

Washington dairy sells out, another sells cows

By DAN WHEAT
Capital Press

SUNNYSIDE, Wash. — A large dairy has been sold and another apparently sold thousands of its cows, indicative of tough times for Lower Yakima Valley dairies.

DeRuyter Bros. Dairy planned to sell 3,100 head of Holstein in a May 31 auction, according to Toppenish Livestock Commission. But in an email to dozens of potential buyers late May 25, the commission apologized for canceling the auction, saying the whole farm, equipment and cows had been sold.

Genny DeRuyter, owner of the dairy with her husband, Jake, said the auction of 3,100 head was planned to reduce their herd by half but that a deal was reached to sell the entire 1,000-acre operation to an out-of-state dairy. She said she could not reveal the buyer or price.



Dan Wheat/Capital Press

Holstein cows feed at a Sunnyside, Wash., dairy. Many dairies with thousands of cows in the Lower Yakima Valley face tough times economically and with lawsuits and regulations.

“We feel fortunate the sale of the entire herd will keep the strong genetics and quality of our Holstein cows intact and that a full labor force will continue to operate the farm,” DeRuyter said.

Selling half the herd would have meant laying off some

the dairy’s 80 workers but their full employment means a continuing contribution to the local economy, DeRuyter said.

Health concerns and nearing retirement contributed to their decision but they will continue their partnerships in

orchards and vineyards, she said.

A lawsuit filed against their dairy in December “is a challenge but not really the reason” for selling, she said.

“It’s a difficult environment for all dairies in the state right now. You have to be on top of your game all the time,” she said.

The lawsuit brought by two workers and Columbia Legal Services alleges a lack of overtime pay and a failure to provide meal and rest breaks and pay workers for that time.

U.S. law excludes farmworkers from the right to overtime pay and rights to unionize. The lawsuit challenges those exemptions as a class action on behalf of all agricultural workers in the state.

Dick Bengen, owner of Ruby Ridge Dairy north of Pasco, said the DeRuyters had talked about downsizing

and that one of the Bosma dairies in Sunnyside, recently sold about 4,000 dairy cows.

“We sold some cows and I can’t give you any more information than that,” was all Brian Bosma said when asked by Capital Press if he had sold 4,000 head.

“The valley has had its problems because of too many cows,” said Bengen who is still involved in lawsuits with United Farm Workers over the union’s attempt to unionize his dairy in 2009.

There once were 70 dairies in the lower Yakima Valley but now there are fewer because of economics, lawsuits and government regulations, said the owner of a large Sunnyside dairy who asked for anonymity.

“You can’t afford to run a 500-cow dairy, so it’s get bigger or get out.

“Lawsuits are driving everyone out of business.

Liberals don’t like corporations but corporations will take over all of agriculture because they will be the only ones with deep enough pockets left to stay in it,” he said.

The EPA’s concentrated animal feeding operation permit will drive more dairies out of business, he said.

A 2015 settlement agreement between several Lower Yakima Valley dairies and the EPA regarding nitrates and groundwater is costing those dairies millions of dollars every year in double-lined water storage lagoons, monitoring wells, consultants, attorneys and paperwork, said Jay Gordon, policy director of the Washington State Dairy Federation.

Those factors and threats of lawsuits against dairies, not only in the Lower Yakima Valley but Whatcom County, are “taking all the fun out” of operating dairies, he said.

Subdivision opponents challenge county’s rejection of their petition

By SEAN ELLIS
Capital Press

BOISE — Opponents of a planned community just north of Boise that would eliminate 1,400 acres of farmland planned to file a lawsuit this week to force the matter to a public vote.

“We’re prepared to fight. We’re going to file a lawsuit,” said Stephanie Rael, a farm hand opposed to the development.

She is a member of the Dry Creek Valley Coalition, which includes local farmers and others in the area opposed to the Dry Creek Valley Ranch development, which would include 1,800 homes and 85,000 square feet of commercial space.

Rael submitted a petition to the Ada County Clerk’s office seeking to put a county decision regarding the proposed development to a vote during a special election.

Idaho Code 31-717 provides a mechanism by which people who gather a certain number of signatures can put a county decision to a vote during a special election. The section allows for “people at an election to approve or reject legislation adopted by the board of county commissioners.”

The original Dry Creek Ranch development application was approved in 2010 and Ada County commissioners earlier this year approved an amendment to the original plan.

Because the commission signed an ordinance that changed certain conditions in the original development agreement, opponents of the project believe that decision is legislative in nature and subject to the referendum process outlined in Idaho Code, Rael said.

