

What's Upstream 'paused,' but may resurface

Organizers say they are 're-scoping' their workplan

By DON JENKINS
Capital Press

The lead organizer of What's Upstream hopes to revive the campaign to further regulate Washington farmers, even as federal and state watchdogs continue their probes into allegations of illegal lobbying, according to a report submitted to the Environmental Protection Agency. In an update filed this month on the use of EPA funds, Swinomish Indian tribe environmental policy director Larry Wasserman described

the campaign as "paused." Organizers, Wasserman wrote, are "currently re-scoping workplan to explore alternative uses with sensitivity towards the end date of 6/30/17."

Wasserman did not elaborate on what was planned. Efforts to reach Wasserman were unsuccessful.

The head of one of the environmental groups involved in What's Upstream said she doesn't know details, but that she expects the campaign to return. "I'm sure it will resume," Trish Rolfe, executive director of the Center for Environmental Law & Policy, said Tuesday.

Wasserman's report came more than five months after the EPA's Office of Inspector General announced it will au-

dit the tribe and the Northwest Indian Fisheries Commission.

The audit, yet to be finished, responds to complaints by federal lawmakers that the fisheries commission and tribe misused EPA funds to lobby state lawmakers. Efforts to reach a fisheries commission spokesman were not successful.

An EPA spokesman said in an email that the agency will not provide any future funding for What's Upstream.

Even without EPA's continuing support, What's Upstream has maintained a website and Facebook page featuring materials funded by the EPA.

The tribe received some \$655,000 from the EPA over five years and hired Seattle lobbying and PR firm Strategies

360 to link farmers with Puget Sound water pollution. For several years, EPA staff members questioned the campaign's tone and factual basis, but the agency allowed it to proceed until lawmakers complained.

Lawmakers are still waiting for EPA to explain its role in the campaign, a spokesman for Rep. Dan Newhouse, R-Wash., said Tuesday.

"After seven months, the EPA has yet to provide much-needed answers on the anti-farmer campaign's legal violations. What is already clear is that in addition to the EPA preventing future abuses, taxpayers should be reimbursed for improperly used funds," the spokesman said in an email.

"Congressman Newhouse believes it would be com-

pletely inappropriate for campaign materials illegally paid for using taxpayer dollars to continue to be used."

The fisheries commission, tribe and the environmental groups launched a revamped What's Upstream website last year to lobby for mandatory 100-foot buffers between farm fields and waterways.

House Agriculture Committee Chairman Brian Blake, D-Aberdeen, said Tuesday that lawmakers have little interest in requiring buffers. He said that he thinks the What's Upstream advocacy campaign has been ineffective.

"I think it's been a foolish use of taxpayer dollars," he said. "I think many legislators were just offended by the campaign."

What's Upstream cur-

tailed its activities last spring after the EPA abandoned the campaign. What's Upstream billboards came down and a letter-writing campaign facilitated by the website ended.

Save Family Farming director Gerald Baron said that the What's Upstream website has been an ongoing source of "irritation."

The group was formed to respond to claims by What's Upstream. If the campaign is revived, "it's going to infuriate farmers that much more," Baron said. "If EPA funds that in any way, it's going to be a real problem."

The Washington Public Disclosure Commission is investigating whether What's Upstream violated state law by failing to register its lobbying activities.

Big wine company makes a big move in Oregon

By ERIC MORTENSON
Capital Press

Jackson Family Wines, the California-based company that has purchased four vineyards in Oregon since 2013, is building a 68,000 square-foot wine production facility in McMinnville, in the heart of the state's Pinot noir region.

The company's presence in Oregon unsettles a few who wonder about its potential impact on the state's unusual wine sector. Jackson Family is an international wine company with operations in Chile, France, Italy and Australia in addition to the U.S. In Oregon, the company has bought the Zena Crown, Gran Moraine, Penner-Ash and Wil-LaKenzie vineyards and win-

eries since 2013.

Gregory Jones, a Southern Oregon University professor who often writes about the wine industry and viticulture climatology, said larger companies entering new territory need to understand a region's culture.

"One would hope that the new energy drives innovation, bettering the overall health of the industry," Jones said by email. "Only time will tell."

Company officials were not immediately available to provide additional details of the construction. Most who are engaged in or follow Oregon's wine industry don't appear overly concerned about the company's arrival.

Jackson Family purchased two buildings that were part of Evergreen International Aviation's campus and will use them for offices and lab space, according to the McMinnville city planning department. The production facility under construction is adjacent to the other buildings.

The property is across the street from the airplane museum and water park Evergreen formerly operated.

Jackson Family's presence in Oregon will bring more national and international exposure to the state's wine industry, said Jody Christensen, executive director of the McMinnville Economic Development Partnership. The organization represents chamber of commerce, utility, city government and business interests.

"It's a significant development for our community," Christensen said. "This is a company with a great reputation. They're very engaged in the Oregon sensibility — inclusive and collaborative. I'm very impressed with the way they approach their work."

David Adelsheim, one of Oregon's pioneering grape growers and winemakers, said Jackson Family's investment isn't likely to change the Willamette Valley's reputation for producing high-quality, expensive wines, especially Pinot noir. In the stores, bottles of Oregon Pinot commonly carry \$40 to \$65 price tags.

