

**Wyoming Crop Improvement Association
Northwest District Meeting**

**December 1, 2009
Powell Research and Extension Center
8:00 a.m. to 12:00 p.m.**

In Attendance: Kelly Spiering, Brian Duyck, Jamie Franko, Brent Brewer, Todd Curtis, Mike Moore, Mike Forman, Ken Borcher, Fred Hopkin, Melodi Allen, Linda Easum, John Grover, Mike Killen, Denny Hall, Randy Violet, Kim Decker, Cindy Fulton, Gil Waibel, Pam Jackson, Cory Forman, Christine Rathbun, Debbie Nuss.

WCIA President Mike Forman called the meeting to order at 8:30 am.

Approval of 2008 Minutes

Kelly Spiering noted that at the bottom of the second page, it should be “berries” rather than beans. **Kelly Spiering moved, second by Ken Borcher to approve the minutes as corrected. Motion carried.**

Acreage/field inspection report

Mike Moore reported that the program had a record number of acres enrolled at 30,181. Bean acres were the reason for the increase over last year, and the realization of that growth came late enough that additional staff were not available. Other crops, with the exception of alfalfa, which saw a modest increase, were basically static. The number of acres, combined with a cool, wet growing season meant adjustments to when and how fields were inspected, mainly with respect to all inspectors spending some time in almost every crop, and Mike doing more bloom inspections on beans than normal. All the inspections were done with the same level of staffing as last year, with credit going to a good, dedicated inspection staff for getting the job done. Aside from the bacterial bean blight issue, which will be discussed at length under another agenda item, the year went relatively smoothly. Mike provided an Acreage Disposition Report, and noted that while 26% of the beans failed due to bacterial bean disease, a total of 35% of the bean acres were not eligible. Many of the additional fields were affected by the October frost, and no final inspection was requested. Some of the fields with frost damage also had excessive nightshade, and given the limited yield potential, the growers decided to harvest the fields as commercial beans rather than spend money removing the nightshade.

Dr. Axel Garcia y Garcia

Mike Moore introduced Dr. Axel Garcia, the new irrigation specialist/agronomist at the Powell R&E Center. Dr. Axel Garcia, who came here from Georgia, noted that while he has state-wide responsibility, there are three priority areas that he is supposed to address, which are work locally, work locally, and work locally. He can be reached at his temporary email address, which is agarci17@uwyo.edu or at 754-2223 ext. 12.

