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July 18, 2024

Via Email

Coos County Planning Commission
c/o Coos County Planning Department
Coos County Courthouse
250 N. Baxter
Coquille, OR 97423
planning@co.coos.or.us

Re: Oregon Coast Alliance open record testimony for the proposed New River
Dunes Golf Course application (HBCU-24-001).

Dear Coos County Planning Commission,

On behalf of Oregon Coast Alliance (ORCA), please accept this testimony for the above-entitled application. ORCA aims to protect the Oregon coast by working with coastal residents for sustainable communities; protection and restoration of coastal and marine natural resources; providing education and advocacy on land use development; and adaptation to climate change. ORCA requests that the application be denied given that the application fails to satisfy all applicable criteria.

The applicant is proposing a non-farm use on farmland (more specifically, high value farmland, which alone is fatal to the application). The legislature has identified a legislative policy in favor of retaining agricultural lands,¹ or, as the Supreme Court has

¹ ORS 215.243 provides:

“(1) Open land used for agricultural use is an efficient means of conserving natural resources that constitute an important physical, social, aesthetic and economic asset to all of the people of this state, whether living in rural, urban or metropolitan areas of the state.

opined: “the legislature has declared that preservation of agricultural land, particularly in large blocks, is an important statewide policy and that limitations on urban expansion into, and alternative uses of, agricultural and forest lands are necessary and a matter of statewide concern.” *Stop the Dump Coalition v. Yamhill County*, 364 Or 432, 442 (2019). Thus, despite that a golf course is an allowed use on non-high-value farmland, the application occurs amidst the aforementioned legislative policy.

I. The applicant has not satisfied the criteria for the golf course and design capacity

The applicant acknowledges that the ownership includes two residential dwellings located within the boundaries of the proposed golf course. The applicant alleges that both dwellings are currently being utilized as month-to-month residential rentals. The applicant alleges that they will continue to be rented. Clearly, golfers will want to stay at these dwellings on the golf course, and the applicant needs to establish the design capacity for these dwellings because they are “in connection with the use.” OAR 660-033-0130(2). However, accessory uses cannot include “housing.” 660-033-0130(20)(d)(A) (“Accessory uses to a golf course do not include: Sporting facilities unrelated to golfing such as tennis courts, swimming pools, and weight rooms; wholesale or retail operations oriented to the non-golfing public; or housing”). The application, therefore, cannot be approved with the housing on the golf course property. Even if that were not the case, the applicant would be required to disclose the design capacity

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- (2) The preservation of a maximum amount of the limited supply of agricultural land is necessary to the conservation of the state’s economic resources and the preservation of such land in large blocks is necessary in maintaining the agricultural economy of the state and for the assurance of adequate, healthful and nutritious food for the people of this state and nation.
 - (3) Expansion of urban development into rural areas is a matter of public concern because of the unnecessary increases in costs of community services, conflicts between farm and urban activities and the loss of open space and natural beauty around urban centers occurring as the result of such expansion.
 - (4) Exclusive farm use zoning as provided by law, substantially limits alternatives to the use of rural land and, with the importance of rural lands to the public, justifies incentives and privileges offered to encourage owners of rural lands to hold such lands in exclusive farm use zones.”

dwellings that will be rented out to golfers. Moreover, the applicant is incorrect to allege that a new design capacity of 100 people applies every ½ mile. The ½ mile limitation applies unless it is a tract as of a particular date, which does not permit the applicant to expand upon the 100-person design capacity.

II. The applicant has not satisfied the farm impacts test

In *Stop the Dump Coalition v. Yamhill County*, 364 Or 432, 442 (2019), the Oregon Supreme Court clarified the farm impacts rule. There, the Court noted that “the farm impacts test [applies] on a farm-by-farm and farm practice-by-farm practice basis and intended to use the ordinary meaning of ‘significant’ and significantly’ in ORS 215.296(1)[.]” “[S]ignificant’ indicates that the change has, or is likely to have, an important influence or effect on the farm or forest practices ‘on surrounding lands.’” In essence, the concern in the legislation that resulted in ORS 215.296(1) is the “changes in practices and increases in costs.” “The legislature was concerned about the supply of agricultural land, but we conclude that the legislature intended the farm impacts test to focus on forced changes in farming and forest practices and the costs of those practices[.]” As it relates to that the test, the Oregon Supreme Court concluded that:

“To summarize, when the parties dispute whether a nonfarm use will force a significant change to a particular accepted farm practice or significantly increase the cost of that practice, the farm impacts test in ORS 215.296(1) requires an applicant to prove that the proposed nonfarm use (1) will not force a significant change in the accepted farm practice and (2) will not significantly increase the cost of that practice. A “significant” change or increase in cost is one that will have an important influence or effect on the farm. For each relevant accepted farm practice, if the applicant cannot prove both of those elements without conditions of approval, the local government must consider whether, with conditions of approval, the applicant will meet the farm impacts test.”

The Court was not done, however, because it also addressed the “cumulative impacts” under the farm impacts test, which requires such a cumulative analysis and possibly that the cumulative impacts test request also considering more than the aggregate of multiple-less-than-significant impacts on each farm.

Here, there are multiple significant impacts that must be analyzed – farm-to-farm, farm practice-by-farm practice, and in the cumulative – in order to carry the applicant’s burden of proof. At this point, however, the applicant has not engaged any such analysis except to allege that the impacts from a golf course are the same, or at least similar, as

from a cranberry bog and other surrounding farm uses. That allegation, however, clearly misconstrues the analysis required by the Oregon Supreme Court.

As noted, the applicant repeatedly alleges that the impacts between bogs and golf courses are the same or similar and that there will be dunes that separate some of the farm uses from the golf course. It is not enough to simply allege² – across the board – that the effects and chemicals used in a golf course are the same as in cranberry bogs³. The applicant is offered no evidence to support such a statement. Even then, the applicant does not allege that they are the same but just similar – though that contention is without record support.

Some impacts that may occur include trespass from errant golfers or golfers following errant drives, litter, attraction of corvids⁴ from trash, impacts from the application of herbicides, pesticides, insecticides and so forth. Golf courses use a variety of chemical applications, including pre-emergent herbicides, fungicides, insecticides, growth regulators, plant stimulants, and so forth.⁵ As noted in the footnote, there is a host

² The applicant alleges that:

“It is however the applicant's contention, for the purpose of showing compatibility, that the activities associated with maintaining a golf course are very similar, and often the same, as those types of activities performed in conjunction with existing farm uses in the area.”

The applicant also refers to “fertilizers and chemicals” but does not expand. The chemicals used on golf courses can include concerning chemicals such as chlorpyrifos, which can affect the nervous system in high doses.

³ Regardless, there are other surrounding farm uses, including blueberry production and pasture on the Leff ownerships.

⁴ The issue is apparently so common that some golf courses spray for crows. The applicant has not demonstrated what it expects to use to deter crows or corvids.

