

Trump begins process to roll back WOTUS

Staff and wire report

President Donald Trump has ordered federal agencies to rewrite "waters of the U.S." regulations, an Obama administration rule that would shield many wetlands and small streams from development and pollution.

Trump promised during his campaign to withdraw the measure, describing it as a classic case of federal overreach. Environmental groups say they'll fight in court to protect the rule. The likely outcome is years of continued political and legal wrangling over a long-contested issue.

Trump instructed the EPA and the Army Corps to "re-scind or revise" the rule, which can't be done quickly or easily. The rule hasn't taken effect because of the dozens of lawsuits pending in the 6th U.S. Circuit Court of Appeals in Cincinnati. Separately, the Supreme Court is considering whether the 6th Circuit should have jurisdiction over those cases.

The Clean Water Act of 1972 empowers the federal government to protect the "waters of the United States," but which waters are under the government's jurisdiction is a fiercely contested question. Everyone agrees that navigable waters such as large rivers and lakes are covered.

But the status of headwaters, streams that flow only part of the year, and wetlands that aren't directly connected to large waterways is less certain. Supreme Court rulings in 2001 and 2006 that sought to clarify the matter only added to the confusion.

The Environmental Protection Agency and the Army Corps of Engineers crafted a regulation that was promptly

challenged by more than two dozen states and business groups. The rule establishes a legal definition of protected tributaries, saying they must have physical features of flowing water such as a bed, bank and ordinary high water mark.

Organizations representing farmers, builders and property-rights advocates contend the 2015 rule imposes unfair limits on use of private lands.

Farm groups say it gives regulators nearly unlimited power over virtually any wet spots, from ditches to farm ponds, leaving producers uncertain about what they can do without obtaining government permits and risking fines. When the rule was issued, the EPA said it would not extend federal control over any waters that hadn't historically been covered by the Clean Water Act and would add no new requirements for agriculture.

Trump's rollback of WOTUS was welcomed by farmers and ranchers.

American Farm Bureau President Zippy Duvall said EPA failed to listen to farmers' and ranchers' concerns when drafting the rule and instead created widespread confusion for agriculture.

"Under the rule, the smallest pond or ditch could be declared a federal waterway," he said.

National Cattlemen's Beef Association President Craig Uden said the rule was "extremely flawed" and "should be taken out behind the barn and put out of its misery."

It would force ranchers and feedlot operators to get permits or risk excessive federal penalties despite being miles away from any navigable water, he said.

"It would be one of the

largest federal land grabs and private-property infringements in American history," he said.

The National Pork Producers Council said the rule is an ill-conceived, overly broad regulation.

"The WOTUS rule was a dramatic government overreach and an unprecedented expansion of federal jurisdiction and control over private lands," NPPC President John Weber said.

"It was the product of a flawed regulatory process that lacked transparency and no doubt would have been used by trial lawyers and environmental activists to attack farmers," he said.

National Corn Growers Association President Wesley Spurlock said farmers and ranchers care deeply about clean water, but the rule had significant flaws.

"It was arbitrarily written, legally indefensible and extremely difficult to implement," he said.

Environmentalists, and some hunting and fishing groups, say keeping those humble waterways intact and clean is essential to the larger downstream waters they feed. Also protected under the Obama rule are some 20 million acres of wetlands that don't have a visible connection to other waters but are vital for storing floodwaters, filtering pollutants and hosting wildlife. Among them: "prairie pothole" wetlands in the Upper Midwest that Ducks Unlimited calls "the most important and threatened waterfowl habitat in North America."

LEGAL

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF MARION
Probate Department
IN THE MATTER OF THE ESTATE OF
Daniel R. McGowan, Deceased
No. 17PB00512
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 March 3, 2017.

Personal Representative:
JOSHUA R. MCGOWAN
62020 Quail Run Place
Bend, OR 97701

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

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'Package' destinations can boost agritourism revenues, expert says

By MATEUSZ PERKOWSKI
 Capital Press

Farmers can boost agritourism revenues by banding together to create high-profile events that attract far-flung visitors to their region, according to a tourism expert.

Agritourism is a growing source of income for U.S. growers but the industry isn't as mature as in Italy, France and other European countries, said Lisa Chase, a natural resources specialist who studies agritourism at the University of Vermont.

While U.S. farmers have made significant progress in direct sales to consumers through farmers' markets and similar venues, they're lagging behind in "immersive" experiences, such as offering on-farm lodgings, she said.

"There are tremendous opportunities we're just starting to touch on," said Chase.

To entice tourists, growers can partner with other agritourism operations to develop a "bigger package" of multiple events and destinations, she said.

"Maybe that's going to make people come all the way to Oregon," Chase said during a recent "agritourism summit" organized by Oregon State University.

Emphasizing the unique agricultural traits of a region can also forestall acrimony from surrounding farmers, who may otherwise feel irritated by events that are disconnected from production agriculture, she said.