Quackgrass in grass seed fields

The suggested standard change was prompted by a seed test for a field that passed field inspection but had 539 quackgrass per pound in the seed test. Mike Moore stated that identifying quackgrass in the field is a challenge, with it being almost impossible in some of the wheatgrasses. Mike indicated that inspectors have tried to flag off areas of the field with quackgrass in the past, but in doing so, may actually be doing a disservice to the grower when the grower assumes that the inspectors have found all of the quackgrass and harvest without sending a crew through the areas that were not flagged. After checking with growers in attendance, that concern was confirmed. Mike stated that the inspectors, including him, are not good enough to find all the quack, especially in the grass crops with heavy canopies or those that are extremely tall, such as basin wildrye. Mike stated that a change in standards does not mean that quackgrass that is found will not be flagged, but that the field will be failed and the grower will then have the opportunity to work on the problem and have the field reinspected. One grower noted that they commonly keep the outside round separate, with a second grower noting that it is common practice to do that in alfalfa seed as well. Some think that quackgrass has gotten a relaxed approach from growers and contractors, and feel strongly that it is important to help growers understand that a zero tolerance in the seed test means just that, and that you can't legally sell seed with quackgrass in it. There is no value in a crop that is contaminated quackgrass, and the best remedy is by not planting grass for seed production in a field that has a quackgrass problem. Related to a field that has quackgrass in the middle of it, Mike asked how you would deal with a field of basin wildrye, which is often direct-combined and is tall enough that there is the possibility of harvesting above the quackgrass. Ken Borchert stated that while it may look like an option, his combine won't cut high enough to avoid the quackgrass, so he still sees it as appropriate to fail the field or the grower could swath those spots and avoid them when harvesting. Ken pointed out that seed sold for reclamation gets tested at least three times, and if there is a problem in the seed, it will probably show up in a test. He noted that at the point the seed test shows quackgrass, the grower, not the seed broker, is responsible for getting the seed shipped back, as well as replacing the seed with a lot that meets the quality requirements of the bid. It was noted that most of the reclamation grass seed gets blended, and a lot contaminated with quackgrass contaminates the whole lot and causes incredible economic harm. Bottom line: if there is a chance of quackgrass, then you're taking a big risk. Mike Moore added that he is concerned about the reputation of Wyoming seed and Wyoming Seed Certification. It was discussed that the contracting company should be responsible for talking to growers about quackgrass as well as finding and addressing quackgrass in the field, not seed certification. Kelly stated that in his experience, you might be able to get one year's production from a field with a low level of quackgrass to pass the seed test, but that it will increase through natural spread and spread from cultivation to the point that you will never get a second crop that will have a clean seed test. It was noted that some species mature before quackgrass, such as Garrison creeping foxtail and in most years, thickspike wheatgrass. Kelly suggested that if quackgrass is on the perimeter of the field, that it would be best to swath and bale that area prior to inspection. Mike Moore stated that it would make sense to exempt Garrison from that requirement because of the time of maturity. Gil Waibel stated that the maturity of the seed is key to how the lab reports it. If a quackgrass seed in the sample is immature, it is considered inert matter. Gil did express a concern that lab reports that state the seed is Certified in the sender's information portion of the report can be misleading or allow people to misrepresent seed as certified when it is not. Mike Moore suggested using the statement "certification pending". Ken asked what the national

approach is to quackgrass. Mike indicated that MN released another quackgrass hybrid recently, and Gil and Denny noted that quackgrass is on almost every state's prohibited noxious weed list as well as on the Federal Noxious Weed List. It was also noted that regardless of noxious weed status of quackgrass, public land managers are unlikely to use seed contaminated with quackgrass. Ken asked if AOSCA would ever approach it on a national level. Since noxious weed lists are typically controlled by state and federal seed laws, that AOSCA would not be likely to take a lead on changing how it is handled. Mike Forman indicated that Weed and Pest doesn't reject fields with it with respect to the weed quarantine, and noted that the barley and bean companies don't have a problem with it, adding to the perception of people that quackgrass is not a problem. Farmers with cows don't have a problem with it, making it an underrated in most people's minds until they try to produce grass seed. Gil added that a seed test that states "None found" does not mean there is not quackgrass in the seed lot. It was also noted that it is difficult, if not impossible, to clean out of most grass crops, so addressing the problem in the field is critical. **Kelly Speiring moved, Fred Hopkin second, that areas of a field with quackgrass, either on the field perimeter or in patches in the body of the field, will be swathed and baled prior to inspection or reinspection. Motion carried.** As a point of clarification, if quack was found in the field it would fail with the opportunity of a reinspection. Education on this subject is key, and enforcing a strict standard will provide the education when other efforts to communicate the problems associated with quackgrass fail. Ken suggested having a field day on quackgrass identification, not only for seed certification field inspectors but for growers as well, especially given the ability of quackgrass is so variable in appearance, such as awns or awnless heads.

