



Kathy Aney/EO Media Group

United Grain Corp. has pledged to invest \$9 million in elevators and terminals it purchased this summer from Pendleton Grain Growers. New holdings include all of PGG's upcountry elevators, the McNary River Terminal (pictured) and the Alicel rail terminal.

## After harvest, key decisions loom for United Grain

Company has vowed \$9M for facilities upgrades

By **GEORGE PLAVERN**  
EO Media Group

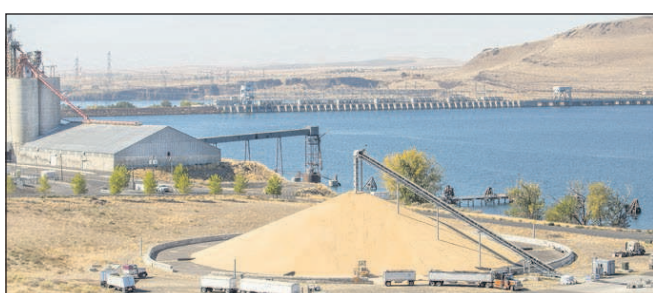
PENDLETON, Ore. — Now that wheat harvest is winding down across north-east Oregon, United Grain Corp. is beginning to focus on how it will upgrade facilities purchased from Pendleton Grain Growers earlier this year.

United Grain has pledged to invest \$9 million in the buildings, which include all of PGG's upcountry elevators, the McNary River Terminal and Alicel rail terminal. Regional Manager Jason Middleton said they have not made any decisions yet, but hope to have a plan take shape by November.

Middleton, who was hired from PGG after the co-op voted to dissolve in May, said the goal is to add capacity at elevators where farmers are most likely to store their grain, and increase efficiency at the two terminals to keep trucks moving in and out quickly. Other elevators will likely be shut down for good, though Middleton said the crystal ball is still a little foggy.

"We've had a couple meetings about it, but haven't by any stretch of the imagination come away with a plan of what we're going to do," he said.

This year's winter wheat harvest was a baptism by fire for United Grain, which finalized its deal with PGG on June 10. Fifteen days later, Middleton said, they were already taking wheat from the west end of the county, giving



Kathy Aney/EO Media Group

United Grain Corp.'s McNary River Terminal is among the company's facilities it bought from Pendleton Grain Growers. Now that the busy wheat harvest is winding down, the company is considering which facilities to upgrade.

them only enough time for an initial cursory glance at infrastructure needs.

Several elevators were closed right off the bat, including those at Mission, Holdman, Elgin and McComas in downtown Pendleton.

"Some of them were safety issues, didn't meet our standards and hadn't handled a lot of bushels for a long time," Middleton said.

Others, such as Rew, Stanton and Brogiotti, were closed by Middleton in 2012 when he took over as director of grain operations for PGG. Since then, Middleton said, the majority of money has been spent at McNary and Alicel, which can hold up to 6.6 million bushels and 1.2 million bushels, respectively.

That has a lot to do with how the grain farming industry has changed, Middleton said. Combines are able to cut wheat far more efficiently than they used to, and farms are sending larger trucks longer distances to get their product to market.

What used to be smaller farm trucks heading to the closest country elevator are now large semis lining up outside McNary along the Columbia River. Ideally, Middle-

ton said, they should be able to weigh and unload trucks in 5 to 10 minutes.

"The terminals are farther along than our upcountry elevators," he said. "That's what we're looking at now."

This year's harvest wasn't without its struggles, Middleton said, as they were forced to hit the ground running. But overall, growers in Umatilla County had much better spring and winter conditions and should be closer to their average yields, he said.

"We got some saving rains, and we didn't have a brutal winter either," Middleton said.

Already, the Pendleton area has received some good rains that will help farmers plant into better moisture for next year. According to the National Weather Service, Pendleton has received .68 inches of precipitation during September, more than the usual .45 inches.

Middleton said he is encouraged, but growers need more to continue reversing the damage from previous years of intense drought.

"We have some guys seeding now into better moisture this year," Middleton said.

# Senate report says WOTUS expanding federal control

By **CAROL RYAN DUMAS**  
Capital Press

The Senate Committee on Environment and Public Works last week released a 38-page report it says details how EPA and the Army Corps of Engineers are already expanding federal control over land and water based on their "waters of the United States" rule — which has been stayed in federal court.

