkers may have to work at more than one farm to maintain their incomes, DeVaney said. Growers, meanwhile, may try to hire more workers to spread out the hours or automate, he said.

Washington agriculture already says there is a labor shortage, forcing farmers to hire foreign seasonal workers on H-2A visas.

California has been phasing in overtime for farmworkers since 2019. All farms will be required to pay time-and-a-half after 40 hours beginning Jan. 1, 2025. Farms with 26 or more employees will have that obligation Jan. 1, 2022.

New York farmworkers are paid time-and-a-half after 60 hours in a week. The threshold in Minnesota is 48 hours.

Another provision that fell out of SB 5172 proposed to give farmworkers a one-time \$5,000 payment to settle back-pay claims.

Farm groups balked at contributing to an account, estimated to total \$400 million, that implied farmers have been wrongly underpaying workers.

"We absolutely refused to put money into a fund," Elsey said. "It would be against everything that was honest."

Further arguments loom in Klamath re-quantification ruling

By MATEUSZ PERKOWSKI
Capital Press

An Oregon judge has agreed to hear further legal arguments over his ruling that tribal water rights in the Klamath basin must be re-quantified.

Because the judge's legal opinion from last month hasn't yet been reduced to an order, that means the Klamath tribes can enforce their water rights to shut off irrigation in the meantime.

In February, Klamath County Circuit Judge Cameron Wogan broadly upheld findings by state reg-

ulators that the Klamath Tribes had time immemorial water rights in the basin that hadn't been abandoned or diminished.

These are the oldest water rights in the basin, which the tribes can enforce to cut off irrigation water to junior users when stream flows get too low.

The judge disagreed with the Oregon Water Resources Department on a potentially important legal point, though: Wogan said the agency hadn't properly considered the Klamath Tribes' "moderate living standard" in quantifying their water rights.

The opinion created an opening for farmers and ranchers in the Upper Klamath basin to argue that reduced stream flows could still satisfy tribal hunting and fishing treaty rights, thereby freeing more water for irrigation.

While Wogan has agreed to vacate the OWRD's quantification of tribal water rights, he hasn't yet issued an order that would make the opinion's determinations binding.

Due to a "water call" from the Klamath Tribes, the agency has already begun issuing regulation orders to

cease irrigation diversions from the Williamson and Sprague rivers in the Upper Klamath basin this month.

Until the court rules otherwise, OWRD said it must enforce tribal water rights according to its administrative findings from 2013. Those administrative findings are now being adjudicated in state court by Wogan.

The Klamath Tribes have asked the judge to clarify his opinion as to the quantification of water rights, arguing that his conclusion was inconsistent with other determinations in the ruling.

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