

W12a

AGENDA COVER MEMO

AGENDA DATE: June 29, 2004

TO: Board of County Commissioners

DEPARTMENT: Lane County Sheriff's Office, Emergency Management Division

PRESENTED BY: Linda L. Cook

AGENDA TITLE: In the Matter of an Emergency Declaration for "Stone Crop," Berry and Other Farmers In Lane County and Requesting a Similar Declaration From the Governor.

I. MOTION

That the Board of Commissioners move to request that the Honorable Theodore R. Kulongoski, Governor, State of Oregon, declare a "State of Emergency" exists in Lane County and request from the Secretary of the United States Department of Agriculture economic assistance for the agricultural industries in Lane County.

II. DISCUSSION

A. Background

Information received from Ross Penhallegon, Lane County Extension Agent, indicates that losses ranging from 93% to 100% have been incurred on Sweet and Tart Cherries, Prunes, Asian and other Pears, Apples, and Strawberries. Losses are due to early spring rains that prevented or severely limited pollenization and from mid-May ongoing rains have split the cherries and molded the strawberries.

County Emergency Board members from the Oregon State Farm Service Agency, RD, Natural Resources Conservation Services, CES, and Lane County Emergency Management were polled and all support requesting a disaster declaration. The Farm Service Agency County Committee supports the disaster declaration.

The USDA Flash Situation Report was submitted on June 20, 2005 to the Oregon State Emergency Board through the Oregon State Farm Service Agency Office and to the Lane County Emergency Management office to request the County Commissioners to act on the request. County Commissioners are to request the designation through the Governor's office.

III ATTACHMENTS

**Order
County Emergency Board Meeting Notes
Memo and USDA Flash Report
Email dialogue leading to emergency declaration**

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.) IN THE MATTER OF AN EMERGENCY DECLARATION
) FOR "STONE CROP," BERRY AND OTHER FARMERS
) IN LANE COUNTY AND REQUESTING A SIMILAR
) DECLARATION FROM THE GOVERNOR

WHEREAS, ORS 401.015(2) provides that responding to emergencies is a County responsibility unless: 1) the response is beyond the capability of the County, 2) the County fails to act, or 3) the emergency involves two or more Counties, and

WHEREAS, the Board of County Commissioners of Lane County has determined that the Lane County agricultural industry is suffering widespread production losses and severe economic damage caused by severe weather consisting of excessive ongoing rains from early spring through mid-May, and

WHEREAS, approximately 583 acres of farmland have been affected in Lane County with the percentage of yield losses ranging from 93% to 100% for "stone crops," berries and other crops, such as sweet cherries, tart cherries, prunes, Asian and other pears, apples and strawberries, and

WHEREAS, the Lane County Board of Commissioners has determined that extraordinary measures must be taken to alleviate the suffering of those dependent on the agricultural industry and to mitigate the economic loss to Lane County and Oregon, and

WHEREAS, the preliminary assessment of damage and loss is described on the attached worksheet and memos incorporated here by this reference, and

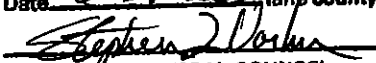
WHEREAS, the County has concluded that the emergency/disaster is beyond its capability to respond, now, therefore, be it

RESOLVED AND ORDERED that the Lane County Board of Commissioners has determined that a local emergency/disaster has occurred within Lane County as described above and local resources are insufficient to respond, and it is further

RESOLVED AND ORDERED that the Board of Commissioners requests, pursuant to ORS 401.055, that the Honorable Theodore R. Kulongoski, Governor, State of Oregon, declare a "State of Emergency" exists in Lane County and request from the Secretary of the United States Department of Agriculture economic assistance for the agricultural industries in Lane County.

Adopted this 29th day of June, 2005.

APPROVED AS TO FORM

Date 6-23-2005, Lane County

OFFICE OF LEGAL COUNSEL

Chair, Lane County Board of Commissioners

 United States Department of Agriculture	Farm Service Agency – Lane County 780 Bailey Hill Rd Suite 5 Eugene OR 97402-5451 www.fsa.usda.gov/or/lane.html	Phone: 541/465-6443 Ext 2 FAX: 541/465-6483 Jean A Larkin, CED X101 Patti S Anderson, PT X104 Phillip R Morton, PT X105
--	---	---

LANE COUNTY EMERGENCY BOARD (CEB) MEETING

Date: June 20, 2005

Location: Emergency Operations Center
Eugene USDA Service Center

CEB Members Polled: Bret Dixon, RD Rick Barney, NRCS
Ross Penhallegon, CES Jean Larkin, FSA
Linda Cook & Mark McKay, Lane Co Emergency Management

Minutes:

Request for Secretarial Natural Disaster Determination

An e-mail from Lynn Voigt dated June 7, 2005 regarding disaster declarations for Oregon cherries, prunes and plums prompted the Lane County CEB to research the need to request a declaration in Lane County.