"That can cause some fric-



Mateusz Perkowski/Capital Press

Lisa Chase, a natural resources specialist who studies agritourism at the University of Vermont, speaks about trends in agritourism at a "summit" in Silverton, Ore., organized by Oregon State University.

tion in the agricultural community," Chase said.

Bauman Farms near Gervais, Ore., is well-acquainted with the need to create a destination for tourists.

The operation is "on the way to nowhere" and must lure visitors on its own merits, rather than rely on passersby, said Brian Bauman, the general manager.

"It's about creating that festive atmosphere," he said.

The farm has pumpkins for Halloween and pies for Thanksgiving, but it's also found reasons for people to visit after the holidays. For example, speeches by local experts, including authors, gardeners and cooks, are paired with a traditional "high tea" in the farm house.

"It's turned into this really great experience they're almost fighting to get into," Bauman said, noting that painting classes at the farm are also proving popular. Agritourism brings in the

most revenues for farmers along the West Coast and New England, while growers in areas such as southern Texas benefit from allowing hunters onto their land, said Chase, citing USDA statistics.

Farmers tend to focus on agritourism related to crops and livestock, but many also own woodlots that can serve as sources of entertainment, she said. "Those are often overlooked opportunities."

Across the U.S., sales from agritourism and direct marketing doubled between 2002 and 2012, from about \$1 billion to \$2 billion, according to the agency's Census of Agriculture.

The trend is reflected in Oregon, where agritourism and direct marketing revenues grew from \$24 million in 2002 to \$55 million in 2012.

Despite the overall upward trajectory, these revenues were actually higher in Oregon in 2007, when they hit \$63 million.

Calf killed by wolf in Southern Oregon

A calf found dead on private land in Southern Oregon's Jackson County was killed by a wolf, according to

the state Department of Fish and Wildlife.

The three-day-old calf was found by a ranch employee Feb. 25. ODFW investigated that day and found wolf tracks in the snow around the carcass. The entrails and internal

organs had been eaten. Bite marks on the carcass were wider and deeper than coyote bites, according to an ODFW report.

Data from a GPS radio collar showed a wolf designated OR-25 was at the kill site at 1 a.m. and 5 a.m. on Feb. 25. OR-25 is a male that dispersed from the Imnaha Pack in northeast Oregon in March 2015 and traveled through the Columbia Basin, southern Blue Mountains and the northern and central Cascades.

The attack happened in the Red Blanket Creek area.

— Eric Mortenson

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Request for Proposals
Fiscal Year
July 1, 2017 - June 30, 2018

The Oregon Beef Council is soliciting proposals for projects in the following areas:

- 1) Positive Producer Image
- 2) Studying Legislation
- 3) Education related to beef
- 4) Generic promotion of beef

Any individual or organization may propose projects in any of the categories listed above.

Projects must meet the Beef Council's mission of enhancing the beef industry's image of profitability of Oregon's beef industry. Approved projects must comply with the Beef Promotion and Research Act and O.R.S. 577

To present a proposal you must complete and submit an Authorization Request Form by March 17, 2017 at 4:00 p.m.

Download an Authorization Request Form from orbeef.org or by contacting the Oregon Beef Council office (503) 274-2333 or via e-mail at julie@orbeef.org. legal-8-2-4/#4

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PUBLIC LIEN SALE
U-STORE SELF STORAGE
Salem, Oregon

Sun., March 12, 2017 10AM

1501 Hawthorne Ave. NE

Carver, Montana Wayne, 1F05; Clonkey, Raymonde E, 1G17; Fernandez, Steven 2B09; Flores, Juan, 2C03; Fox, Justin, 2D73; Fuller, Kierston, 2B55; Garcia Arrendondo Serafin, 2B53; Gonzalez Gamboa, Araceli, 2B61; Greaves, Sean 2G03; Haus, John H 1C40; Kelly, Bradley, 2D15; King McKeever, Heather L, 1D17; Kinnison, Leslie, Y223; Lance, Brandi, 2D38; Mackey, Donald, 1G13; Marks, Tracy, RJ20; Morgan, Jacklyn, RJ17; Morris, Trista, 2C53; Morrison, Tonya L, 2C54; Munoz Cintora, Diana 2A08; Phylon, Hanson 1E34; Priest, Carl J, 1C09; Villasenor, Saul 1G19; Wagnier, Mike, Y4-5; Willis, Shawna R 2B13; Woodward, Timothy M, 1F16

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LEGAL

PUBLIC LIEN SALE
U-STORE SELF STORAGE
Albany, Oregon

Sun, March 12, 2017 1PM

1668 Industrial Way SW

Yesenia Ruby Birrueta Farias, H106; Craig Connelly, Y007; Trent Johnson, C005; Chelsey LaMora, H021; Kerri Lux, J049; Mike Roles, H051; Karen South, H092; David Strawn, G051

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