⁵ Fungicides are biocidal chemical compounds or biological organisms used to kill or inhibit fungi or fungal spores. Phosphite salts can be used as a biodegradable fungicide to protect golf course turfgrass against Pythium root rot and other pathogens of the order Oomycetes. It is primarily used on greens and fairways as a preventative treatment. Plant growth regulators or inhibitors are used to suppress seedheads and leaf growth due to rising mowing costs and danger posed to operators and other personnel. Plant growth regulators are now standard practice for golf course superintendents to enhance overall turf quality, promote a smooth and uniform playing surface, and improve stress tolerance in higher maintenance areas. Post-Emergent Herbicides tackle both perennial and annual broadleaf weeds, and some even control grassy weeds (weeds that resemble grass). Post emergent herbicides can also be used to treat specific problem areas. These include selective, aquatic, and non-selective. Selective herbicides control specific weed species, while leaving golf course turfgrass relatively unharmed. Some of these act by interfering

of chemicals that are applied to typical golf courses, but the applicant has not been straightforward as to what chemicals will be used. At the hearing, the applicant says “we spray lawns” but what is the applicant spraying? Not all of these chemicals are made equally and some can have deleterious affects on farmers and their crops. Moreover, the applicant has not shown – with any evidence – that the farm uses and golf course uses utilize the same chemicals.

One should expect that controlling weeds on 300+ acres would require significant application of chemicals. The applicant has not disclosed how much of any of these chemicals are expected or what is routine for golf courses of this size. The application has not indicated how it will address invasive species, noxious weeds, pest management (i.e., the applicant has not demonstrated which chemicals it expects to use). The public cannot begin to understand the impacts until the applicant discloses the types of herbicides and insecticides.

The applicant also concludes that “the golf course will be physically and visually shielded from the adjacent agricultural use, and vice versa.” It is not clear how the applicant believes visual impacts from the golf course would affect the farm uses. Regardless, the applicant completely fails to identify the impacts that are likely to occur. The applicant alleges that there are dunes of a particular height that buffers some surrounding property, but there is no evidence in the record in the form of topographical maps or photographs (other than aerial photographs) to demonstrate the height of any of the surrounding dunes. The applicant also alleges that “the golf course fairways are generally surrounded by elevated dune formations that separate the course from adjacent properties and naturally direct runoff internally.” The surrounding dunes – which have not been substantiated by any evidence in the record – are not somehow hermetically sealing the runoff and wastewater on the golf course. Even if it were “generally surrounded by elevated dune formations,” a significant concern is the impacts to groundwater and to adjacent bogs (regardless of whether there may be an intervening

with the growth of the weed and are often synthetic mimics of natural plant hormones. Aquatic herbicides are chemicals specifically formulated for use in water to kill or control aquatic plants. A non-selective herbicide kills all plants it comes in contact with. From grubs, nematodes, mole crickets, mites, ants, mosquitoes and more - superintendents constantly battle for control of soil and turf inhabiting pests on golf courses. Insecticides can include, but are not limited to, the following: Control Solutions, Nufarm, Syngenta, BASF, Bayer, FMC Corporation, DOW, Valent and other leading manufactures. They include ovicides and larvicides used against insect eggs and larvae, respectively. The applicant has been silent on which types of chemicals it will use and the effects of them.

dune of some unsubstantiated size). The applicant must prepare a hydrologic assessment to determine what the impact from runoff of water and pesticides, fungicides, herbicides, and insecticides. Ironically, at the hearing, the applicant alleged that it has test wells and monitoring wells and it is using that to determine how it will impact adjacent and surrounding properties. Again, this is exactly the type of analysis that must occur for the farm impacts test, but the applicant is not presenting that information here and now. Simply put, the applicant cannot reasonably understand the impacts as it relates to the farm impacts test without this type of analysis, as well as some type of independent review. The application is, therefore, half-baked because the applicant cannot carry its burden of proof as it relates to water usage and how that will affect neighboring and surrounding cranberry bogs. The farm impacts test must be deferred under *Rhyne* and its progeny, as outlined in other testimony, until a later time when the applicant has presented all reasonably relevant information related to farm impacts and increased costs to farmers.

The impacts related to water are not simply resolved by the Oregon Water Resources Department. A typical 150-acre golf course uses 200 million gallons of water a year (without considering the restaurant, clubhouse, and other uses), and it is likely that use of wells or groundwater⁶ will result in impacts to adjacent and surrounding bogs. The applicant has not demonstrated how much water is necessary for this golf course, how many golfers (apart from the traffic analysis⁷), and patrons to the restaurant are expected. ORCA submits that the impacts to adjacent bogs and farm uses cannot be evaluated until there is a hydrologic study and geologic hazard assessment that addresses these issues. Indeed, the applicant appears to wholly ignore the likelihood that the chemicals (insecticide, fungicide, herbicide, pesticides, etc., none of which are specifically identified) used on the golf course will enter the bogs through the groundwater and porous, sandy soil.

⁶ The applicant alleges that “It is anticipated that the water source for irrigation and domestic use will be from deepwater wells and potentially reservoirs or ponds.” ORCA submits that the applicant has not demonstrated that drawdown will not occur by using “deepwater wells,” ponds and other means. Indeed, this is simply more evidence that the applicant has failed to complete any kind of relevant analysis.

⁷ For example, what is the average number of golfers from other nearby golf courses or a similarly situated golf course? The applicant must determine what the farm impacts from a significant number of golfers.

ORCA also attaches the comments from Waterwatch of Oregon for the Bandon Biota Water Transfers. As noted in those comments, the water rights are not likely to be granted:

“The water rights involved in these transfer applications may be subject to forfeiture. There is no water use data posted on WRIS for any year for certificates 86449 and 86448. Also, certificates 86449 and 86448 specifically require water use reporting for water used for temperature control, but there is no temperature control water use available on WRIS for either certificate for any year. In determining if a right is subject to transfer, OWRD is required to assess whether the water right was forfeited within the time limit set by ORS 540.610, which covers a five-year time period that ended no more than 15 years before the potential issuance of a notice of cancellation. ORS 540.610(2)(f). The “clock” for OWRD’s forfeiture assessment required for review of this transfer, therefore, is not just the previous five-year period but includes this full look-back period. Additionally, OWRD must initiate cancellation proceedings “[w]henver it appears to the satisfaction of the Water Resources Commission upon the commission’s own determination... that a perfected and developed water right has been forfeited.” ORS 540.631. 3. T-14438 would result in enlargement. These changes would result in enlargement. Enlargement is an expansion of a water right that can occur when the user uses a greater rate or duty per acre than is currently allowed, increases the acreage irrigated under a right, fails to keep the original place of use from receiving water from the same source, or diverts more water at the new point of appropriation or diversion than is legally available at the original point of appropriation or diversion. OAR 690-380-0100(2). The Department shall not approve a transfer application that results in enlargement. OAR 690-380-5000(1)(c). These transfers would result in enlargement because irrigation of golf courses, which typically use thirsty turf grass, is a much more consumptive use than irrigation and temperature control for cranberry operations, especially since cranberry bogs are typically lined and they recycle water.”

ORCA incorporates the entirety of the attached comments from Waterwatch, which demonstrate that the applicant is unlikely to obtain water rights sufficient to support a large golf course.

As noted below, the applicant cannot adequately gauge the farm impacts test under ORS 215.296 if the applicant does not know the location of the buildings. The restaurant and clubhouse will have impacts from the number of visitors, the amount of garbage produced, traffic, trespass, attraction of corvids, and so forth. The applicant has not

provided any estimate of the number of golfers expected for the proposed golf course, apart from a traffic estimate. The number of golfers is relevant to these impacts on adjacent farm uses. The applicant cannot readily define the baseline for the farm impacts analysis. There is simply no reason to think that the applicant can satisfy this criterion without knowing where the variety of structures will be placed on the property.

The applicant also alleges that it is “anticipated that on-site sanitary waste will be addressed through an onsite sanitary septic system and drain field.” The applicant, however, does not disclose the potential effects, likely because the applicant does not even know if it will use a septic system and drain field. This is yet another issue that is half-baked. Nitrogen pollution from septic systems and drain fields is common.