Information received from Ross Penhallegon, Extension Agent, indicates that losses ranging from 93% to 100% have been incurred on Sweet and Tart Cherries, Prunes, Asian and other Pears, Apples, and Strawberries. Losses are due to early spring rains that prevented or severely limited pollenization and from mid-May ongoing rains have split the cherries and molded the strawberries.


CEB members from FSA, RD, NRCS, CES, and Lane County Emergency Management were polled and all support requesting a disaster declaration. The FSA County Committee supports the disaster declaration.

The USDA Flash Situation Report was submitted on June 20, 2005 to the Oregon SEB through the Oregon State FSA Office and to the Lane County Emergency Management office to request the County Commissioners to act on the request. County Commissioners are to request the designation through the Governor's office.

Respectfully submitted:

Jean A Larkin, Ext 101
Jean.larkin@or.usda.gov
CEB Chairperson
Lane County USDA Emergency Board

Enclosures

 <p>United States Department of Agriculture</p>	<p>Farm Service Agency – Lane County 780 Bailey Hill Rd Ste 5 Eugene OR 97402</p> <p>www.fsa.usda.gov/or/lane.html</p>	<p>Phone: 541/465-6443 X2 FAX: 541/465-6483 Jean A Larkin, CED X101 Patti S Anderson, PT X104 Phillip R Morton, PT X105</p>
--	--	--

Date: June 20, 2005

To: Oregon SEB
C/o Larry E Frey, SED
Oregon State FSA

From: Jean A Larkin, CED
Lane County CEB Chairperson

Subject: Flash Report – Excessive ongoing rains

Enclosed is a Flash Situation Report from the Lane County CEB. This in part was prompted by the e-mail from Lynn Voigt dated June 7, 2005 regarding production losses on cherries, prunes and plums.

The Lane County CEB has determined, based on Ross Penhallegon's (Lane Co Extension) observances, that the following crops have been effective by excessive, ongoing rains:

Sweet and Tart Cherries, Prunes, Asian and other pears, Apples, and Strawberries. More crops may be added later.

Jean A Larkin, Ext 101
Jean.larkin@or.usda.gov
Lane County Emergency Board

Enclosures

USDA FLASH SITUATION REPORT

1 State **OREGON** 2 County **LANE**

3 Disaster Time: -----
Date: **Mid-May 2005 and ongoing**

4 Type of Disaster:

Blizzard _____	Flooding _____	Hurricane _____
Drought _____	Freeze _____	Lightning _____
Excessive Rain <u>XX</u>	Frost _____	Tornado _____
Excessive Snow _____	Hail _____	Other: (Identify) _____
Flash Flooding _____	High Winds _____	

5 Description of Disaster and Affected Area:

Early rains affected the pollenization of all crops. Mid-May and on-going rains have affected crops as follows: cherries, splitting; strawberries, molding; prunes, no pollenization occurred, no crop; Asian pears and other pears, no pollenization occurred, no crop; apples, no pollenization occurred, no crop.

6 Any USDA action taken? YES ___ NO XX

If No, when will action be taken: **upon approval of Secretarial Natural Disaster Determination**

If Yes, list action _____

7 Check USDA Assistance Required:

___ APHIS, Animal & Plant Disease Control	___ FS, Fire Protection
___ FSA, Emergency Conservation Program	___ REA, Loans & Technical Assistance
___ FSA, Emergency Feed Program	___ CES, Information material
<u>XX</u> FSA, Emergency Loans	___ CES, Technical Advice
___ FNS, Food Coupons	___ NRCS, Locating Earthmoving Equipment
___ FNS, Direct Food Assistance	___ NRCS, Technical Assistance
___ FSIS, Meat & Poultry Inspection	___ Office of Transportation

8 Estimated Number of Livestock Lost/Productive Capacity Temporarily Reduced, i.e. milk and egg production:

<u>Lost:</u>	<u>Reduced:</u>	<u>Lost:</u>	<u>Reduced:</u>
_____	_____ Cattle	_____	_____ Sheep
_____	_____ Hogs	_____	_____ Poultry

State OREGON

County LANE

9 Estimated Crop Losses:

Acres of farmland affected: 583 Approx

<u>Crops Affected:</u>	<u>Estimated Acres Affected:</u>	<u>Total Acres Planted/Growing in the Disaster Year:</u>	<u>% of Yield Losses:</u>
Cherry, Sweet	135	140	96%
Cherry, Tart	95	100	95%
Prunes	15	15	100%
Asian Pears	25	25	100%
Other Pears	70	75	93%
Apples	145	150	97%
Strawberry	98	100	98%