Bacterial bean blight

Mike Moore stated that 27% of the acres of dry beans enrolled in the program failed due to bacterial bean blight. WSCS inspectors did not find blight during the first inspection, but the contractors started finding it in standing beans just before the start of windrow inspections. The blight this year was different from what was found in 1997, the last year with significant blight, in that the blight was often widespread in the fields this year. 2009 was the second coolest summer on record, and combined with hail events in some areas and showers, bean blight should not have been a surprise. All of the samples collected by the WSCS and lab tested to date have been positive for halo blight, which is favored by cool wet conditions, in contrast with common blight, which is favored by warm, wet conditions. When bacterial bean disease is found in Wyoming, it is almost always halo blight, although there was one instance of common blight which was the result of seed imported from South America and one instance of bacterial wilt. No blight was found on Heart Mountain this year, nor in fields near Lovell or Thermopolis. There was significant blight in the Emblem, Burlington, and southeast Powell areas, locations notably also had several hail events. While Mike noted that while 26% of the pinto beans and 47% of the navy beans had blight, he cautioned people about making too much of those numbers. Location, especially related to weather events such as hail, have such an impact on blight, that the numbers can be misleading that one market class is more susceptible than another. Regarding varieties, there was no way to give information on the varieties without giving confidential information, so if the growers have specific questions about a variety, they will need to ask their contractor. One variety had only one field that did not have blight found, while some varieties, like Othello, had very few fields with blight.

Once it was apparent that blight was an issue, Mike met with the bean contractors, and from those discussions, a Wyoming bean industry meeting, including those associated with commercial beans, was held. That group developed several ideas for discussion at this meeting. The first proposal was to eliminate the ability to sublot fields. Very few growers took advantage of the opportunity to sublot fields, and based on the fact that disease symptoms were commonly widespread in fields this year, it would have had little effect even if they had. The comments from the bean industry meeting indicated that contractors didn't want to sell seed from any portion of a field that was known to have blight. Fred Hopkin indicated that he still thought sublotting had served a positive purpose, and that the practice deserved further discussion before it is discontinued. Corey Forman asked about having a set distance between fields, as even some field borders are little more than a waste ditch or even a different direction of the corrugations. A standard requiring a set distance between fields, such as twenty feet, would create problems in instances where a field with one variety is divided between two contractors, causing it to be signed up as two fields. Mike stated that there were three fields this year that inspectors were only able to find one symptomatic pod, but added that just because the inspector didn't find additional blighted pods did not mean blight was not in other areas of the field. Mike noted that unlike weeds, there is no seed test as a final check for a quality seed lot, which puts a lot of weight on the field inspection. While some companies use a serology test or a dome test, those tests can result in false positives, and Mike does not think it is appropriate to pass or fail a field based on them. As an example of the importance of failing fields only on good science, a grower had shared with Mike an instance when a previous seed certification manager was going to fail all the bean fields in the Big Horn Basin because blight had been found in some of the fields. The WSCS doesn't fail a field until we are sure blight is present. It was noted that our current sublotting policy does not specify a minimum sublot size, and it should in order to keep people from abusing the opportunity. Mike Forman indicated that fields are getting bigger, especially with the greater use of center pivots, and that fields could be subotted multiple times in those instances. Mike Forman feels that contractors can require growers to sublot, but seed certification standards should not require it. Bacterial bean disease is not spread by wind except when bean residue moves from field to field with wind events. During the growing season, the bacteria is slimy, like snot, and is spread when something contacts the plant with the disease and transfers the bacteria to other plants. Mike Moore doesn't feel it can spread by wind, but there were some situations that made it appear that it did. Melodi Allen suggested that grasshoppers, which were relatively heavy this year, could have spread the disease, and since they often move with the wind, could have been what was giving the impression that the disease was wind-borne. When blight was first found this year, it initially looked like there might be a seedstock connection, but as the season developed, it did not appear that seedstock was the source of the disease. Hail, on the other hand, appeared to be very closely related to fields found to have the disease. **After further discussion, it was decided by consensus that sublotting will be on the annual meeting agenda.**

Another suggestion from the bean industry meeting was for a third inspection for fields that were considered high risk for bacterial bean disease. Fields produced using overhead irrigation could be considered high risk, as could fields with seedstock produced outside the U.S. or fields that had been hailed. It was noted that literature indicates that bean blight can travel in irrigation water, and in the case of center pivots, disease in the irrigation water is then applied directly to the bean plants. The timing of the third inspection would be late in the growing season, but before the beans start to turn. It was noted that the additional inspection would be

