

Almond heist points to cargo theft problem

Food and beverages are the most common theft target

By MATEUSZ PERKOWSKI
Capital Press

Earlier this year, Oregon-based snack manufacturer Bridgetown Natural Foods didn't receive a shipment of almonds worth nearly \$184,000.

However, the 42,000-pound shipment was picked up as scheduled on April 13 from SunnyGem LLC, an almond supplier in Wasco, Calif.

As it later turned out, the almonds were presumed stolen and police had no luck tracking down the truck.

Bridgetown Natural Foods has now filed a lawsuit against SunnyGem and a freight management company, Left Coast Logistics, seeking a declaration that it owes nothing for the shipment.

Experts say this almond heist is an example of "fictitious pickup," one of several types of cargo theft that threatens the food industry.

Data about the impact of cargo theft is imprecise, but the Federal Bureau of Investigation has pegged the economic losses at roughly \$30 billion a year.

Despite the risk that companies face from cargo theft, many are cavalier about protecting their goods during transport, said Erik Hoffer, vice president of the Cargo Security Alliance, which assists businesses with safety practices.

"It usually boils down to someone was stupid," he said.

In reality, armed hijackings of trucks are the least common form of cargo theft, accounting for 1 percent of incidents — this type of robbery carries steep penalties and is generally the province of "desperate criminals" who aren't part of an organized scheme, according to FreightWatch International, which tracks cargo theft incidents.

The vast majority of cargo thefts, about 90 percent, occur when trucks are left unattended at unsecured truck stops and other parking areas with minimal security, the organization has found.

Fictitious pickups make up about 5 percent of cargo thefts, but this kind of ruse has seemed to gain in popularity in recent years, according to FreightWatch.

"It does appear there is an uptick in insider activity or organized activities that are involved in these thefts," said Lance Reeve, risk management consultant for the Nationwide insurance firm's agribusiness division.

Food shipments are an attractive target for thieves because they are difficult to identify as stolen, easy to resell and not as vigorously investigated as thefts of higher-value items, said Reeve.

Last year, 19 percent of cargo thefts involved food and beverages, which was higher than any other category of products, according to FreightWatch.

Companies are often very sophisticated about protecting their internal computer data but then don't pay as much attention to activities at the loading dock or security

shack, said Hoffer.

These areas are often manned by low-paid workers who receive little security training and are more likely to be complacent about following protocols, he said.

When the almonds were stolen from SunnyGem, the load was picked up by a different trucking company and the trailer had a different identification number than planned, according to the lawsuit. Other information apparently matched.

Unless all the information about the truck, trailer, driver is correct, workers should not release a shipment, said Hoffer. "If all the stars weren't in alignment, they shouldn't give it to them."

Shippers should also fully vet their truck carriers to ensure they're reputable companies and seal trailers to

prevent smaller-scale thefts that are difficult to detect, said Reeve.

Such "pilferage" accounts for 8 percent of cargo thefts, Freightwatch found.

While some cargo thefts are likely planned by company insiders, such schemes are often unnecessary for criminals to get critical information, said Hoffer.

When asking for truck carriers for bids to move shipments, companies often divulge the pickup time, location and type of load, which can easily be exploited, he said.

Criminals generally get requests to steal certain types of cargo and then plan their heists accordingly, Hoffer said.

"It's very rare that it's hazardous. There is a structure," he said. "This is organized crime."

Conservation district signs sage grouse plan

By DAN WHEAT
Capital Press

WATERVILLE, Wash. — A conservation district in Washington's largest sage grouse area has signed a general conservation plan with the U.S. Fish and Wildlife Service.

The Foster Creek Conservation District, in Central Washington, is telling members that it's vital to carry out the plan even though the federal agency recently decided not to list the sage grouse as threatened or endangered.

USFWS may still list the sage grouse in five years if state and local entities don't do enough to protect it, said Jonathan Merz, manager of the district.

USFWS officials in Spokane agreed.

Sage grouse are protected by the state and are an important part of the state's shrub steppe habitat, said Russ MacRae, USFWS field supervisor in Spokane.