According to testimony at the hearing, the applicant misidentified the Twin Creek farm operation. The testimony also noted that Bandon Biota has not adequately managed their properties to reduce wildfire concerns. The testimony also noted that the applicant has not provided any studies associated with water drawdown or otherwise.

Of particular concern is the Kranick Cranberry Farm, given that is directly adjacent and centrally located on the eastside of the proposed golf course. The applicant acknowledges that the ridge of the intervening dune (again, no topographical map has been submitted to verify these allegations) is, at times, only 10 feet tall. The potential impacts identified above are particularly acute as it relates to the Kranick Cranberry Farm. As with all other farms, the applicant copies-and-pastes the same statement that the golf course and bogs utilize the same “irrigation, fertilizing, mowing.” This is clearly disingenuous, because the applicant has not even conceded in the farm impacts test for the closest farm that there will be chemicals applied. Moreover, there is no evidence to demonstrate that the chemicals used are the same across the bogs and the golf course.

Finally, the applicant has failed to engage in a cumulative impacts analysis. A cumulative impacts analysis is required, as noted by the Oregon Supreme Court, but the applicant has neither engaged in such an analysis or conceded that such an analysis is applicable. This because the applicant has disclaimed any and all impacts because they are allegedly the same as those of a cranberry bog, which is a wholly unsupported allegation.

III. The proposal is inconsistent with the administrative rules for the definition of a golf course and the legislative policy for preservation of farmland

The applicant’s entire ownership appears to be roughly 342 acres, spanning for approximately 2 miles, but the golf course itself is 165 acres. All the 342 acres is

farmland, but the applicant is not utilizing all of that land for the golf course.⁸ As noted in the footnote, the applicant cannot have it both ways, alleging on one hand that all of the acreage is for the golf course, but that there is acreage that is not “utilized for golf.” The definition of “golf course” notes that it is an “area of land with highly maintained natural turf laid out *for the game of golf* with a series of nine or more holes, each including a tee, a fairway, a putting green, and often one or more natural or artificial hazards.” Nothing in that definition allows the applicant to take out of farm production the 165 acres that is not even devoted to the game of golf. As noted above, there is a legislative policy to preserve farmland and the applicant here is using just as much land as is devoted to the golf course to no particular use at all. The applicant is using unnecessary farmland that is not devoted to the game of golf, which violates the rule (e.g., OAR 660-033-0130(20)) and is contrary to the legislative policy.

IV. The golf course is located on high value farmland

The applicant concedes that the definition for high-value farmland applies at ORS 215.710(2), wherein the applicant alleges that: *Aerial photographs confirm that on December 6, 2007 [195.300(10)(a)], the subject tract upon which the golf course is proposed, does contain lands growing specified perennials. This criterion is satisfied.*” If all 342 acres are in common ownership, then ORS 215.710(2)’s provision for a “tract” means that the entirety of the ownership is high-value farmland. At the hearing, the applicant has indicated the opposite. Again, the applicant is taking contrary positions on this issue. As of now, there is no underlying evidence supporting the applicant’s allegations made at the hearing. The applicant must submit the property line adjustments that allegedly preclude the entire tract from being high-value farmland.

Next, under ORS 195.300(10)(c)(A), the property is high-value farmland. ORS 195.300(10)(c)(A) provides that high-value farmland means “Land that is in an exclusive farm use zone or a mixed farm and forest zone and that on June 28, 2007, is Within the place of use for a permit, certificate or decree for the use of water for irrigation issued by the Water Resources Department.” ORCA attaches hereto the Permit to Appropriate the Public Waters (G-13208) and Certificate of Water Right for cranberry operations on

⁸ This raises the issue that the applicant alleges at times that the non-golf use acreage is part of the golf course and other times not part of the golf course, depending on when it is convenient. For example, the applicant alleges that “134-acres of open space land that contain natural dune formations, partially covered with native vegetation, approximately 20 acres of wetlands, and approximately 23 acres of identified flood areas.” The applicant then alleges that “[w]hile not utilized for golf, the open space, wetland and flood areas provide for appropriate setting for a Scottish Links Golf Course[.]”

28.0 acres. The applicant alleges that “segment of the property upon which the golf course is proposed did not contain a water permit, certificate, or decree for the use of water.” It is not clear whether this is part of the applicant’s contiguous ownership, in which case the golf course, indeed, contains high-value farmland, or whether it has been severed from the property entirely. It appears as though it is part of the golf course but not in active play, but the applicant, again, has not substantiated its allegations with sufficient evidence to obtain an approval. In any event, the golf course is in contiguous ownership with the remainder of the 342 acres now owned by Ocean River LLC.

In addition, all the 342 acres is zoned Exclusive Farm Use except along Twomile Creek, and it is highly likely that those lands are subject to a “place of use” of a water right/certificate for irrigation as required under ORS 195.300. The applicant has not shown which existing water rights as of June 28, 2007 apply to all or part of the 342 acres, whether part of the actual golf course or reserved for “open space” or other use. It would be very odd if 342 acres of EFU land, or even just the 165 acres of EFU land slated for the golf course, were not in the place of use for one, or more likely several, pre-June 2007 water rights for irrigation. The HVF definition under ORS 195.300 applies to contiguous ownership, so even the two locations identified by the staff report that are a place of use for a water right for irrigation, and which appear to be outside the golf course proper, make the entire 342 acres subject to HVF rules prohibiting golf courses. *See* the discussion below concerning lawful creation of parcels by means of PLAs.

V. Geologic Assessment Review

First, this application must be subject to a condition of approval that requires that the applicant submit and receive approval for a geologic assessment review. As noted in prior testimony that explained the holdings in *Rhyme* and its progeny, the process for the geologic assessment review must allow for the same review process with the same procedural and substantive rights that were provided in this application.

Second, the applicant alleges that it does not have the details needed for the location of structures to carry out the geologic assessment review.⁹ ORCA submits that

⁹ The applicant alleges:

- “The structures, proposed in conjunction with the golf course have not been architecturally designed and, while the location of structures is generally known, the exact location of each structure is subject to change as development of the course proceeds.”
- “Because the majority of the structures associated with the golf course have not been designed, and the exact location is unknown, it will be necessary

the applicant cannot adequately gauge the farm impacts test under ORS 215.296 if the applicant does not know the location of the buildings. The restaurant and clubhouse will have impacts due to the number of visitors and golfers, the amount of garbage produced, traffic, trespass, attraction of corvids, and so forth. The applicant cannot readily define the baseline for the farm impacts analysis if the applicant is not aware of where the buildings will be placed, as is conceded by the applicant.

VI. The applicant has not demonstrated that the subject property is lawfully established.

The applicant apparently believes that property line adjustments create land in the sense that a property line adjustment creates a lawfully established unit of land. For example, the applicant alleges that “[t]he area in yellow was created by Property line Adjustment Deed 2003-6462 following approval of the adjustment by Coos County. The applicant is mistaken. Property line adjustments simply adjust boundaries. The resulting property is not newly created, and is not a new parcel. *See Meyer v. Jackson County*, __ Or LUBA __ (LUBA No. 2014-005, April 24, 2014). Properties are newly created via a partition or subdivision. Properties are unlawful if they have not been created in conformance with all applicable land use laws. The applicant references D-23-002/ACU-23-037 but that application is not in the record. Therefore, there is no substantial evidence to support the applicant’s allegations as to whether the lots and parcels are lawfully established.

