

Washington

New wolf pack confirmed in northcentral Washington

Wolves are 'new territory' for region's ranchers

By **DON JENKINS**
Capital Press

A new wolf pack has been found in the Methow Valley, expanding the animal's confirmed territory in north-central Washington grazing lands, the U.S. Fish and Wildlife Service announced Tuesday.

"This is new territory for us," Methow Valley rancher Vic Stokes said. "It's going to be a steep learning curve."

Tracks in the snow and other sightings suggest the Loup Loup pack, named for a summit between Twisp and Omak in Okanogan County, has up to six members, though wildlife biologists haven't confirmed that number, USFWS spokeswoman Ann Froschauer said.

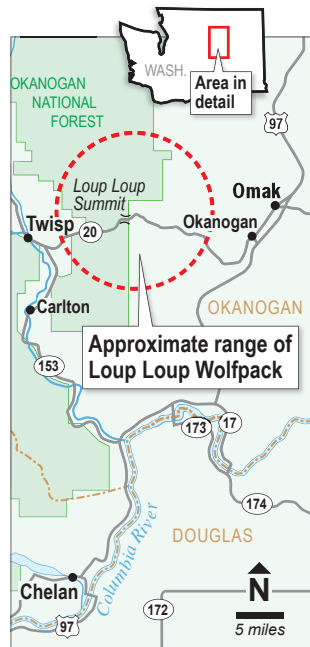
Biologists will try to place a radio-tracking collar on a pack member in the spring to learn more about the pack's makeup and movements. Biologists don't know whether the pack has pups and represents an increase in the state's population or was formed by wolves dispersing from other packs, she said.

The Washington Department of Fish and Wildlife counted 68 wolves in the state last year. "These could be new animals or animals from existing packs," Froschauer said.

The Lookout pack roams to the west in Okanogan County, and the Hozomeen pack travels to the north in Canada.

The Loup Loup wolves are Washington's 17th pack and the fourth in Central Washington, where wolves are federally protected. The other 13 packs are in the eastern one-third of the state, where wolves have been delisted by USFW but remain a state-protected species.

Kettle Range Conservation Group executive director Tim Coleman said the Loup Loup



Capital Press graphic

pack's territory has good habitat for wolves. "I think it's exciting," he said. "It means wolves are recovering."

Stokes said he hasn't been concerned about wolves in the past, but he is now. After losing cattle in the Carlton Complex fires in 2014, Stokes kept a reduced herd near his home this summer. He normally grazes in the new pack's territory and said he's wondering how wolves will affect him if he rebuilds his herd.

"For the ranching community, it adds expense, adds anxiety and maybe lost production," Stokes said.

State law allows WDFW to shoot wolves to stop chronic attacks on livestock in the eastern one-third of Washington. In Central Washington, federal law prohibits killing wolves to stop depredations. There are no wolves in Western Washington.

Wildfires again burned thousands of acres in Okanogan County the past two summers, killing cattle and charring pastures. Wolves present another problem, county rancher Scott Vejraska said.

"I don't like it. Don't care for it. Don't want it," he said. "We have enough trouble with fires. We don't need another challenge."

Cold Train amends lawsuit against BNSF, seeks more than \$41 million

By **DAN WHEAT**
Capital Press

SPOKANE — Top officials of Cold Train, a defunct refrigerated rail service between the Pacific Northwest and Midwest, have amended their lawsuit in U.S. District Court in Spokane, detailing more allegations against BNSF they say forced Cold Train out of business.

The amended lawsuit was filed Nov. 20 and like the original April 7 suit seeks damages estimated at more than \$41 million. It states BNSF engaged in unfair and deceptive trade practices. It also says BNSF violated the Washington Consumer Protection Act by wrongfully requiring Michael Lerner, Cold Train managing member, and Steve Lawson, president and CEO, to agree to a 95 percent carriage requirement which effectively prohibited them from using other carriers.