"We're excited that agricultural people in Douglas County are working to conserve species," said Michelle Eames, USFWS biologist in Spokane and an author of the plan.

The district covers Douglas County and is headquartered in the county courthouse in Waterville and has been working toward a plan for sage grouse and other species since 1998.

On Sept. 18, the district signed an agreement with USFWS that covers sage grouse, federally endangered Columbia Basin pygmy rabbits, the sharp-tailed grouse and Washington ground squirrels.

"After many years and with the help of many people, the district is proud to be the first conservation district in the nation to lead a complete a general conservation plan,"



Dan Wheat/Capital Press File

Jon Merz, manager of the Foster Creek Conservation District, looks at sage brush habitat on state Department of Fish and Wildlife land overlooking Jameson Lake in Douglas County, Wash., in this 2014 photo. Wittig Ranch, in the background, raises cattle, hay and wheat and is one of many ranches that will benefit from legal protection with a habitat conservation plan.

Merz said.

He said he's looked at all habitat conservation plans on record and that most are written by companies and very few by groups of individuals.

The agreement covers 879,000 acres of private agricultural land in Douglas County where approximately 650 sage grouse live. Some of the land is in the Conservation Reserve Program.

The plan requires ranches or farms to have Natural Resources Conservation Service plans and allows ranchers and farmers to tailor their own plans for protecting sage grouse and the other three species within the district's general conservation plan, Merz said.

Individual plans will identify habitat areas and seek to protect and improve them. Plans will protect sage grouse

in the ground and may include staying out of the birds' mating dance areas at night. Plans could include different types of tillage and developing borders of native vegetation around planted fields.

The district will help landowners write the plans, which will go to USFWS for approval.

The plans enable ranchers to receive Section 10 takings permits, which means USFWS won't hold them liable and will defend them against third-party lawsuits if they are following their plans but accidentally kill some of the species or accidentally damage their habitat, Merz said.

A farmer can still farm in parts of habitat if it is in his accepted plan. Farmers are not liable for the number of a species on their land but are

liable for the amount of habitat, he said.

About 150 ranchers and farmers in the county are expected to write individual plans, Merz said. That's the majority of those in areas of concern, he said.

"We made a deal and said if you give us local control to manage habitat the way we know how, we will take care of the problem," Merz said. "And they (USFWS) said OK. The onus is on us."

The district will celebrate the signing of the general conservation plan at 9 a.m. Oct. 26 with a sage grouse habitat tour followed by a noon lunch at the North Central Washington Fair Grounds in Waterville. A ceremony starts at 1 p.m. The public is welcome and asked to RSVP at www.fostercreekcd.org or at 509-888-6372.

Ranchers, environmentalists spar over grazing's impact on Idaho's Soda fire

By SEAN ELLIS
Capital Press

BOISE — Idaho ranchers claim that better grazing management would have reduced the size and severity of the Soda fire that scorched 279,000 acres of land in Owyhee County and part of Eastern Oregon in August.

Idaho-based Western Watersheds Project, however, claims that livestock grazing contributed to the severity of the Soda fire and other wildfires that burned millions of acres of land across the West this year.

Ranchers affected by the Soda fire, which impacted 41 Bureau of Land Management grazing allotments, reacted incredulously to WWP's claim.

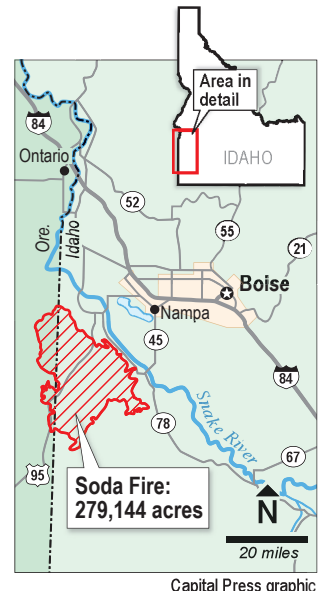
"I don't know how they can even say anything like that and I don't know how anyone can be stupid enough to believe it," said Marsing area rancher Ed Wilsey, who lost 70 head of cattle in the fire and all of his summer and spring range.