VII. Procedural Objection

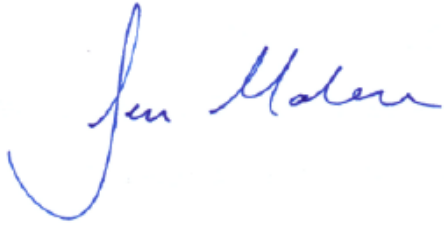
At the hearing, staff stated that for the “rebuttal” (or responsive period), no new evidence is allowed. That statement requires clarification because the parties *can* submit new evidence that is responsive to evidence submitted in the open record period. If ORCA is prohibited from submitting responsive argument and evidence, ORCA’s substantial rights will be prejudiced.

VIII. Conclusion

Consistent with the foregoing, ORCA respectfully requests that the application be denied. The Planning Commission should deny the application.

to address ordinance requirements for liquefaction at a later date. Because the standards of Section 4.11.115 will be addressed under a quasi-judicial land process with notice, it is not required that the standards be addressed at this time.”

Sincerely,

A handwritten signature in blue ink that reads "Sean T. Malone". The signature is fluid and cursive, with a large initial "S" and "M".

Sean T. Malone
Attorney for Oregon Coast Alliance

Cc:
Client

Comments Submitted by Waterwatch of Oregon to Water Resources Department on Bandon Biota Water Transfers

May 2024

T-14438

The Department should withhold action on the transfer applications until the land use approval process is completed. Oregon state law requires the coordination of agencies with respect to land use and water management, which are integrally related. ORS 197.180(1); OAR 690-005-0020(1). The Water Resources Commission places a “high priority” on achieving compatibility with state and local goals and land use plans, and state water laws require protection of the “public interest in all waters of the state.” OAR 690-005-0020(1). Water right transfer decisions are actions that must be coordinated with local land use governments to protect important local water resources. OAR 690-005-0025(3); OAR 690-005-0035. There is currently no approved land use application for the proposed use. On 2/1/23, the transfer applicant, Bandon Biota LLC, withdrew its land use application with the Coos County Planning Department for approval of the golf course. The land use application had received considerable public opposition largely due to its likely adverse impacts on the local water supply and consequential injuries to other water rights and local industry. Allegedly, a new land use application for the golf course has been submitted, but Coos County has not yet deemed it complete. There is no information publicly available on this application and if or how it differs from the previous application. OAR 690-005-0035(4)(a) requires an applicant to submit land use information prior to the Department taking action on the water use. If local land use approvals are pending, the Department shall withhold issuance of the water use approval until the applicant obtains all required local land use approvals, or place conditions on the approval to preclude use and any associated construction until the applicant obtains all required land use approvals. OAR 690-005-0035(4)(c). At this point, there are many unknowns and uncertainties about the proposed project. Because the prior land use approval process revealed multiple land use and water issues that were controversial and contested by the local community, the current land use process may very likely end in denial. The Department should therefore withhold action on the three transfer applications until the local land use approval process is complete. This will ensure compliance with state law and policy requiring coordination of land use and water management to protect the public interest in state waters. 2. The water rights involved in these transfer applications may be subject to forfeiture. There is no water use data posted on WRIS for any year for certificates 86449 and 86448. Also, certificates 86449 and 86448 specifically require water use reporting for water used for temperature control, but there is no temperature control water use available on WRIS for either certificate for any year. In determining if a right is subject to transfer, OWRD is required to assess whether the water right was forfeited within the time limit set by ORS 540.610, which covers a five-year time period that ended no more than 15 years before the potential issuance of a notice of cancellation. ORS 540.610(2)(f). The “clock” for OWRD’s forfeiture assessment required for review of this transfer, therefore, is not just the previous five-year period but includes this full look-back period. Additionally, OWRD must initiate cancellation proceedings “[w]henver it appears to the satisfaction of the Water Resources Commission upon the

commission's own determination... that a perfected and developed water right has been forfeited." ORS 540.631. 3. T-14438 would result in enlargement. These changes would result in enlargement. Enlargement is an expansion of a water right that can occur when the user uses a greater rate or duty per acre than is currently allowed, increases the acreage irrigated under a right, fails to keep the original place of use from receiving water from the same source, or diverts more water at the new point of appropriation or diversion than is legally available at the original point of appropriation or diversion. OAR 690-380-0100(2). The Department shall not approve a transfer application that results in enlargement. OAR 690-380-5000(1)(c). These transfers would result in enlargement because irrigation of golf courses, which typically use thirsty turf grass, is a much more consumptive use than irrigation and temperature control for cranberry operations, especially since cranberry bogs are typically lined and they recycle water. Further, the use of water for temperature control is likely a non-consumptive use. The current cranberry operations also occur on a compact area of land; the irrigation and temperature control occur on the same 17.4 acres in quadrant SENW Section 25. The proposed irrigation will spread out over 26.4 acres across three quadrants. This change from overlap in use and size of the place of use would result in an increase of the acreage irrigated under the right and therefore result in enlargement in violation of OAR 690-380-0100(2). 4. Certificates 86449 (primary) and 86448 (secondary) are not eligible for transfer. Certificates 86449 (primary) and 86448 (secondary) do not appear eligible for transfer because they do not appear to have met the terms of the certificate. Both certificates expressly require annual reporting related to water use for temperature control, but OWRD's online Water Use Reporting database indicates that no reports were filed and states that "No data meets the specified criteria." Therefore, there appears to be noncompliance with the terms of the certificates, rendering the certificates ineligible for transfer. 5. T-14438 should be denied because it proposes to source water from an unpermitted reservoir. The application for T-14438 should be returned, or the transfer denied, because it proposes use of a source that is an unpermitted, illegal reservoir. Certificate 86449 (primary) currently sources water from two sump ponds located within and adjacent to the 17.4 acres of cranberry operations. According to the applicant, there is a pump in each sump pond. The transfer proposes to add a point of appropriation, or another pump, into what is known as sump pond S-1, for a total of two pumps in sump pond S-1 and one in sump pond S-2. (Application p. 4, 9) Water from sump pond S-2 is pumped into distribution by the pump in pond S-1. (Application p. 7). Certificate 86448 (secondary) currently sources water via a surface water pump located on an unnamed stream that flows into Laurel Lake. The pump pushes water through a distribution line into sump pond S-1, which is described as a "bulge in the system." (Application p. 10) However, on the land use maps attached to the transfer application, this sump pond S-1 is labeled as "EXISTING SUMP POND TO BE LINED AND USED AS IRRIGATION RESERVOIR." (Application p. 34, Map "New River Dunes Golf Course Revised" HBCU-22-001, Page 17). Given the intention expressed on this label, and the fact that an additional point of appropriation may require more water to be stored, this pond may become an illegal reservoir. Under Oregon law, a person may not store "any waters" without a permit. ORS 537.130(2). According to the "Aqua Book," the construction of a reservoir or pond of any size to store water requires a water right permit from WRD. (OWRD's Water Rights in Oregon: An Introduction to Oregon's Water Laws, p. 22) To the extent WRD proposes to allow this transfer based on the so-called "bulge in the system" theory, which WaterWatch asserts is unlawful, we request that WRD make explicit findings regarding this reservoir; how WRD finds it be lawful (including addressing WRD Field Operations Manual, Section 03.01, p. 9-11); and how it would be used under this application. In

sum, the Department should not allow illegal reservoirs to persist, should regulate against this one, and should return this transfer application.

