

Wolfpack reaches three confirmed kills, three probable

Affected ranchers meeting department expectations, official says

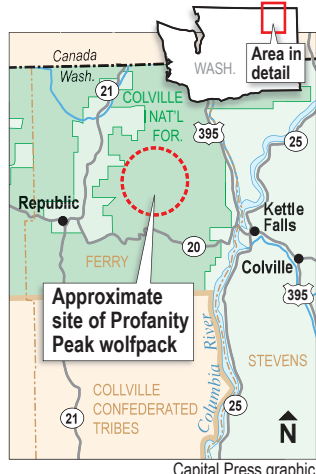
By **MATTHEW WEAVER**
Capital Press

If wolves in the Profanity Peak pack are confirmed to kill livestock one more time, the state's Washington Department of Fish and Wildlife will begin considering killing problem wolves in the pack.

The department investigated a calf carcass July 21 in the Profanity Peak pack area and classified it as a "probable" wolf kill. A calf carcass investigated July 23 was ruled a "confirmed" wolf kill.

These bring the Profanity Peak pack to three confirmed livestock kills and three probable kills. Under the state wolf plan, the department considers killing problem pack wolves after four confirmed livestock kills.

"We're going to continue monitoring the area, working with the producer to continue with the deterrence measures that are in place," said Donny



Martorello, wolf policy lead for the agency. If a fourth kill is confirmed

and the rancher has met deterrence expectations, WDFW Director Jim Unsworth would begin considering killing wolves in the pack.

"We're hoping no more livestock are attacked, but if that outcome does happen and those expectations are met, we can look to the director for a decision or authorization of lethal removal and initiate that in a timely manner," Martorello said.

The department is planning so that there would not be a big delay after authorization, Martorello said.

Two ranchers have been affected by the livestock loss-

es. They have met the department's expectations for proactive measures to deter the wolves and are ramping up activities in response to the recent depredations, including the use of range riders, Martorello said.

"If we have another confirmed depredation event by wolves and we have those things in place, that's a cue to us that those deterrence measures have failed to stop repeated depredations," Martorello said.

The department believes the Profanity Peak pack has 11 wolves. Martorello said the department is not setting

a specific number to remove that it will share publicly until after the action is completed. Doing so creates an expectation that a set number of wolves will be killed, he said.

"The reality is that we have to be able to find wolves to get to wolves, and that's not always a guarantee," he said. "We don't start at full pack removal."

The department would determine if the attacks stop after killing several wolves in the pack, Martorello said.

The department updated a chronology of the Profanity Peak's activities on its website.



USDA photo by Ken Hammond
The Jamie L. Whitten Federal Building houses the U.S. Department of Agriculture in Washington, D.C. A lawsuit that accused the USDA of censoring its scientists in violation of their free speech rights has been dismissed by a federal judge.

Lawsuit charging USDA censorship gets dismissed

Complaint accused USDA of muzzling its scientists

By **MATEUSZ PERKOWSKI**
Capital Press

A lawsuit that accused the USDA of censoring its scientists in violation of their free speech rights has been dismissed by a federal judge.

Last year, the nonprofit Public Employees for Environmental Responsibility, or PEER, filed a complaint claiming that USDA's "scientific integrity policy" unconstitutionally muzzled scientists to appease "corporate stakeholders."

The USDA policy, issued in 2013, states that "scientists should refrain from making statements that could be construed as being judgments of or recommendations on USDA or any other federal government policy, either intentionally or inadvertently."

According to PEER, the policy effectively prohibited USDA researchers from making public statements about controversial subjects, stifling scientific discourse about agriculture.

Specifically, the complaint pointed to Jonathan Lundgren, an entomologist for USDA's Agricultural Research Service, who was prevented from speaking publicly about certain subjects.

For example, USDA barred Lundgren from speaking to the media about the impact on non-target insects from crops that are genetically engineered to have pesticidal qualities, the complaint said.

The agency also did not allow Lundgren to publish a study about trends in biotechnology and U.S. biofuel policies, according to the lawsuit.

PEER asked a federal judge to void the "scientific integrity policy" because it violates the U.S. Constitution and administrative laws that require public notice and comment.

However, U.S. District Judge Christopher Cooper has thrown out the lawsuit because Lundgren has quit the USDA since the law-

suit was filed, which means PEER no longer has the legal standing to challenge the agency's policy in court.