more of a benefit to the contractor than to the grower, and thus the contractors would request it and pay for it. The question was raised as to whether the bean seed industry expects seed certification to be the one to find blight if it is there, and the comment was made that the responsibility should be on the industry. Mike Forman stated that if the field man finds suspicious plants that they should call seed certification. Mike stated that growers sometimes feel like they are being inspected too rigorously, and while he did go into some fields at the request of contractors outside of the normal two inspections, that he was cautious about doing so. Mike shared a story from 1997 where an Emblem grower needed an inspection but was unable to reach George Kelso, who was doing field inspections for the WSCS. By the time Mike was able to get to the field, George and the grower had done the inspection. They had noted an odd spot in the field but believing it was chemical damage, did not collect a sample, flag the field, or let Mike know the inspection had been done. Mike then inspected the field, found the same spot, and pulled a sample when he thought it was blight, which lab testing confirmed. When Mike informed the grower that a sample had been pulled, he was very upset, feeling that the field had already passed. Based on that experience, Mike has been sensitive to doing more than the two inspections that are stated in our procedures. Mike asked if the growers would accept the ruling that the field was not eligible for seed if the contractor pulled a sample and had it tested. At least one person in the meeting felt they would prefer that seed certification be the entity that pulled the official sample that dictated the certification status of the field. How should fields where only one pod is found by the contractor and seed certification didn't find anything be handled? It was suggested that the contractor should flag it and call seed certification to pull the sample for testing, as blight is not something that should be rouged out. Mike Moore stated that while trudging up and down windrows, he had wondered if people would have their nightshade crews remove blight if they found it, but came to the conclusion that they probably wouldn't get it all even if they tried. Blight clinics for inspectors and growers could be beneficial. Fred Hopkin said he feels there should be set standards for how an inspector walks and inspects a field. He said that Alisa spent 6 hours inspecting his 100 acre field, and he felt like she thought there was blight in the field and was determined to stay in the field until it was found. Mike showed how an inspector typically inspects a field, and indicated that they will see 25% to 30% of the total length of the windrows. He did state that each field inspection starts out fairly intense on the edge of the field, which is where problems are most likely, but becomes less intense if no problems are observed. The level of intensity can increase at any point if there is an indication of problems. While the Mule dictates a different approach to inspecting fields since it can't cross the windrows, the inspection intensity is the same as walking fields. Denny Hall stated that fields that had blight and were sublotted were looked at harder because it was the inspector's responsibility to find it. Mike also tells inspectors that 2 minutes per acre is a good rule of thumb, and in the case of 100 acres, 3 or more hours would not be unreasonable. **Mike Forman asked to have the topic of a third inspection put on the annual meeting agenda.**

Another item from the bean industry meeting was the WSCS standard that requires the final inspection to be done with the beans in the windrow. Mike indicated that there were circumstances where inspections were done on standing beans. Late in the season, it is common for growers to cut and combine beans on the same day, meaning that an inspector might be needed several days in a row to inspect a portion of a field. In response to that situation, it has been the practice to inspect at least part of the field with the crop still standing. Other instances that would result in a standing inspection include a field has a wet area that can't be cut with the rest of the field, or when time or equipment breakdown meant that a small portion of the field did

not get cut. When standing beans have been inspected, we have been acting outside of the standards, and should litigation occur, we would be liable for deviating from stated inspection procedures. The purpose of the windrow inspection is to detect disease, as visibility of the pods is normally better when they are in the windrow. The other issue facing us is the development of new varieties from North Dakota with higher pod set and thus the potential for direct harvest. Mike suggested changing the standard to leave it to the inspector's discretion if a standing inspection is requested. It was suggested that the final inspection should be a windrow inspection, with specific exceptions being left up to the inspector's discretion. Brent Brewer noted that there are times when a standing inspection is better visibility, pointing out the situation with early season windrows that have a lot of leaves on the plants as an example, and Mike agreed. Mike did decline a request to do a standing inspection this year because he didn't have good visibility. **Kelly Spiering moved, Jamie Franko second, to change the standard for the second inspection to "...one of which must be done at bean plant maturity, with the preference being in the windrow, but when pod visibility is sufficient for an accurate inspection."** Motion carried.