T-14439

The Department should withhold action on the transfer applications until the land use approval process is completed. Oregon state law requires the coordination of agencies with respect to land use and water management, which are integrally related. ORS 197.180(1); OAR 690-005-0020(1). The Water Resources Commission places a “high priority” on achieving compatibility with state and local goals and land use plans, and state water laws require protection of the “public interest in all waters of the state.” OAR 690-005-0020(1). Water right transfer decisions are actions that must be coordinated with local land use governments to protect important local water resources. OAR 690-005-0025(3); OAR 690-005-0035. On 2/1/23, the transfer applicant, Bandon Biota LLC, withdrew its land use application with the Coos County Planning Department for approval of the golf course. ([withdrawal_notice.pdf \(coos.or.us\)](#)) The land use application had received considerable public opposition largely due to its likely adverse impacts on the local water supply and consequential injuries to other water rights and local industry. Allegedly, a new land use application for the golf course has been submitted, but Coos County has not yet deemed it complete. There is no information publicly available on this application and if or how it differs from the previous application. OAR 690-005-0035(4)(a) requires an applicant to submit land use information prior to the Department taking action on the water use. If local land use approvals are pending, the Department shall withhold issuance of the water use approval until the applicant obtains all required local land use approvals, or place conditions on the approval to preclude use and any associated construction until the applicant obtains all required land use approvals. OAR 690-005-0035(4)(c). At this point, there are many unknowns and uncertainties about the proposed project. Because the prior land use approval process revealed multiple land use and water issues that were controversial and contested by the local community, the current land use process may very likely end in denial. The Department should therefore withhold action on the three transfer applications until the local land use approval process is complete. This will ensure compliance with state law and policy requiring coordination of land use and water management to protect the public interest in state waters. 2. Transfer T-14439 will reduce stream flows and injure Instream Water Right Certificate 76268 on Twomile Creek. Transfer T-14439 proposes to change the place of use for Certificate 73636. Certificate 73636 has been leased instream intermittently since 2001 under IL-107, with the current lease agreement in place from 2021 to 2025. The certificate’s authorized place of use is 53 acres of land directly north and adjacent to Twomile Creek in three quadrants. The proposed place of use is the new golf course which is not adjacent to Twomile Creek but spread out over six quadrants south of the creek. This proposed transfer would therefore cause significant changes to the flows within Twomile Creek because it would no longer receive the return flows it received when the land under the certificate was being irrigated. When a proposed transfer would result in another, existing water not receiving previously available water to which it is legally entitled, that is an injury. OAR 690-380-0100(3). The Department cannot approve proposed transfers that would result in injury. OAR 690-380-5000(1)(d). This is especially important because Twomile Creek within this reach is protected by an instream water right. ISWR Certificate 76268 exists to provide required stream flow for anadromous fish migration, spawning, egg incubation, fry emergence, and juvenile rearing, and flows are protected

throughout the reach. Additionally, Twomile Creek is listed by the Oregon Department of State Lands as Essential Habitat for Fall chinook, winter steelhead, and coho. 3. Transfer T-14439 will cause injury to other water rights. The application's proposed change in the place of use will most likely cause injury to other water rights, including, but not limited to, certificates 26397, 90113, and 90096. When a proposed transfer would result in another, existing water not receiving previously available water to which it is legally entitled, that is an injury OAR 690-380-0100(3). The Department cannot approve proposed transfers that would result in injury. OAR 690-380-5000(1)(d). These water rights source water from Two Mile Creek, which, as a result of the transfer, will not receive any return flows from irrigation of the original land under Certificate 73636 if the place of use is changed to an expansive golf course south of and further away the creek. This is the example of when the place of use for senior water right "A" is moved to a location where the return flows no longer enter the stream above the diversion for junior water right "B," leading to less water for "B" and potential injury. (Field Operations Manual, Section 11.01, p. 2-3)

T-14440

The Department should withhold action on the transfer applications until the land use approval process is completed. Bandon Biota, LLC is seeking these three transfers for the purpose of irrigating its proposed new golf course located south of Bandon in Coos County in the South Coast Basin. There is currently no approved land use application for the proposed use. Oregon state law requires the coordination of agencies with respect to land use and water management, which are integrally related. ORS 197.180(1); OAR 690-005-0020(1). The Water Resources Commission places a "high priority" on achieving compatibility with state and local goals and land use plans, and state water laws require protection of the "public interest in all waters of the state." OAR 690-005-0020(1). Water right transfer decisions are actions that must be coordinated with local land use governments to protect important local water resources. OAR 690-005-0025(3); OAR 690-005-0035. On 2/1/23, the transfer applicant, Bandon Biota LLC, withdrew its land use application with the Coos County Planning Department for approval of the golf course. ([withdrawal_notice.pdf \(coos.or.us\)](#)) The land use application had received considerable public opposition largely due to its likely adverse impacts on the local water supply and consequential injuries to other water rights and local industry. Allegedly, a new land use application for the golf course has been submitted, but Coos County has not yet deemed it complete. There is no information publicly available on this application and if or how it differs from the previous application. OAR 690-005-0035(4)(a) requires an applicant to submit land use information prior to the Department taking action on the water use. If local land use approvals are pending, the Department shall withhold issuance of the water use approval until the applicant obtains all required local land use approvals, or place conditions on the approval to preclude use and any associated construction until the applicant obtains all required land use approvals. OAR 690-005-0035(4)(c). At this point, there are many unknowns and uncertainties about the proposed project. Because the prior land use approval process revealed multiple land use and water issues that were controversial and contested by the local community, the current land use process may very likely end in denial. The Department should therefore withhold action on the three transfer applications until the local land use approval process is complete. This will ensure compliance with state law and policy requiring coordination of land use and water management to protect the public interest in state waters. 2. The water rights involved in these transfer

applications may be subject to forfeiture. In determining if a right is subject to transfer, OWRD is required to assess whether the water right was forfeited within the time limit set by ORS 540.610, which covers a five-year time period that ended no more than 15 years before the potential issuance of a notice of cancellation. ORS 540.610(2)(f). The “clock” for OWRD’s forfeiture assessment required for review of this transfer, therefore, is not just the previous five-year period but includes this full look-back period. Additionally, OWRD must initiate cancellation proceedings “[w]henver it appears to the satisfaction of the Water Resources Commission upon the commission’s own determination... that a perfected and developed water right has been forfeited.” ORS 540.631. The Evidence of Use Affidavits for certificates 86449, 86448, 89934, offer an explanation for the absence of profitable operations from 2014 -2019, but the evidence of use receipts only indicate energy charges for 2019, with only one charge for 2020. These affidavits do not explain other multiple years of non-use evident in OWRD’s online WRIS system.

3. T-14440 would result in enlargement. Transfer application T-14440 proposes changes to certificates 89934 which allows beneficial use for irrigation, temperature control, and flood harvesting of 13.8 acres of cranberry bogs. The proposed transfer changes the place of use for the irrigation portion. The proposed transfer also changes the character of use for the temperature control portion to irrigation and changes its place of use. These changes would result in enlargement. Enlargement is an expansion of a water right that can occur when the user uses a greater rate or duty per acre than is currently allowed, increases the acreage irrigated under a right, fails to keep the original place of use from receiving water from the same source, or diverts more water at the new point of appropriation or diversion than is legally available at the original point of appropriation or diversion. OAR 690-380-0100(2). The Department shall not approve a transfer application that results in enlargement. OAR 690-380-5000(1)(c). These transfers would result in enlargement because irrigation of golf courses, which typically use thirsty turf grass, is a much more consumptive use than irrigation and temperature control for cranberry operations, especially since cranberry bogs are typically lined and they recycle water. Further, the use of water for temperature control is likely a non-consumptive use. The current cranberry operations also occur on a compact area of land; the irrigation and temperature control occur on the same 13.8 acres in quadrants NENW and SENW of Section 25. The proposed irrigation will spread out over 20.9 acres across four quadrants: NWSW Section 24, SWSW Section 24, NWNW Section 25, and SWNW Section 25. This change from overlap in use and size of the place of use would result in an increase of the acreage irrigated under the right and therefore result in enlargement in violation of OAR 690-380-0100(2).