The amended complaint was only filed after the court dismissed all three claims of the original suit, said Courtney Wallace, BNSF spokeswoman.

"BNSF makes every effort to frequently communicate and be transparent with our customers and to suggest otherwise is contrary to how we operate," Wallace said. She declined further comment on specifics of the case.

The amended lawsuit contends BNSF refused to revise its 95 percent carriage requirement, despite promises to the contrary. That and loss of on-time-performance due to more profitable transporting of oil and coal, resulted in the demise of Cold Train and destroyed a deal Lerner made to sell the company, the plaintiffs say. The 72-hour service was canceled and replaced with 125-hour service.

Throughout the latter part of 2013 and well into 2014, BNSF promised Lerner and Lawson that it would improve its on-time performance,



Dan Wheat/Capital Press

Attendees at a Cold Train open house in photograph refrigerated Cold Train containers being loaded onto a BNSF train in Quincy, Wash., on June 5, 2013. Cold Train went out of business in 2014 and now its owner is suing the railroad.

knowing those promises were false or given with reckless disregard of truth, the lawsuit says.

Cold Train operated from April 2010 to August 2014 and grew to about 700 refrigerated containers per month headed east, carrying apples, produce and frozen goods. The refrigerated containers were loaded onto BNSF trains in Cold Train yards in Quincy, Wash., and Portland.

While costing more than trucks, the service steadily grew with Central Washington apple shippers who liked it because their apples were getting to Midwest and East

Coast destinations faster and fresher, Dale Foreman, Lerner and Lawson's Wenatchee attorney, has said.

The service was popular with top retailers, wholesalers, food processors and fresh shippers.

BNSF has initiated negotiations with Great Western Bank, the senior secured creditor, to extinguish its liability to unsecured creditors — Lerner, Lawson and Cold Train buyer Federated Railways, Farmington Hills, Mich., — by offering to buy the claim for pennies on the dollar against itself from the Rail Logistics estate (Cold Train's

mother company) without proper notice to unsecured creditors, Lawson said in a news release.

This latest move by BNSF, if approved, would leave millions of dollars of unsecured creditor debt without any means of relief, all to the benefit of BNSF, he said.

In late October, Infinity Transportation Logistics, a subsidiary of Infinity Management Partners, Atlanta, began new expedited refrigerated rail service from Washington and Oregon to the greater Chicago area and beyond, similar to what was provided by Cold Train.

Koenig leads Washington State University crop and soil department, again

Returning chairman continues as extension director

By **MATTHEW WEAVER**
Capital Press

A familiar face is again leading the Washington State University Department of Crop and Soil Sciences.

Rich Koenig, currently associate dean of the College of Agricultural, Human and Natural Resource Sciences and director of WSU Extension, also returned Nov. 1 as interim chairman of the department.

Koenig previously chaired the department from 2008 to 2012. He will maintain his positions with CAHNRS and WSU Extension.

Koenig said his priorities include hiring an endowed chair soil and rhizosphere ecologist for the tree fruit industry and internal budget reallocations.

Funds will be shifted to support the university's Five Grand Challenges, which are research priorities, Koenig said. Those

challenges include food, energy and water as sustainable resources; smart systems; advancing opportunity and equity; research in support of national security; and sustaining health.

Koenig said his position as interim department chairman could last up to two years to help the university get through leadership changes in the wake of President Elson Floyd's death in June. The university hopes to find a replacement for him next year.

"This is one of what now are very many interim, acting or tem-

porary roles at WSU," he said. "Stay tuned — things will settle down once we get a new leader at the president level."

Koenig said another priority is to find a new chairman for the department during the next two years.

Koenig hopes to build on the collaboration between the department and WSU Extension, expanding on work in small grains, dryland production and tree fruit.

"I'm looking forward to maybe looking for some synergies," he said.



Matthew Weaver/Capital Press

Washington State University Extension director Rich Koenig stands outside Hulbert Hall on the WSU campus in Pullman, Wash., in this file photo.



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