"At a minimum, what PEER must show is that at least one of its members is a USDA employee, subject to the policy, who is suffering or will in the near future suffer some injury as a result of the policy," Cooper said.

Unless the nonprofit identifies such an employee and revises its complaint, the harm to PEER is merely speculative, he said.

Jeff Ruch, PEER's executive director, said that it may be able to identify another USDA employee affected by the policy but naming the person publicly would be problematic due to the potential for retaliation.

"We wouldn't advise them to do it unless they feel like they have nothing to lose," Ruch said.

The agency's policy hasn't improved scientific integrity but it has "increased paranoia" and effectively serves as a gag order on research that may affect federal policy, he said.

Lundgren, who now heads the Ecdysis Foundation research nonprofit, said the policy impedes scientists from interpreting study results and putting them into context for the public.

There are other USDA scientists who are "fed up" with the policy, but many fear speaking out against it, he said.

"You're throwing away a potentially long-term career with the agency if you challenge this," Lundgren said.

A spokesperson for USDA said the integrity of its research is "paramount" to instilling confidence in the agency among policy-makers, the public and the scientific community.

"For these reasons, USDA has put in place a strong scientific integrity policy to promote a culture of excellence and transparency, including procedures for staff to report any perceived interference with their work, seek resolution, and receive protection from recourse for doing so. We stand by our policy," the spokesperson said in an email.

Cities pan county's bid to change zoning of ag land

By **ERIC MORTENSON**
Capital Press

WILSONVILLE, Ore. — Clackamas County's bid to review the status of three land parcels now set aside for agriculture is a concern to farm groups, and the cities that would have to service new development aren't hot for the idea either.

Charlotte Lehan, a former county commissioner, former Wilsonville mayor and now member of the city council, said it would be "very difficult and very expensive" for the city to provide water and sewer to new development south of the Willamette River.

She said development in the area Clackamas County seeks to review would increase congestion on the Boone Bridge, which carries Interstate 5 traffic across the river. She said a clogged bridge would be "disastrous" for the city.

"I-5 is Wilsonville's lifeline," she said. "When the Boone Bridge isn't working, nothing works. We have to protect the functionality of Interstate 5."

The arguments back and forth are part of a long-running disconnect over Oregon's unusual statewide land-use planning system, which was designed to protect farm and forest land from urban sprawl. Under the system, cities are held in check by urban growth boundaries that can be amended in a controlled manner. But development pressure at the edges of cities remains a continuing issue all over the state.

In the Portland area, land-use planning for Clackamas, Multnomah and Washington counties is done by Metro, which has an elected board. Seeking to end ceaseless arguments, the counties and Metro agreed to a system of urban and rural reserves that was intended to set growth patterns for 50 years.

Clackamas County's Board of Commissioners now wants to know whether three areas south and southeast of the Portland urban center, previously set aside as rural reserves and thus open to farming, would be more beneficial as "employment lands."

The county commissioners cite a study by a consulting firm, Johnson Economics and Mackenzie, that said the county is short between 329 and 934 acres of industrial land and up to 246 acres of commercial land, an overall shortage of up to 1,180 acres over the next 20 years.

A majority of the commissioners want to review the status of 800 acres south of the city of Wilsonville; 400 acres adjacent to the urban growth boundary of the city of Canby; and 425 acres south of the Clackamas River along Springwater Road, outside Estacada. County officials believe the land should revert to "undesignated" rather than rural reserves.

County officials have dismissed concerns as overwrought. They point out that any land-use change would take years to accomplish and would be subject to legal review or appeal.

Nonetheless, the proposal has reopened a can of worms. Friends of French Prairie, a farming advocacy group, maintains that allow-



Producers south of Wilsonville, Ore., grow nursery crops, Christmas trees, berries, vegetables and grain. Clackamas County commissioners, seeking more industrial and commercial land, want to review land-use designations in the area.

ing development to jump across the Willamette River south of Wilsonville would crack open the state's prime agricultural areas.

In a guest editorial written for the Capital Press, Friends of French Prairie President Ben Williams questioned the validity of the county's employment lands report and some of the land is owned by people who have contributed heavily to commissioners' election campaigns.

Board members of the Clackamas Soil and Water Conservation District took the unusual step of publicly warning against a land-use change. "The District believes the County's current initiative to create employment lands may not adequately consider the long-term value of high-value farmland," the district said in a letter to Clackamas commissioners. "A significant amount of the land proposed for reconsideration as employment land is high-value farmland, an irreplaceable natural resource."