4. Certificate 89934 may not be in compliance with the New River Agreement. Permit G-13022, the permit that was perfected and became Certificate 89934, contained a provision to ensure compliance with the New River Agreement. It states: “Diversion and use of water under this permit must comply with the Clean Water Act and utilize best management practices as identified in the plan developed as specified in the New River Alternative Dispute Resolution Team Agreement on file with the Department.” (Page 2) However, Certificate 89934 is missing this permit condition and lacks any reference to the New River Agreement. Presumably, this is a scrivener’s error, and we request that WRD immediately correct the certificate to include the permit conditions stated on the permit.

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FUNGICIDES

Fungicides are biocidal chemical compounds or biological organisms used to kill or inhibit fungi or fungal spores. Having a solid fungicide program in place to protect your golf course from diseases is essential. Applying well-timed fungicide applications before physical symptoms develop is ideal, with the correct timing. Once a fungal infection such as Brown patch, Grey leaf spot, or Pythium Root Rot has been detected on a golf course, a mixture of fungicides should be applied as quickly as possible to minimize spread of the infection as well as start the healing process on the infected area. Use a contact fungicide to quickly limit the spread of the infection, and a systematic fungicide to protect emerging leaf tissue. Fungicide application intervals should be increased for several weeks following the outbreak to facilitate the turf's recovery.



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(hormones)

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Post-Emergent Herbicides tackle both perennial and annual broadleaf weeds (weeds with leaf shapes that don't resemble grass), and some even control grassy weeds (weeds that resemble grass). Browse our online cataloge and select post-emergent herbicides to control existing weeds on golf courses. Post emergent herbicides can also be used to treat specific problem areas.



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INSECTICIDES

From grubs, nematodes, mole crickets, mites, ants, mosquitoes and more - superintendents constantly battle for control of soil and turf inhabiting pests on golf courses. Golf Ventures carries a full line of insecticides from Control Solutions, Nufarm, Syngenta, BASF, Bayer, FMC Corporation, DOW, Valent and other leading manufactures. They include ovicides and larvicides used against insect eggs and larvae, respectively. Contact your Territory Manager - we will be help you select the most effective and environmentally friendly pesticide, minimizing the use of broad-spectrum pesticides, wherever possible.



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 - Plant stimulants (hormones)
- > SPRAY AIDS
- > ACCESSORIES
- > SAND AND AGGREGATE

CHEMICAL

MICROBIAL

NEMATOCIDE

> SEED

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DTE GOLF® · APRIL 21, 2021

Understanding Golf Course Chemical Application

Pesticides, herbicides, and insecticides are all chemicals used to maintain the idyllic appeal of a lush green golf course. To ensure the health and sustainability of turfgrass, different chemical agents have been specially synthesized to promote growth in [turfgrass](#) while preventing damage.



Golf Course Chemical Agents

POST-EMERGENT HERBICIDES

Post-emergent herbicides tackle both enduring and yearly broadleaf (weeds with leaf shapes that don't look like grass), and some even control weeds that look like grass. [Post-emergent herbicides](#) can likewise be used to treat areas after weeds have already taken hold.

FUNGICIDES

Fungicides are biocide chemical compounds or natural organic entities used to repress or kill fungal growths or parasitic spores. Having a strong fungicide program set up to prevent disease and protect your course is fundamental. Fungus such as [Brown Patch](#), [Gray leaf spot](#), or [Pythium Root Rot](#) can easily destroy an entire golf course if left untreated. Fungicides can't completely prevent fungus entirely. Preventative fungicide applications can save you the trouble of battling an active fungal problem.

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PLANT STIMULANTS

Plant hormones are signal atoms produced inside the plant and occurring in low concentration. Hormones regulate local cellular processes and move to other areas of the plant. Hormones likewise decide the formation of flower, leaves, stem, shedding of leaves, and maturing of fruits. By adding a growth stimulant, we can target these hormones and encourage rapid growth and stronger systems.

CHEMICAL APPLICATIONS AND THE ENVIRONMENT

While pesticides have been a call for concern in the past, modern chemical agents are safer and those applying them must go through rigorous training and certification. Improper usage of pesticides by an untrained and unlicensed professional will however result in damage to your turfgrass as well as potentially posing health hazards. When properly applied, golf course chemical applications are carried out with the health of golfers and workers as the very first priority.

There's a reason DTE Golf® is a trusted name in the industry, and it's because of the quality of our work. When you're ready to make a difference on your course, make it the DTE difference.



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Sustainable Water Use for Golf Courses

FLUENCE NEWS TEAM

Brandon Bourdages/123RF

From maintaining water features to irrigating with recycled and desalinated water, sustainable water management is an important aspect of golf course management.

Modular, decentralized solutions can help golf courses minimize use of potable water sources

Golf courses use a great deal of water for irrigation and other purposes. A typical 150-acre [golf course](#) uses approximately 200 million gallons of water a year, enough to supply 1,800 residences with 300 GPD of water.

If the golf course is associated with a golf community or resort, domestic water use must also be taken into account. Golf course managers also have to maintain water features like ponds and water hazards, which are highly vulnerable to eutrophication and associated odors, algae, and toxicity.

<https://www.fluencecorp.com/golf-course-water-use/>

STATE OF OREGON

COUNTY OF Coos

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DAVE H BROOKS
RT 1 BOX 906
BANDON, OREGON 97411

(541) 347-9296

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-13208

SOURCE OF WATER: TWO WELLS IN THE FOURMILE CREEK BASIN

PURPOSE OR USE: CRANBERRY OPERATIONS ON 28.0 ACRES

MAXIMUM RATE: 2.0 CUBIC FEET PER SECOND (CFS), BEING 1.0 CFS FROM EACH SUMP WELL

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: DECEMBER 7, 1992

POINT OF DIVERSION LOCATION: SE 1/4 NW 1/4, SECTION 25, TOWNSHIP 29 SOUTH, RANGE 15 WEST, W.M.; WELL 1 - 2140 FEET SOUTH & 680 FEET WEST; WELL 2 - 2060 FEET SOUTH & 1180 FEET WEST; BOTH FROM NORTH 1/4 CORNER, SECTION 25

The amount of water diverted for CRANBERRY OPERATIONS, together with amounts secured under any other rights existing for the same lands, is limited as follows: For temperature control, 0.15 cubic foot per second per acre; For flood harvesting or pest control, 0.05 cubic foot per second per acre; For irrigation of cranberries, ONE-FORTIETH of one cubic foot per second and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. For the irrigation of any other crop, ONE-EIGHTIETH of one cubic foot per second and 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NW 1/4 7.0 ACRES
SE 1/4 NW 1/4 13.0 ACRES
NW 1/4 SW 1/4 8.0 ACRES
SECTION 25

TOWNSHIP 29 SOUTH, RANGE 15 WEST, W.M.