"I think we should not plan on them changing the landscape," he said. "They're building a larger winery, which Oregon desperately needs because we don't have the capacity, but they're not going to make a \$15 (per bottle) Pinot noir."

Adelsheim has a unique perspective; in addition to his own experience, his wife, winemaker Eugenia Keegan, was at Gran Moraine and now is Jackson Family's general manager of operations.

Adelsheim said the valley produces small crops per acre and the resulting grapes are expensive — costing \$3,000 a ton and more.

Those grapes have to be sold as expensive wine to be profitable. It's an unusual formula that nonetheless has worked for 50 years, he said.



Courtesy of Public Lands Council

Cattle and greater sage grouse share public land in Idaho. Grazing advocates are concerned about the ramifications of proposed changes to the Bureau of Land Management planning process, which are expected to be released in final form before the current administration leaves office.

Rural interests plan to fight new BLM planning regs

By JOHN O'CONNELL
Capital Press

A national livestock industry leader warns proposed changes to the Bureau of Land Management planning process are on the fast track for implementation and threaten public lands grazing.

Ethan Lane, executive director of the Public Lands Council, which represents cattle and sheep ranchers with public lands grazing permits, said senior BLM officials have assured him a final version of the agency's proposed Planning 2.0 will be released before the current administration leaves office.

"I think it's incredibly dangerous, and it's going to take Congress' full attention to protect the West and Western states from this effort," Lane said. "The net effect is grazing and any other multiple use on BLM land will be threatened."

BLM sources couldn't be reached by press time for comment on the time line for Planning 2.0, which would represent the first update to agency planning rules in about 30 years. The aim, according to BLM literature, is to "revise regulations that implement (the Federal Land Policy and Management Act) to include best practices

learned over decades."

BLM documents insist the changes should improve transparency and public involvement while building trust among stakeholders. Critics, including rural county leaders and industry officials, note the proposed rule shortens public comment periods from 90 days to 60 or 45 days, depending on the stage.

Revised priorities in the draft document remove language requiring an assessment of policy impacts on local economies, replacing it with "impacts of resource management plans on resource, environmental, ecological, social and economic conditions."

Lane believes the emphasis on the environment would come at the expense of BLM's current mandate to manage for "multiple use and sustained yield."

"It's wholly inappropriate for them to change their mission unilaterally to plan for intangibles like social and environmental change," Lane said.

Written comments submitted on behalf of several Western counties and organizations, including Custer County, Idaho, and Baker County, Ore., emphasize the changes would remove FLPMA requirements for BLM to make land-use decisions with

"meaningful involvement" from state and local governments.

"Every other entity will have the same opportunity as the state and local governments to work with the federal government at the same level," said Kelly Aberasturi, an Owyhee County, Idaho, commissioner. The county filed separate comments against the proposal. "The decisions are not local anymore."

Rep. Mike Simpson, R-Idaho, introduced an amendment to the House version of the Interior and Environmental Appropriations Bill requesting implementation of Planning 2.0 be delayed 90 days to gather additional public comment from Western states. Simpson expects Interior funding will be addressed through a continuing resolution that won't include his language, but he anticipates Congress will ultimately block Planning 2.0.

"A rule of this size and scope needs to be carefully considered with adequate time for local stakeholders to add input," Simpson said. "I anticipate this rule will be rolled back, along with many other Obama administration regulations that are simply being rushed to the finish line without going through the appropriate process."

LEGAL

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF MARION

Probate Department IN THE MATTER OF THE ESTATE OF Fran Bledsoe, Deceased No. 16PB07260

NOTICE TO INTERESTED PERSONS

NOTICE IS HEREBY GIVEN that the undersigned has been appointed Personal Representative of the above estate. All persons having claims against the estate are required to present them to the undersigned Personal Representative in care of the undersigned attorney at: 319 Sixth Street SW, Albany, OR 97321 within four months after the date of the first publication of this notice, as stated below, or such claims may be barred.

All persons whose rights may be affected by the proceedings in this estate may obtain additional information from the records of the Court, the Personal Representative, or the attorney for the Personal Representative.

DATED and first published November 25, 2016.

Personal Representative: KYLE B. DILL 2735 Gilbert St. S. Salem, OR 97302

Attorney: DAVID B. BECKHAM 319 Sixth Avenue SW Albany, OR 97321

Legal-48-3-2/1#4

LEGAL

SECRETARY OF STATE NOTICE OF PROPOSED RULEMAKING

Oregon Department of Agriculture, Administration, Administrative Rules Chapter #603, Sue Gooch, Rules Coordinator, (503) 986-4583. Adopt: 603-075-0005; Amend: 603-175-0025, 603-175-0050, 603-075-0100, 603-075-0110, 603-075-0120, 603-075-0130, 603-075-0140; Repeal: 603-075-0015. RULE SUMMARY: The 2015 legislative assembly passed HB 2444 which made changes to ODA's Farm Mediation Program. The rule describes the process for selection of mediation services, fees to be charged for mediation services, methods of advertising the availability of mediation services, and the processing of requests for agricultural mediation, or mediation of disputes directly related to activities of the department of mediations pursuant to ORS 36.252 to 36.268. Hearing date: December 15, 2016 at 10:00 a.m. Location: Oregon Department of Agriculture, 635 Capitol St. Ne Salem, OR. Last day for public comment is December 30, 2016. 49-1/#4

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