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### **Seed farmers face new rivals**

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Don't be surprised if you catch a whiff of something in the air in the coming days.

It might be southern Willamette Valley grass seed farmers burning the straw off their fields, or it could be a harbinger of the earth-scorching controversy surrounding the practice that's being rekindled.

Under the orders of Gov. Ted Kulongoski, the state Department of Environmental Quality is drafting a bill for the 2009 Legislature calling for annual reductions in field burning and a near-phaseout in four or five years.

"It essentially continues the phase-down that stopped in 1998," said Andy Ginsburg, who oversees the state's air quality division.

About 150 farmers — many of them concentrated in the flat lands north of the Eugene-Springfield area — ordinarily burn about 50,000 acres of seed fields after the harvest each year. The flames are a means of guarding the purity of the lawn seed they produce, of ridding their land of mice, and of disposing of tons of straw stubble.

"If and when a bill comes forward, we will either work against it or try to make it reasonable," said Roger Beyer, a former state senator and head of the Oregon Seed Council lobbying group.

So what's reasonable to his group?

"No action," he said.

The practice of grass seed burning has long been the bane of many Eugene-Springfield residents. The Eugene City Council and the Lane County Board of Commissioners have rallied against the practice in court and at the Legislature periodically over the past 30 years. The prevailing winds in the summer blow from north to south, so smoke particulate from any kind of fires anywhere in the Willamette Valley is likely to end up in the Eugene area.

State Rep. Paul Holvey, D-Eugene, led a push in the 2007 Legislature to ban field burning immediately, but his bill stalled in an agriculture committee.

Holvey proffers stacks of medical studies that link exposure to the particulate in smoke with reduced lung function, heart attacks and — in rare cases — death. Exposure is dangerous for people with chronic lung or heart disease, for children whose lungs are undeveloped and for the elderly, according to health officials.

“My position hasn’t changed on this issue,” Holvey said. “It’s just too much. (Seed farmers) produce 40 percent of the (valley’s) fine particulate during the field burning season, and most of it ends up in Lane County. It’s not acceptable to my constituents, and it’s not acceptable to me.”

The controversy got an early start this year after the Eugene City Council reached a deal with grass seed farmers not to burn fields during the 10-day U.S. Olympic Track & Field Trials that ended Sunday.

That provided an opening for the Eugene-based Western Environmental Law Center — which is campaigning to stop field burning — to make a public statement about a seeming contradiction: If field burning isn’t a health problem, why stop on account of the elite athletes who gathered at Hayward Field to compete?

“People need to breathe even after the national and international cameras leave the scene,” attorney Dan Galpern said. “Of course, a number of Olympic athletes will continue to train here.”

The law center has asked Kulongoski to make the Trials moratorium on burning permanent.

But the seed council denies a connection between smoke and illness. An official has said the farmers agreed not to burn as a courtesy.

The moratorium was lifted Tuesday evening, but since then the weather hasn’t allowed farmers to burn, said John Byers, who manages the state Agriculture Department’s smoke management program.

The department has given farmers the OK to burn 67,445 acres this year, although they must wait for permission on the day they propose to burn. State smoke managers seek optimal wind and temperature conditions so the wind will carry the smoke up and out of the Willamette Valley. Their mandate is to keep the smoke out of the Eugene-Springfield area. But there’s no protection for rural towns, which are more likely to see and breathe the haze.

Not all the designated acreage is likely to be burned because the weather doesn’t always cooperate. Last year, for instance, only 32,000 acres were burned, Byers said. However, he expects the normal complement of 50,000 acres this year.

“We’ll burn some acres in July, but the majority of it will be in August,” he said.

The attempt to funnel the smoke away by judging wind and weather isn’t foolproof. Last year, the first burn of the season — a 55-acre field south of Harrisburg on July 10 — went awry and sent thick smoke rolling into Junction City, through the Churchill and Bethel areas and south to Lorane.

“That one was really disturbing to me,” said Holvey, who said he fielded dozens of complaints that day. “They authorized a burn with surface winds of 12 mph coming out of the north headed directly toward west Eugene and the Veneta-Junction City area. We had a heat advisory that day, and the temperature did go over 100 degrees.”

Byers said at the time that the conditions seemed ideal for burning when the fire was started in the morning.

One thing the Oregon Seed Council and the Western Environmental Law Center agree on is that Kulongoski — through the Environmental Quality Commission — can order an immediate end to field burning.

Oregon law allows the commission, which is appointed by the governor, to stop the burning if the practice is found to endanger health or if commissioners determine there are viable alternatives to burning.

The commission declined Lane County’s request last August for a moratorium, saying county commissioners didn’t have the wherewithal to make findings without an allocation from the Legislature for further study.

The draft now on the governor’s desk would reverse the burden of proof. Farmers would have to show that there was no viable alternative to field burning if they wanted to burn fields, Ginsburg said.

Beyer, the seed council executive secretary, said no alternatives exist that would not increase the use of fuel, erosion, dust and pesticide.

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