Measurement, recording and reporting conditions:

A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as
Application G-13208 Water Resources Department PERMIT G-13022

approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

If interference with a senior water right or surface water flows occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference.

Diversion and use of water under this permit must comply with the Clean Water Act and utilize best management practices as identified in the plan developed as specified in the New River Alternative Dispute Resolution Team Agreement on file with the Department.

STANDARD CONDITIONS

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

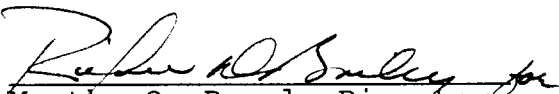
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction of the well shall begin within one year from permit issuance, and shall be completed on or before October 1, 1999. Complete application of the water to the use shall be made on or before October 1, 2000.

Issued January 31, 1997


Martha O. Pagel, Director
Water Resources Department

assigned

ASSIGNED. See Misc. Rec., Vol. 8 Page 287

Application G-13208 Water Resources Department
Basin 17 Volume 3 Fourmile Creek & Misc.

PERMIT G-13022
District 19



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Crow Damage

[Swango1980](#) · [Dec 4, 2020](#)

1 2 3 4 5 [Next](#) ▶

Dec 4, 2020

#1



Swango1980

Well-known member

Joined: Jul 22, 2019

Messages: 11,737

Location: Lincolnshire

[Visit site](#)

No doubt there is a thread on this somewhere, but couldn't find it.

Anyone's course suffering from crow damage. Any good ideas to try and deal with it?

We are having a really bad time with it this year, and I guess little can be done in this weather. Over the year, the owners have tried to have cannons going off every few minutes, and hanging dead crows on trees. Doesn't seem too successful. I hear the stuff they used to use in spraying the greens is either no longer permitted or way too expensive, but it depends who you listen to.

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3432

Guest

Swango1980 said: [↻](#)

No doubt there is a thread on this somewhere, but couldn't find it.

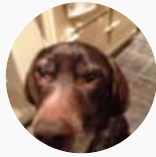
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Birds digging for grubs is a problem for many clubs and directly linked to greenkeepers not allowed to use certain chemicals

Dec 4, 2020

#3



patricks148

Global Moderator

Moderator

Joined: Jun 9, 2009

Messages: 24,587

Location: Highlands

[Visit site](#)

we have it too, a few years ago they destroyed a couple of tee's. thing is the leather jackets they are are digging for do more damage to the grass that the crows do. Club sprays a bit more the last couple of years and the damage has been much less



Dec 4, 2020

#4



Shooter McPowick

Head Pro

Joined: Apr 2, 2016

Messages: 1,267

Location: Surrey

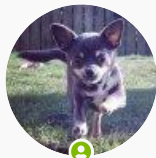
[Visit site](#)

Got it on a couple of holes on the back 9, crows are total vandals! Greenkeepers fire flares from time to time and we have a fake hawk on a kite string that gets flown on breezy days. They also cored the fairways at about a 2" gap between cores as well - thank heavens for winter rules as you're always in a hole if you end up on the area under repair.

Hopefully now that there's golfers out there from dawn to dusk it'll keep the crows away long enough.

Dec 4, 2020

#5



KenL

Tour Rookie

Joined: Dec 3, 2014

Messages: 6,894

Location: East Lothian

[Visit site](#)

Swango1980 said: ↻

No doubt there is a thread on this somewhere, but couldn't find it.

Anyone's course suffering from crow damage. Any good ideas to try and deal with it?

We are having a really bad time with it this year, and I guess little can be done in this weather. Over the year, the owners have tried to have cannons going off every few minutes, and hanging dead crows on trees. Doesn't seem too successful. I hear the stuff they used to use in spraying the greens is either no longer permitted or way too expensive, but it depends who you listen to.

What club is this?

Dec 4, 2020

#6



Swango1980

Well-known member

Joined: Jul 22, 2019

Messages: 11,737

Location: Lincolnshire

[Visit site](#)

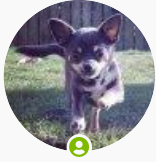
KenL said: ↻

What club is this?

Lincolnshire area. Seen damage at other courses, but ours seems to be particularly bad. Lockdown didn't help, with no golfers to scare them away.

Dec 4, 2020

#7



KenL

Tour Rookie

Joined: Dec 3, 2014

Messages: 6,894

Location: East Lothian

[Visit site](#)

Swango1980 said: ↻

Lincolnshire area. Seen damage at other courses, but ours seems to be particularly bad. Lockdown didn't help, with no golfers to scare them away.

So, not willing to say the course?

Dec 4, 2020

#8



Blue in Munich

Crooked Professional Yeti Impersonator

Joined: Jan 12, 2013

Messages: 14,092

Location: Worcester Park

[Visit site](#)

Not suffering course damage from crows but we have been suffering from ones that steal balls on one particular hole. Fortunately they seem to have departed to pastures new during lockdown.

Dec 4, 2020

#9



louise_a

Money List Winner

Joined: Mar 4, 2012

Messages: 7,169

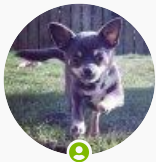
Location: salford

[Visit site](#)

We have had crows digging for leatherjackets (cranefly larva), the pesticide that was used to kill leatherjackets was banned about 2 or 3 years ago, so more crows and magpies

Dec 4, 2020

#10



KenL

Tour Rookie

Joined: Dec 3, 2014

Messages: 6,894

Location: East Lothian

[Visit site](#)

louise_a said: ↻

We have had crows digging for leatherjackets (cranefly larva), the pesticide that was used to kill leatherjackets was banned about 2 or 3 years ago, so more crows and magpies

I think it was banned a lot longer ago than that. 10 years?

louise_a

Dec 4, 2020

#11



need_my_wedge

Has Now Found His Wedgie

Joined: Sep 3, 2007

Messages: 6,671

Location: Kingdom of Fife

[Visit site](#)

Same, crows and magpies have been tearing some areas around the greens to pieces. We used to have a green keeper that had licence to cull them, he'd set up a sniper post early doors and shoot them. I don't know if he's still with the club or not.

Dec 4, 2020

#12



louise_a

Money List Winner

Joined: Mar 4, 2012

Messages: 7,169

Location: salford

[Visit site](#)

KenL said: ↻

I think it was banned a lot longer ago than that. 10 years?

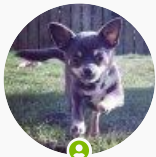
Just googled it 2016,

It seems there is an allowable nematode treatment that can killer leatherjackets but has to be done at just the right time of year and in the right conditions.



Dec 4, 2020

#13



KenL

Tour Rookie

Joined: Dec 3, 2014

Messages: 6,894

Location: East Lothian

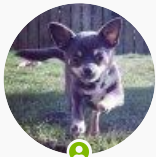
[Visit site](#)

It is illegal to shoot birds unless for public health reasons or to protect crops. Might even be illegal for the second reason in England now.

This is perhaps a wildlife crime?

Dec 4, 2020

#14



KenL

Tour Rookie

Joined: Dec 3, 2014

Messages: 6,894

Location: East Lothian

[Visit site](#)

need_my_wedge said: ↻

Same, crows and magpies have been tearing some areas around the greens to pieces. We used to have a green keeper that had licence to cull them, he'd set up a sniper post early doors and shoot them. I don't know if he's still with the club or not.

What club is that please?