Wilsey said several of his neighbors also lost all their summer and spring range and some larger cattle operations have had to travel as far as Wyoming to find suitable pasture.

"It burned so hot it burned (the range) down to nothing. There are no fences. It's just dirt now," said sheep rancher Kim Mackenzie.

The fire took a terrible toll on ranchers and others in the area and cattlemen bristle at the claim that grazing contributed to the size of the fire, Wilsey said.

If anything, he said, limitations on grazing resulting from lawsuits by groups like WWP contributed to the severity of the fire by causing



Capital Press graphic

fuel loads to increase.

He said there are numerous examples where the fire stopped burning when it came to land that had been grazed recently and he sent the Capital Press photos of some of these examples.

"Grazing isn't going to stop fires 100 percent but it sure as heck can cut down on the fuel load," Wilsey said.

In an editorial that appeared in the Times-News, WWP Executive Director Travis Bruner said livestock grazing in southwestern Idaho and across the West "contributed significantly to intensity, severity and enormity of fires this summer. Despite the livestock industry's claims to the contrary, the Idaho fires are burning hotter and faster because of the impacts of cows and sheep on our arid Western lands."

Bruner said livestock removed the "native grasses that burn at a lower intensity than fire-prone invasive species that dominate many areas of Owyhee County."

Court rules flood control releases don't count against stored water rights

By SEAN ELLIS
Capital Press

BOISE — A special court master has ruled that flood control releases from reservoirs on the Boise River system should not count against stored water rights.

The ruling by Theodore Booth, a special master of the

Snake River Basin Adjudication court, sides with Treasure Valley water users who have a 62-year agreement with the U.S. Bureau of Reclamation that says flood control releases aren't counted against reservoir storage rights.

"It reaffirms our irrigators' belief that flood control releases should not be counted

against the (reservoir) storage rights of water right holders," said Roger Batt, executive director of the Treasure Valley Water Users Association.

Water is typically released from the Boise River system's three reservoirs in February and March to prevent flooding in the Boise valley.

The right to store water in the reservoirs following flood

control releases was challenged recently by the Idaho Department of Water Resources.

Counting flood control releases against stored water rights would bring the Boise system into compliance with state water accounting law and not doing so could result in the state surrendering legal control over the water to the federal government, IDWR officials have

said.

IDWR's position on the matter is supported by the state attorney general's office. IDWR officials did not immediately return phone calls for this story.

Batt said water released for flood control can't be counted against reservoir storage rights because water right holders were never able to put it to beneficial use.

It is "patently absurd to us that the state wants to charge water users for water being sent down river for flood con-

trol purposes during a period of time where that water cannot be used by them," Batt stated in a TVWUA news release announcing Booth's Oct. 9 ruling.

"This common sense decision completely vindicates our contention that the state attorney general's office and (IDWR) are completely out of line in their efforts to change long-standing water right management principles governing the Boise River system," Batt stated in the news release.

The special master's findings are a recommendation to the SRBA judge and become final when and if the judge approves them.

According to the news release, because Booth ruled that existing storage water rights authorize the filling of the reservoirs following flood control release, "his decision also means the release of water for flood control purposes does not count against the storage rights of Treasure Valley water right holders."

"It's the result we expected but it's nice to have it confirmed by a court that what we believe on this issue is correct," said TVWUA Chairman Clinton Pline.

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LEGAL PUBLIC NOTICE

The Oregon Soil and Water Conservation Commission (SWCC) will hold its regular quarterly meeting on Monday, November 2, 2015, from 2:00 p.m. to 4:30 p.m., at Valley River Inn, 1000 Valley River Way, Eugene, OR 97401. The meeting agenda covers SWCC reports, advisor reports, Soil and Water Conservation District programs and funding, Agriculture Water Quality Management Program updates, and other agenda items.

The Oregon Department of Agriculture complies with the Americans with Disabilities Act (ADA). If you need special accommodations to participate in this meeting, please contact Sandi Hiatt at (503) 986-4704, at least 72 hours prior to the meeting. 42-1/#4

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