

# Stevens County ranchers protest the Profanity Peak wolf pack

By **MATTHEW WEAVER**  
Capital Press

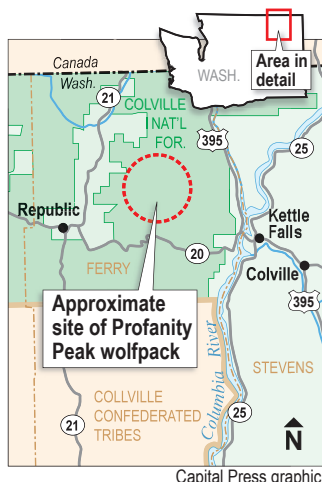
A northeastern Washington ranchers' organization says members of the Profanity Peak wolf pack have become "chronic killers" of livestock and wants them removed.

The wolf pack has killed three calves belonging to the Diamond M Ranch within the past 20 days, according to the Stevens County Cattlemen's Association.

Justin Hedrick, Diamond M Ranch co-owner and president of the cattlemen's association, criticized the steps required by the state before problem wolves can be killed.

Washington Department of Fish and Wildlife protocols require four confirmed kills in one calendar year by the pack, non-lethal deterrents have to fail and the public must be notified that the wolves will be removed.

Donny Martorello, wolf policy lead for WDFW, said



Capital Press graphic

the department has not begun transitioning to killing any wolves in the pack. According to the WDFW, the official toll in the Profanity Peak pack area is two confirmed livestock kills by wolves and two probable kills by wolves.

"We are coordinating with the county in the event we get two more confirmed depredations on livestock and continue to meet the expectations for

deterrence measures," Martorello said.

Local law enforcement asked for more coordination with the department, particularly regarding public safety and staff safety.

"Hopefully no more livestock are lost, but we're keeping a diligent eye out there in case something does go down," Martorello said. "We're continuing to keep an eye on the situation, working with local livestock producers and monitoring the situation in case of additional livestock losses."

Hedrick stated in a press release he believes the WDFW is trying to avoid reaching the four killings needed to start lethal removal.

"This situation needs to be addressed because if it isn't, we are going to see as many losses as we did in 2012 from the Wedge Pack," Hedrick stated. "That is rugged country and the wolves are just going to keep killing."

In 2012 the ranch lost 40 calves to the Wedge pack and 20 the previous year. WDFW ultimately killed seven Wedge Pack wolves.

Hedrick estimated the ranch lost 26 calves and four cows in 2014 to the Profanity Peak pack. The department confirmed the loss of only one cow-calf pair and a calf to Profanity Peak wolves that year.

The ranchers have met the expectations of the wolf plan, Martorello said. The use of range riders will help reduce the risk of future losses or help discover depredations, he said.

The department has two active GPS radio collars on Profanity Peak wolves and monitors them daily for clusters of wolf activity.

"Our goal is not to have dead livestock," Martorello said. "It's a reality of wolf management, if you see escalation in depredations, preventative tools have been tried and they've failed, we're going to do that part of our job."

# Oregon farmer wins his zoning dispute

By **MATEUSZ PERKOWSKI**  
Capital Press

that it provides stability for farmers," Sorem said.

Straw-compressing facilities can be built on Oregon farmland without a county conditional use permit, according to the Oregon Court of Appeals.

The appellate court has rejected arguments that compressing bales of straw for easier shipment to overseas markets is a form of "processing" that's disallowed within farm zones without a permit.

The ruling upholds a finding by Oregon's Land Use Board of Appeals, or LUBA, that straw-compressing is crop "preparation" that's allowed outright on farmland.

"The record reflects that the straw is unchanged in substance from when it is first baled in the field to when it is packaged for resale," the appellate court said in the July 20 ruling.

The case is seen as significant for Oregon land use law because it could have changed allowable farm activities on a county-by-county basis.

Farmer John Gilmour of Albany, Ore., said that time restrictions imposed on his straw-compressing facility by Linn County were hurting its competitiveness, while some neighbors complained of traffic hazards and noise.

The ruling ensures uniformity across Oregon in the definition of "farm use," said Alan Sorem, attorney for Gilmour.

If each county were to have its own interpretation of farm use, with different restrictions on operations, it would be destabilizing for agriculture, he said.

"It's a great decision in

Suzi Maresh, a neighbor opposed to the facility, said that straw-compressing is a great business but should be situated in an area where trucks don't cause road hazards.

"This is an entirely inappropriate development for this location in Linn County," Maresh said.