10 Estimated Number and Dollar Losses to Farm Facilities:

Farm Dwellings & Service Buildings	Number _____	\$ _____
Farm Structures (i.e. dams, silos, etc.)	Number _____	\$ _____
Farm Machinery & Equipment	Number _____	\$ _____
Land Damages (i.e. erosion, gullyng, etc)	Acres _____	\$ _____

11 Estimated Percent of Total Agricultural Losses Covered by Insurance:

_____ percent.

12 Other farm losses: _____

Reported by Jean A Larkin, Lane FAC Chair to Larry Frey, Oregon FSA SED &

Linda Cook, Lane Co Emergency Mgmt Coordinator

On June 20, 2005.

From: Larkin, Jean - Eugene, OR [jean.larkin@or.usda.gov]
Sent: Tuesday, June 21, 2005 9:22 AM
To: MCKAY Mark D; Bret Dixon ; RIERSGARD Charlotte (SMTP); COOK Linda L; tom snyder; ann garland; deanna; jean larkin; patti; rick barney; ross penhallegon; sue olson
Cc: harvey bush ; Halvorson, Peter - Tualatin, OR; Harry McIntire ; andy petersen; bob johnson ; kate danks ; pam & ron detering ; pat joerger; Phil Morton
Subject: Lane County request for Secretarial Declaration
Attached are all of the related documents regarding the request for disaster declaration. Call or email me with questions.

Jean A Larkin, CED
Lane Co FSA Office
780 Bailey Hill Rd Ste 5
Eugene OR 97402

Ph 541.465.6443 Ext 101
FAX 541.465.6483

-----Original Message-----

From: Voigt, Lynn - Tualatin, OR
Sent: Tuesday, June 07, 2005 4:42 PM
Subject: FW: Oregon Cherries, Prunes & Plums

Good Afternoon, Everyone -

Following this message is the text of several messages from the Oregon Department of Agriculture and the Oregon Tart Cherry Association. The messages should be self explanatory.

The USDA Farm Service Agency does have a current program which can assist farmers facing this dire situation. It is called the Emergency (EM) loan program. It is triggered to assist creditworthy producers with qualifying losses after the Governor requests a Natural Disaster Determination from the Secretary of Agriculture within 90 days of the occurrence of the damaging incident, and the Secretary determines (based on County USDA Emergency Board Damage Assessment Reports) that a county-wide reduction of at least 30 percent of the normal year's dollar value of at least a single enterprise has occurred.

In the past, Oregon farmers and ranchers who suffered production losses have been denied access to FSA's Emergency loan program because the Governor was not advised by the USDA Emergency Boards of the need to request a Secretarial Natural Disaster Determination within 90 days of the last date of the occurrence of the potential disaster. This requirement is set forth in Section 1945.20 (b) of FmHA Instruction 1945-A. We wish to avoid a repeat of this unfortunate circumstance.

If the recent rains have damaged red tart cherries, Italian purple prunes and plums, and sweet cherries in the Willamette Valley as the Oregon Tart Cherry Association suggests, then it is extremely important that this information be relayed to the Governor's Office through your County Commissioners. If qualifying losses have occurred (i.e. a county-wide reduction of at least 30 percent of the normal year's dollar value of at least a single enterprise, or at least a single producer suffering qualifying losses to the extent that other lenders in the county indicate they will not be in a position to continue providing financial assistance to the producer), the Governor only has 90 days from the date of the damage incidence period to write a letter to the Secretary of Agriculture requesting the Secretary to make a Natural Disaster Determination.

If the damage to the red tart cherries and Italian purple prunes and plums occurred because excessive rain and wet weather in Mid- to Late- March prevented pollination, then more than 60 days of the 90 day window of opportunity have already run. If damage to the red tart cherries and sweet cherries has occurred because rain and wet weather in early June has caused splitting, then the 90 day window of opportunity has just opened. Either way, the time for action is upon us.

We certainly would not want any members of the Oregon Tart Cherry Association, or any of Oregon's producers

of Italian purple prunes and plums or sweet cherries who have experienced qualifying losses, to be denied the opportunity to apply for FSA Emergency loan assistance simply because County Commissioners were not informed of the need to request the Governor to request the Secretary of Agriculture to make a Natural Disaster Determination within 90 days of the date of the incident period.

If it appears that qualifying crop damage may have occurred in your County, please inform your County Commissioners of the need to promptly request the Governor to ask the Secretary of Agriculture for a Natural Disaster Determination, and please send us a Flash Report documenting the estimated incidence period and the estimated extent of damage. A Damage Assessment Report (DAR) will eventually be needed from the County USDA Emergency Board as well.