Dec 4, 2020

#15



jim8flog

Journeyman Pro

Joined: May 20, 2017

Messages: 15,213

Location: Yeovil

[Visit site](#)

We tried covering the greens with tarpaulins in the evening which makes all the grubs come to the surface. In the morning all the grubs were swept up and dumped in the trees.

Dannyc and KenL

Dec 4, 2020

#16



Deleted member

3432

Guest

jim8flog said:

We tried covering the greens with tarpaulins in the evening which makes all the grubs come to the surface. In the morning all the grubs were swept up and dumped in the trees.

Not quite practical do it on faiways.

Chafer grubs are another problem on more sandy soils and like leather jackets the wildlife does like digging them up for breakfast, lunch and tea.

Dec 4, 2020

#17



Imurg

The Grinder Of Pars
(Semi Crooked)

Joined: Mar 15, 2008

Messages: 37,134

Location:

Aylesbury Bucks

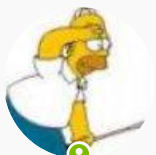
[Visit site](#)

I thought this was about Nick getting upset with one of his persimmons

Dando and PhilTheFragger

Dec 4, 2020

#18



HomerJSimpson

Hall of Famer

Joined: Aug 6, 2007

Messages: 71,273

Location:

Bracknell - Berkshire

[Visit site](#)

need_my_wedge said:

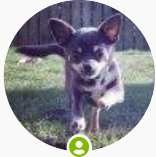
Same, crows and magpies have been tearing some areas around the greens to pieces. We used to have a green keeper that had licence to cull them, he'd set up a sniper post early doors and shoot them. I don't know if he's still with the club or not.

We've had some green damage from crows looking for leatherjackets. Seems to be all of the holes nearest the woods (unsurprisingly). Not sure what greenkeepers can do with all the chemical bans.

KenL

Dec 4, 2020

#19



KenL

Tour Rookie

Joined: Dec 3, 2014

Messages: 6,894

Location: East Lothian

[Visit site](#)

Imurg said: ↻

I thought this was about Nick getting upset with one of his persimmons 🤔

What does that mean? Was it a pointless post?

Dec 4, 2020

#20



Deleted member

15344

Guest

KenL said: ↻

What club is that please?



Does it matter ?

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PRE-EMERGENT HERBICIDES

Pre-emergent prevent the germination of undesirable seeds by inhibiting a key enzyme. Pre-emergents are applied to golf courses in the spring and fall to prevent the germination of weed seeds. They will not affect any established plant.



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Atrazine 4L

SKU: 83012369 | Brand: Sipcam Agro

2 x 2.5

ATRAZINE 4L SEASON-LONG CONTROL OF ANNUAL GRASSES AND BROADLEAF WEEDS.

Atrazine 4L flowable herbicide contains 4 lbs. active atrazine per gallon for season-long control of annual grassy and...

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Barricade 4FL

SKU: BARRICA564 | Brand: Syngenta


4 x 1 Gal

Active Ingredient:

Prodiamine



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1

For selective preemergence control of grass and broadleaf weeds in:

established turfgrasses (excluding golf course...

Barricade 65WG

SKU: BARRICA011 | Brand: Syngenta

6 X 5 LB

Barricade® 65WG herbicide controls more than 30 weeds with season-long control at low use rates. The water-dispersible granule provides the ease of handling and reduced packaging of a dry formulation.

Active...



 [SDS Label](#)

 [Product Label](#)

1

Bensumec 4 LF (Gal)

SKU: BENSUME642 | Brand: PBI Gordon

2 x 2.5 gal


Bensulide - 46%

Bensumec 4LF is a pre-emergent broadleaf herbicide that provides season-long control of broadleaf

For use in Bahiagrass, Bentgrass, Perennial bluegrass, Bermudagrass,...



 [SDS Label](#)

 [Product Label](#)

1

Dimension 2 EW

SKU: DIMENSI411 | Brand: DOW

2 x 2.5 gal

Active Ingredient: Dithiopyr

DIMENSION 2EW can be applied to landscape and field- and container-grown ornamentals, controlling both grassy and broadleaf weeds without harming desirable plants....



 [Sell Sheet](#)

1



Dithiopyr 40 WSB

SKU: 83014301 | Brand: Quail Pro

8x(4 x5 Oz)

Pre-emergence and early post-emergence herbicide for weed control in established lawns, commercial sod farms, non-cropland and industrial sites, ornamental turf (including to golf course fairways, roughs,...

 [SDS Label](#)

1



GALLERY SC (Agency Priced)

SKU: EL11103357 | Brand: Corteva

2 x 2 Gal

Season-long control of more than 90 broadleaf weeds

Gallery SC Specialty Herbicide is an easy-to-use suspension concentrate. The new formulation offers excellent plant tolerance and long-lasting...

 [SDS Label](#)

 [Product Label](#)

1




Goose & Crabgrass

SKU: GOOSEC521 | Brand: Scotts

28.87 lb bag

Goosegrass also referred to as Silver Crabgrass, Wire-grass, Yard-grass, Bullgrass and Crowfoot-grass – is a perennial grassy weed. Eleusine indica is primarily found in disturbed sites, lawns,...

 [SDS Label](#)

 [Product Label](#)

1




Isoxaben 75 WG

SKU: 83013493 | Brand: Control Solutions

6 x(4 x 1Lb)

Up to 8 months of selective pre-emergent control of broadleaf weeds with a single application. Performance proven on both cool and warm season turfgrass and in the ornamental, landscape and nursery...

 [SDS Label](#)

 [Product Label](#)

1



Kerb T&O SC

SKU: KERB002 | Brand: DOW

2 x 2.5 gal

 [Product Label](#)

 [Sell Sheet](#)

1

Active Ingredient: Pronamide

Profile

Kerb SC T&O specialty herbicide is a versatile tool for golf course superintendents,...




Metricor 75 DF (Tricor / Sencor alternative)

SKU: 48166-SOU | Brand: UPI

10 lb Bag

Metricor 75DF Herbicide is a generic version of the Sencor Herbicide, and is proven broad-spectrum...

 [SDS Label](#)

 [Product Label](#)

1



Pennant Magnum


SKU: PENNANT095 | Brand: Syngenta

30 gal

Pennant Magnum Herbicide

Pennant Magnum® herbicide, containing the active ingredient s-metolachlor, prevents yellow nutsedge, smooth and large crabgrass, and over 20 more turf, ornamental...

 [SDS Label](#)

 [Product Label](#)

1



Pennant Magnum


SKU: SY38782 | Brand: Syngenta

4 x 1 Gal

Pennant Magnum Herbicide

Pennant Magnum® herbicide, containing the active ingredient s-metolachlor, prevents yellow nutsedge, smooth and large crabgrass, and over 20 more turf, ornamental...

 [SDS Label](#)

 [Product Label](#)

1



PRE-SAN 12.5G

SKU: GD6253046 | Brand: PBI Gordon

50 lb bag

Active Ingredient: Bensulide

Pre-San Granular 12.5G Herbicide offers dependable pre-emergence control of Poa annua, crabgrass, goosegrass, and other listed annual weeds in turfgrass. With...

 [SDS Label](#)

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1

Princep 4L (Gal)

SKU: PRINCEP323 | Brand: Syngenta




2 x 2.5 gal

Princep 4L Herbicide

Princep® 4L is a liquid herbicide that controls more than 40 broadleaf and annual grass weeds in fruits, nuts and corn (see label for specific crops). It's long-lasting...

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1

1

2

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