Committee Chairman Jim Inhofe, R-Okla., said the report demonstrates in detail that the agencies, under the Obama administration, are "running rogue" and it's time for Congress to rein in the EPA and the Corps.

"Congress shouldn't wait on the Supreme Court to make the inevitable decision that this agency overreach is illegal," he said.

The report was prepared by majority committee staff and released on Sept. 20. The committee's minority staff has not responded to requests for comment.

The EPA stated in an email that it will review the report and respond to Capital Press at an undetermined time.

The Corps responded in an email that it is unable to com-

ment because the rule is still in litigation, having been stayed by the court.

Despite EPA's claims that existing exemptions, including exemptions for farming, remain unaffected, the case studies examined by the majority staff demonstrate the falseness of those assurances, according to the report.

The report claims the agencies have narrowed the exemption in practice and simply regulate under another name — such as renaming a ditch a regulated tributary or wetland.

In a written statement, Zippy Duvall, president of the American Farm Bureau Federation, said the report exposes the administration's "reckless and unlawful" actions in enforcing the Clean Water Act and shows in detail how EPA and the Corps have used an overly expansive interpretation of their authority to regulate waters.

"The case studies presented in the report reflect the serious concerns we have raised for more than two years. The Waters of the U.S. rule... will cement that lawless expansion of authority unless Congress acts to stop it," he said.

The report is conclusive

evidence of EPA's continued efforts to expand its jurisdiction over all waters, Tracy Bruner, president of the National Cattlemen's Beef Association, said in a statement.

"While EPA has consistently claimed that the WOTUS rule preserves the exemptions for normal farming and ranching activities, their regulatory track record proves the exact opposite," he said.

The report shows that the EPA and the Corps have and will continue to advance very broad claims of jurisdiction based on discretionary authority to define their own jurisdiction, the committee report found.

Inhofe, Farm Bureau and NCBA are calling on 11 senators to follow through on their warning to EPA and the Corps that they would support efforts to revise the WOTUS rule if it were enforced in a way that eroded traditional exemptions.

Inhofe also pointed out that 69 senators — a veto-proof majority — have gone on record with grave concerns regarding the WOTUS rule over the past year, saying it's time to come together to protect land users and end agency overreach.

## Clinton supports WOTUS; Trump does not

Capital Press

Hillary Clinton says she supports the Environmental Protection Agency's "Waters of the U.S." rule, while Donald Trump says he will eliminate the rule if elected president.

The candidates made their comments in statements published Sept. 20 on farmfutures.com.

"I support the rule, but know we have to work with all stakeholders to ensure its common sense implementation," the Democratic nominee told the publication. "I was pleased the EPA worked hard to ensure the Clean Water Rule maintains longstanding exemptions for common farming practices, while clarifying the Clean Water Act and ensuring much-needed certainty for all stakeholders so our families and businesses can rely on clean water."

Her Republican opponent took the opposite position.

"I will eliminate the unconstitutional Waters of the U.S. rule, and will direct the Army Corps of Engineers and EPA to no longer use this unlawful rule and related guidance documents in making jurisdictional determinations," Trump said. "I will also ensure that these agencies respect the valid exclusions under environmental statutes



Capital Press file photo

Hillary Clinton says she supports implementation of the EPA's "Waters of the U.S." rule. Donald Trump says he'll eliminate the rule if elected president.

for agricultural practices. As importantly, I will appoint a pro-farmer administrator of EPA."

In making the rule, the EPA and the Corps of Engineers sought to define the "waters of the United States" that can be regulated under the Clean Water Act. The agencies sought to reconcile two separate Supreme Court decisions on cases involving the act.

The rules generated a flood of criticism and legal challenges from farmers, ranchers

and irrigators.

They claim the rule expands regulatory jurisdiction to any water with even a remote connection to those navigable waters. They say the rule doesn't clearly define protected waters and leaves determinations up to the agency.

EPA officials say the new rule includes exemptions for agricultural activities and that nothing will change for farmers and ranchers.

Lawsuits have blocked the rule's implementation.

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