Lehan, the Wilsonville council member critical of the land-use review, said her fast-growing city has planned for additional industrial growth in its Coffee Creek and Salt Creek areas, and for residential development in an area called Frog Pond. The city doesn't need more "employment land," she said.

"I know how development works and what it takes for a city to support it," Lehan said. "I'm not anti-growth by any means."

Lehan was Clackamas County board chair until defeated in 2012 by the current board chair, Commissioner John Ludlow, who is often critical of Metro and of Portland's influence on its suburban neighbors.

Canby City Administrator Rick Robinson made a point similar to Lehan's: the city has an existing industrial park that isn't full. The 400 acres Clackamas County wants to revert to undesignated status is outside the city limits and outside the city's urban growth boundary, he said. Some of it is farmed now, and much of it is Class 1 agricultural soil, he said. Robinson said the Canby City Council hasn't taken a position on the Clackamas review proposal.

The third area considered by Clackamas County is outside the city of Estacada. The mayor and city manager were unavailable to discuss the issue.

LEGAL
CHERRY AVENUE STORAGE
2680 Cherry Ave. NE
Salem, OR 97301
(503) 399-7454
Sat., August 13th • 10 A.M.

- Unit 29 Luis Aguilar
- Unit 85 Angela Kinzel
- Unit 96 Kimberly Munz
- Unit 109 Babette Frutas
- Unit 166 Steven Shuck

Cherry Avenue Storage reserves the right to refuse any and all bids
legal-31-2-1/#4

LEGAL
PUBLIC NOTICE
The SWCC will hold its regular quarterly meeting on Tuesday, August 16, 2016, from 8:30 a.m. to 12:30 p.m. The regular quarterly meeting will be held at the Hilton Garden Inn Eugene/Springfield, 3528 Gateway St., Springfield, OR, 97477. 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. 31-1/#4

LEGAL
Applications sought for the Oregon Forest Resources Institute (OFRI) Board of Directors.

Pursuant to OAR 629-065-0400, the purpose of this notice is to solicit applications for the Oregon Forest Resources Institute (OFRI) Board of Directors. Applicants meeting all the qualifications will be maintained on a list to be used by the State Forester for filling existing vacancies and to fill vacancies caused by expiration of an existing member's term. Each applicant must certify in the application that he/she meets the qualifications for the position.

Each "producer" applicant for the board of directors shall have the following qualifications: 1) be a citizen of the United States; 2) be a bona fide resident of this state; 3) be a "producer" in this state, an employee of such a producer or own between 100 and 2,000 acres of forestland in this state on which harvest taxes are paid, but have no direct financial interest in any forest products processing activity; 4) have been actively engaged in producing forest products for a period of at least five years; 5) derive a substantial portion of income from the production of forest products ("substantial portion of income" means that 50 percent or more of the gross income of a member of the board of directors is derived from timber or timber products ownership or affiliation); 6) have demonstrated, through membership in producers' organizations or organizations representing landowners who meet the requirements of ORS 526.610(4), a profound interest in the development of Oregon's forest products industry; 7) is available to fulfill the duties and responsibilities of the OFRI Board of Directors; and 8) meets the producer class eligibility requirements for the position to which nominated. Each "employee" applicant shall be: 1) a citizen of the United States; 2) a bona fide resident of this state; and 3) an hourly wage employee of a producer or a person who represents such employees.

The "producer" class eligibility requirements are:

Class 1 Producers having paid forest products harvest tax on 20 million board feet or less per year in the most recent year preceding the appointment.

Class 2 Producers having paid forest products harvest tax on more than 20 million board feet but less than 100 million board feet per year in the most recent year preceding the appointment.

Class 3 Producers having paid forest products harvest tax on 100 million board feet or more per year in the most recent year preceding the appointment.

Small Woodland Owner An owner of between 100 and 2,000 acres of forestland in this state on which harvest taxes were paid in at least one of the five years preceding the appointment, and who has no direct financial interest in any forest products processing activity.

Persons wanting to apply for the OFRI Board of Directors must request application materials from Kathy Storm at OFRI, storm@ofri.org or 971-673-2953. Send completed application packets to the State Forester: Attention Stacy Miller, 2600 State Street, Bldg. B, Salem, Oregon 97310, or via email at stacy.miller@oregon.gov. **Applications must be received no later than 5:00 p.m. on August 31, 2016.**