Another suggestion from the bean industry meeting was to change the wording of the current field history standard that requires a field that had been confirmed to have blight be out of beans for two years to requiring it to be out of beans for two consecutive years. Numerous issues were raised with this suggestion, including how to handle fields that did not receive a final inspection this year and fields with commercial beans this year. It was again noted that seed contractors have the ability to set quality standards through their contracts, and could simply not contract for fields that did not meet their production goals. Following discussion, the group did not favor a change to the field history standard. Mike did note that each grower will receive a list of his/her fields that were confirmed to have blight this year, and that they will the same list a second time next year to help with crop rotation planning.

The bean industry meeting also talked about the potential for a Wyoming Bean Law. Mike Moore provided the group with copies of the Idaho Bean Law, as well as suggestions for a Wyoming Bean Law from ADM Seedwest. Mike provided a brief overview of the Idaho law. It is very specific about what seedstock may be planted in the state for the production of commercial or seed beans, including where it was produced, i.e. west of the Continental Divide, east of the Divide, or out of country, and how it was produced, i.e. under overhead irrigation or using rill irrigation. All seed fields are required to be inspected at least twice, either by Idaho Department of Ag staff or by Idaho Crop Improvement Association staff. The Department has the right to enter and inspect any field, including commercial fields if they suspect bacterial bean disease is present. In the event that bacterial bean disease is found, either part of the field or the entire field may be required to be destroyed, including commercial bean fields. If the grower questions the presence of the disease, he can request lab confirmation at his expense. An indemnity fund, generated by collections on all beans grown, is used to compensate growers that are required to destroy fields, the amount of compensation determined by a board that governs the indemnity fund. Compensation is typically set on a per acre basis. If disease is found in the first inspection, the field is plowed. If disease is found in the windrow inspection, the windrows are burned and then plowed. It was noted that Idaho grows a lot of garden beans, and if those beans get blight the crop has no value, unlike beans typically grown in Wyoming, which still have value as commercial beans. Mike Moore said that, according to Idaho bean industry, they almost never have blight, and when they do, it is very limited in scope. Mike was asked if a destruction order would have prevented blight spread this year. Mike did not think it would have,

as the expression of symptoms was so late in the season that the damage was done by the time we found it. Mike did say that a plow down order could be important when looking to next year's crop, and gave an example of a field of beans in Clark where the beans blew out of the field and into the ditch and neighboring field. If windrows had been burned and plowed, that inoculum would not have blow to a field that could be planted to beans next year. A lengthy discussion on brown bagging seed followed, with the basic premise being that not everyone will follow a law regarding seedstock. This is a topic that this group will not solve today, as there are so many possibilities and potential problems, so it was recommended that a working group be commissioned to discuss it and come to the Annual Meeting with their findings. While the bean industry meeting was a good first step, this group should include more grower involvement. Mike explained the phytosanitary inspection process he does and the role of the Wyoming Department of Ag, and recommended that a WDA representative be on the working group. The committee will consist of one representative for ADM, one from TVS, Fred Hopkin, a Department of Ag rep, Todd Curtis, and Mike Moore.

Finally, the potential for a rush fee for bean windrow inspection requests that are made the day the grower wants to combine the field was discussed, and following that discussion, it was not recommended for further consideration.

WSCS Staffing

Mike Moore indicated that the WSCS staffing level was not where it needed to be this year. We weren't successful in filling the 3/4 time position last spring, and Mike believes that having the position as a part time position hurt the applicant pool. Mike has worked on the position description, and has approval from Steve Miller and Dean Galey to fill it as a full time position with the intent to start the hiring process early next year. Mike's main concern regarding moving the position to full time is to keep the person busy and challenged during the slower months of the year, and has discussed the possibility of sharing the position with the Wyoming Department of Ag bee lab. In doing so, it would provide service to the seed industry and would allow for interaction with growers. The person in the position could also help the R&E Center or the seed lab. The position would be totally funded by seed certification.