The Oregon Court of Appeals decision is disappointing because it doesn't resolve the traffic problem and could allow it to grow worse if Gilmour expands, she said.

Critics of the facility argued for a reversal of the LUBA opinion, claiming the board's analysis of "processing" was incomplete and should have followed Linn County's interpretation, which held that straw compressing was a "commercial activity in conjunction with farm use" and required a permit.

The Oregon Court of Appeals has disagreed with this view, ruling that LUBA is not required to defer to the county's legal reasoning.

Critics claimed facility compresses up to 25,000 tons of straw collected from other farms, compared to 5,000 tons grown by Gilmour, and it operates year-round, which disqualifies it as a "farm use."

Gilmour countered that the facility may accept outside straw because it's also grown on property zoned exclusively for farm use.

Compressing is simply a "preparation" of the crop for shipping, as it doesn't fundamentally change the character of the straw — unlike turning berries into jam, he said.

# Feds increase immigration-related fines

By **DAN WHEAT**  
Capital Press

OLYMPIA — The U.S. departments of Homeland Security and Labor are significantly increasing immigration-related fines on Aug. 1, according to the farm labor association WAFLA.

The minimum penalty for mistakes and omissions on I-9 Employment Eligibility Verification forms nearly doubles from \$110 to \$216 per violation. If underlying documents show an undocumented worker, the employer may be charged \$539 more per violation, WAFLA said in an email alert to members on July 13.

"The government is following a typical pattern, making it more difficult for employers to use legal worker programs like H-2A, and at the same time blaming employers for undocumented immigration," Dan Fazio, WAFLA CEO said in the alert.

Fazio said to prevent undocumented immigration, the government needs to make it substantially easier for employers to obtain work visas



Dan Wheat/Capital Press

H-2A-visa foreign guestworkers from Mexico head to their crew bus for a 9 a.m. break at Zirkle Fruit Co.'s CRO Orchard south of Rock Island, Wash., April 26. The federal government is in the process of increasing fines for employers who violate immigration and labor laws.

for people willing to do work Americans choose not to do.

The minimum penalty for discriminating against immigrant workers goes from \$375 to \$445 per worker, he said. This can include an employer requesting updated information when a legal permanent resident card expires, he said.

DHS proposes to raise a fee for H-2A-visa applications for foreign guestworkers from \$325 to \$460. That one needs final approval which could happen by Aug. 1, the

alert states.

DOL is increasing penalties for violations of H-2A contracts and program requirements from \$1,500 to \$1,625 per violation.

The penalty for failure to cooperate in a DOL Wage and Hour Division investigation is going up 9.8 percent to \$5,491. Failure to cooperate is somewhat subjective and has been used as a bargaining chip in negotiating fines in the past, the alert states.

If an employer lays off,

displaces or improperly rejects a U.S. worker to hire an H-2A worker, the maximum fine is \$16,312 per violation per worker, up from \$15,000. Penalties for willful violations of worker contracts and program regulatory requirements are increasing from \$5,000 to \$5,491.

Employers may be fined up to \$54,373 per worker for violations related to housing, transportation, safety and health provisions that cause death or serious injury to H-2A workers, the alert states.

The maximum penalty for violations of the H-2B (non-agricultural temporary foreign workers) program go from \$10,000 to \$11,940 per violations. Applicable violations include those related to wages, impermissible deductions, prohibited fees and expenses and improper refusal to employ or hire U.S. workers, among others.

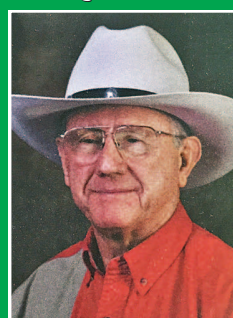
Employers should review their I-9s, make sure they are in good shape and conduct mock audits or hire WAFLA to conduct mock audits for them, the alert states.

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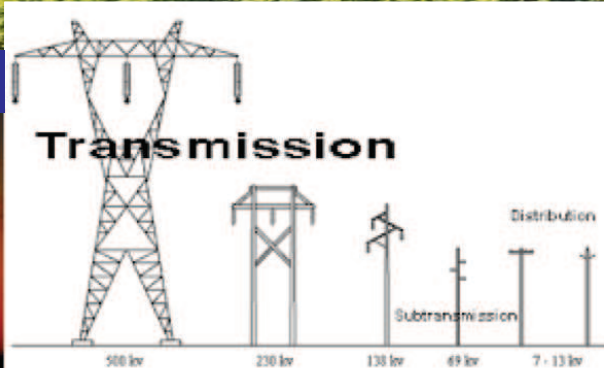
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