But the Ada County clerk, Christopher Rich, sent Rael a letter dated May 22 saying the “petition is untimely because



Sean Ellis/Capital Press

Stephanie Rael, a farm hand, stands in front of some of the 1,400 acres of farmland that would be eliminated to make way for a proposed planned community north of Boise. Rael and other opponents of the development hope to put the matter to a public vote.

it was not submitted within 30 days of final publication of the ordinance.”

Brian Ertz, an attorney who is assisting opponents of the development, said the section of Idaho Code that allows for a referendum in this case actually says the petition can’t be submitted until 30 days after the ordinance is passed.

“It’s pretty clear that you have to wait 30 days,” he told Capital Press. “We’re getting runaround by the county.”

Ertz sent the clerk’s office a letter asking Rich to reconsider his interpretation of the code’s language.

The statute says the initial petition “shall be filed not less

than 30 days following the final publication of the ordinance to be subject to referendum.”

“The plain meaning of the statute requires petitioners to wait for 30 days prior to submitting initial petitions,” Ertz’s letter states. “My clients did just that, thus complied with the subsection of Idaho Code that the clerk cites

in its letter to reject their submission.”

Ada County spokeswoman Kate McGwire sent Capital Press this statement from Rich about opponents’ plans to file a lawsuit: “It is certainly within their right and we will wait to see what the court says.”

Ertz said the county is applying the language of the

section “exactly the opposite as it’s written.”

Ertz said that when reading through that section of Idaho Code, “it’s very clear the legislature wants the clerk and counties to make it easy for citizens to exercise this right.”

“They’re doing the opposite,” he said of Ada County. “It is quite cynical.”



Courtesy U.S. Fish and Wildlife Service In an April 14 photo taken by a remote trail camera in the Southern Oregon Cascades, the wolf known as OR-7 carries what a wildlife biologist said is an elk leg.

OR-7 is alive, well and still bringing home the groceries

By ERIC MORTENSON
Capital Press

His tracking collar went dead in 2015, but OR-7, the wandering wolf, is alive and well. This spring, a U.S. Fish and Wildlife Service trail camera caught him trotting along with what a wildlife biologist said is an elk leg in his mouth.

Federal wildlife biologist John Stephenson said OR-7 was taking food back to his den. For the fourth consecutive year, OR-7 appears to be denning up with the same unidentified female who joined him in the Southwest Oregon Cascades in 2014.

The Rogue Pack, of which he’s the alpha male, numbered six over the winter. This spring, Stephenson saw tracks in the snow of at least five wolves. OR-7 has shown up in trail camera photos several times this spring, most recently on May 18.

“He looks good,” Stephenson said.

OR-7 is now 8 years old, which is somewhat old for a wolf in the wild, Stephenson said. It became Oregon’s best known wolf when it dispersed from the Imnaha Pack in Northeast Oregon in 2011 and cut a diagonal across the state and into California. Because he was wearing a tracking collar, wildlife agencies and the public could follow his travels, and for better or worse he came to symbolize the return of wolves to Oregon’s landscape.

OR-7 was the first documented wolf in California since 1924, but eventually returned to Oregon and established what ODFW named the Rogue Pack in the Rogue River-Siskiyou National Forest. He and his mate have produced several litters of pups over the years.

His mate has never been caught or collared and is something of a mystery. Analysis of her scat, however, showed she is related to wolves from Northeast Oregon or Idaho.

Stephenson said he hopes to fit a new tracking collar on OR-7, his mate or one of the other adults in the pack.



ROSE PAPER PRODUCTS, INC.

503-588-8313
2561 Pringle Rd. SE
Salem, OR

Call for Pricing. Subject to stock on hand.

NEW ITEMS!
1½ QT. BASKETS
and (3) PINT TRAYS

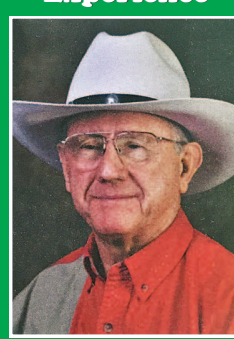


Delivery Available

Grass Expertise. LET'S TALK!

PROBLEMS WITH FESCUE UNDER PIVOT IRRIGATION? LET'S TALK!

GREENWAY SEEDS
Caldwell, Idaho • Alan Greenway, Seedsman
Cell: 208-250-0159 • MSG: 208-454-8342



Over 40 Years Experience
Alan Greenway, Seedsman



EARN EFFORTLESS INCOME, DIVERSIFY YOUR REVENUE, AND BOOST THE LOCAL ECONOMY WITH SOLAR FARM LAND LEASES

- Long term land leases needed for solar farms
- Seeking 10-250 acre sites
- Up to 25 year leases
- Up to \$1,200/per acre/per year
- We pay the property tax
- We check to see if your site meets requirements

 **sulus solar** marc.connolly@sulus-solar.com
971-280-1596
www.sulus-solar.com

OREGON BASED COMPANY