Alfalfa sampling

At the 2009 WCIA Annual Meeting, the WSCS was asked to draw combine-run samples of alfalfa seed for testing in the Wyoming State Seed Lab. That sampling did not occur due to time constraints and staffing. The intent is to provide the sampling and testing in 2010. The new Foundation Seed building will have a room where the seed lab's fanning mill and rice rolls can be set up, so failure to sample this year saved the seed lab from having to set the equipment up temporarily in another location. The Foundation Seed building design and contracting has been a long process. There still is no final design or bid, and it is unlikely that any construction will occur before spring thaw.

Seed Lab progress report

Gil Waibel gave a brief report, and indicated that the lab was seeing modest growth in samples this year, in the 12% range. They do have a new accelerated aging chamber, and are learning how to read the samples from that process. They have the same employees as last year.

WCIA Lobbyist

A handout was provided that listed the people and businesses that have donated to the WCIA lobbyist account following the September request for donations. A second request will be sent after the first of the year to those that have not donated. Mike Forman indicated there were a couple of names missing from the business side, and he expects one will donate and he will check on the other. The current account balance is \$7,694.05, which is sufficient to pay Keith the \$550 per month that we have been paying him since he started. John Grover indicated that the Wyoming Alfalfa Seed Growers are not likely to donate this year, as they spent a significant amount to assist in the purchase of a new x-ray machine for the bee lab and are having trouble getting more funds out of their account that is held by the state. Mike Moore reminded the group of a comment last year that Keith had not had a pay increase since he started, and given how much he travels and the cost of fuel, it would be appropriate to revisit his compensation. **Kelly Spiering asked that the topic be placed on the agenda for the Annual Meeting.**

Keith joined the meeting by telephone, and stated he is not sure how many statutes we are going to have to touch if we choose to go to legislation with the bean law. Mike Moore indicated that the working group would start discussions, but would engage Keith for his input once we know which direction we are going. Keith reported that the Supreme Court has been asked to consider the RR alfalfa issue, but that it could take a significant amount of time for any action from that quarter. John Grover stated that the EIS on RR alfalfa seems to be lost in the shuffle, with no visible progress being made.

WCIA Annual Meeting – February 4th and 5th, 2009

The WCIA banquet will be held at The Commons, with Arramark as the caterer, to the delight of those in attendance. Mike Forman suggested earlier this fall that Ron Micheli, gubernatorial candidate, might be a good speaker for the meeting. After discussion regarding having Ron speak at the banquet or during the meeting, it was decided to invite him to speak during the second day of the meeting. Potential banquet speakers were discussed, with a humorous speaker being a suggestion. Mike Moore pointed out that humor can be a dangerous thing, as proven by less than glowing comments about the last humorous speaker we had. Consensus was that having the banquet as a time for socialization was the preference. Dr. Daniel Ball, Oregon State University Weed Scientist, will speak on weed control in grass seed production on the afternoon of Feb. 4th. Sandy Frost had suggested a speaker on conservation easements and their role in protecting the family farm, and indicated she had a couple of possible speakers, but after discussion which included the fact that the same topic had been part of the irrigation district meeting, there was no interest in having a speaker on that topic.

Mike Moore told the group that Jamie Franko had expressed some concern that he had to sit through topics on crops of little or no interest to him at the annual meeting in order to be present when dry bean issues were discussed. That comment prompted Mike to suggest that our current Pure Seed and Seed Standards Committees be changed to commodity-based committees, and suggested a bean committee, alfalfa committee, and an other crop committee. Discussion as to whether the change to committees could be done now or if it required membership approval prompted a check of the WCIA Bylaws. It was determined that the change could be made without membership approval. Mike Moore suggested two hours for each committee meeting, and that it might improve attendance by those who only deal with one or two seed crops. Mike Moore and Mike Forman will work out the details.

Elections – The term is up for the position held by Mike Forman.

Kelly Spiering nominated, Brian Duyck second, Mike Forman as the Director for the NW District. Motion carried.

Meeting adjourned at 12:40 p.m.