County Executive Directors and Farm Loan Managers need to discuss the situation that exists in each County they serve, and take action as appropriate. If you have any questions or need any further information, please contact me or Peter Halvorson. We'll be glad to help in any way we can.

Thank you in advance for help and attention to this matter.

Lynn Voigt
Farm Loan Chief
Oregon State FSA Office
Tualatin, Oregon

(503) 692-1973, x256

-----Original Message-----

From: Jim Johnson [mailto:jjohnson@oda.state.or.us]
Sent: Tuesday, June 07, 2005 10:20 AM
To: Katy Coba
Cc: Voigt, Lynn - Tualatin, OR
Subject: Re: Oregon Cherries & Plums

Katy

This is an example of the more "traditional" disaster relating to USDA FSA assistance programs. We could remind those involved that a timely request (within 90 days of the event) to the Governor from the appropriate county commission asking for a request to the Sec. Ag for a disaster declaration (due to unseasonable rainy conditions has lead to crop losses) is an option. Local growers/associations should contact their local FSA office for more information and assistance.

I have also forwarded this to Lynn Voigt at FSA to put this on his radar screen.

Jim

Jim Johnson Land Use and Water Planning Coordinator Oregon Department of Agriculture Natural Resources Division 635 Capitol Street NE Salem, Oregon 97301 Telephone: (503)986-4706 Fax: (503) 986-4730 email: jjohnson@oda.state.or.us <http://egov.oregon.gov/ODA/>

On Jun 6, 2005, at 4:42 PM, Katy Coba wrote:

Should we be doing something?

Begin forwarded message:

From: Lee Schrepel <fruithilee@att.net>

Date: June 6, 2005 1:56:49 PM PDT

To: kcoba@oda.state.or.us

Cc: Gary George <sen.garygeorge@state.or.us>, Donna Nelson <rep.donnanelson@state.or.us>, Jeff / Pamela Olsen <Jeff.Olsen@orst.edu>

Subject: Oregon Cherries & Plums

Dear Director Coba,

Following, please find a copy of a letter I transmitted today to the *Oregon Congressional Delegation*. My corresponding with our representatives was in conjunction with my role as Chair of the *Oregon Tart Cherry Association*, and also as a grower and processor of cherries and plums in the Willamette Valley.

Oregon growers of red tart cherries and Italian purple prune-plums have been particularly hard hit by the weather this spring. Survival of some farming operations will undoubtedly be a serious and critical struggle. The situation is becoming further threatening because of the rain now being experienced as the sweet cherry crop approaches maturity. That crop, too, was reduced by the terrible weather for pollination and germination during March and April, and much of the fruit is now splitting in the rain. Please review my memo to the Members of Congress. We will appreciate whatever leverage your office might lend toward finding state and/or federal assistance for these farmers.

Thank you very much.

Lee Schrepel

Honorable Senators & Representatives,

Growers and processors of "stone fruits" (including sweet cherries, red tart cherries and plums) in Oregon are hurting this 2005 season and harvest has not even begun! In many households, a terrible disaster is under way. I know from first-hand experience: I am a grower and processor of cherries and plums in the Willamette Valley.

The mild, dry winter advanced us into a somewhat early spring. The cherries and plums began to bloom in mid- to late-March, a couple weeks earlier than usual, and then the weather soured. We experienced day after day after day of chilling rain. Rented bees would not - could not - safely venture outside their hives to undertake the pollination process. Though the trees were "in bloom" for nearly a month, the weather simply did not cooperate, so pollination and germination did not occur to an adequate or significant extent.

Particularly the red tart cherries and Italian purple prune-plums failed to set a crop. The sweet cherry

crop is better, but still probably less than half of last season for many growers. The red tart cherry crop is about 10% of the 2004 season and, in many cases, will not be enough to merit harvesting. Simply stated, there are no plums. I expect that a forecast to be released by NASS later this month will document and quantify my qualitative remarks.

Farm and factory workers will lose their jobs this season. Growers will be stretched to the limit to survive financially, much less to maintain their orchards until the 2006 production season gives them another opportunity.

We have been advised by the local USDA Farm Service Agency that there is no current program which can assist farmers facing this dire situation. Apparently there has been legislation passed through Congress assisting farmers suffering from hurricane damage. Obviously, we do not qualify. We encourage and challenge you, our legislators, to find a way to help.

Thank you for your thoughtful and timely attention to this matter.

Lee Schrepel

Lee W. Schrepel, Chair

OREGON TART CHERRY ASSOCIATION

FRUITHILL, INC.

6501 NE Hwy 240

Yamhill, Oregon 97148-8507

Ofc / Res 503-662-3926

Fax 503-662-4270

Cell 503-939-1562

Email fruithilee@att.net