

Oregon predator control funding clears key hurdle

USDA's Wildlife Services instructed not to use cyanide traps within state

By **MATEUSZ PERKOWSKI**
Capital Press

SALEM — Nearly \$1 million has been approved for predator control by a key group of Oregon lawmakers despite Gov. Kate Brown's recommendation to cut the funding.

Roughly \$460,000 dedicated to predator control is included in the budget for the Oregon Department of Agriculture's next biennium that was passed May 31 by the Subcommittee on Natural Resources of the Joint Commit-



Courtesy Elizabeth Orning/OSU

A collared cougar is seen in this file photo taken in the Mt. Emily area of northeast Oregon. Approximately \$900,000 has been approved for predator control by a key group of Oregon lawmakers despite Gov. Kate Brown's recommendation to cut the funding.

tee on Ways and Means.

A matching amount is also included in the Oregon Department of Fish and Wildlife budget, which has also won a "do pass" recommendation from the subcommittee.

While each budget must still pass muster with the full Joint Committee on Ways and Means and be voted on by the Legislature, the subcommittee's recommendation carries a lot of weight.

The funding — approximately \$900,000 total — would be directed to USDA's Wildlife Services division, which kills predators that kill livestock.

Earlier this year, Brown recommended eliminating the state's contributions to Wildlife Services to help reduce Oregon's \$1.4 billion budget shortfall projected for 2017-2019.

County governments also contribute money to Wildlife Services, but Oregon ranchers worried the loss of state funding would greatly diminish the USDA's predator control efforts.

Wildlife Services is viewed by ranchers as playing a crucial role in mitigating livestock depredation, but environmental groups accuse the agency of indiscriminately killing wildlife instead of

using non-lethal methods.

As part of the ODA's budget, lawmakers included a budget note saying the agency should seek assurances that Wildlife won't use general funds for cyanide traps, which have been implicated in the death of a wolf and a pet dog recently.

Rep. Brad Witt, D-Clatskanie, said the cyanide traps are "utterly inhumane" and he was "overjoyed" by the recommendation.

"We have these things out there, and we don't know where they are," said Sen. Lew Frederick, D-Portland.

However, Sen. Fred Girod, R-Stayton, and Rep. Rick Lewis, R-Silverton, voted against including the recommendation.

Katie Fast, executive director of the Oregonians for Food & Shelter agribusiness

group, said the subcommittee's decision to fund predator control shows that livestock industry representatives were persuasive in their support for the program.

"People made their case," she said.

The "do pass" recommendation is important, but in this year's climate, nothing is final until the legislative session is done, Fast said.

Rep. Sal Esquivel, R-Medford, said he voted against the ODA's budget because lawmakers should first figure out how to cover the \$1.4 billion shortfall.

It would be better to start with a comprehensive plan rather than approve individual budgets in a piecemeal fashion, Esquivel said. "You can't say we're broke and then up people's general fund budget."



Capital Press File

Cattle graze in this file photo. An Idaho judge has again delayed the sentencing of a rancher in the theft of cattle he was caring for.

Judge again delays sentencing in theft case

By **CAROL RYAN DUMAS**
Capital Press

JEROME, Idaho — Jason David Anderson will have to wait a little longer to know his fate after Judge Eric Wildman on Monday again delayed sentencing him in a case of cattle theft.

The second delay came down to the judge's focus on full restitution for the victim, the parties' disagreement over the amount of that restitution and the lack of a payment plan.

Anderson pleaded guilty in March to one count of grand theft for branding calves as his own and selling 99 head of cattle belonging to Gary Marchi, a California cattle producer.

Marchi, who started developing his beef-producing shorthorn herd in the 1970s, had sent the majority of his herd to Anderson in Idaho in June 2011 after losing all his rental pasture in California when the land was sold. He had never met Anderson but made his acquaintance through another cattleman.

The criminal activity took place between the fall of 2011 and January of 2015. In his plea deal, Anderson agreed to pay restitution to Marchi for 43 cows, 17 calves and one bull he sold in 2012 and the sale of 18 calves born in 2012 and 20 calves born in 2013. He alleged the cows calved out at about 50 percent.

By Marchi's calculations, Anderson owes him more than \$450,000, and that doesn't take into account what the cattle were worth at the time Anderson sold them or the cattle he sold for which there is no record, he said.

The prosecuting attorney has also held the plea bargain doesn't account for all of the animals Marchi lost or what the value of the herd would have been today — about \$902,500, said Deputy Prosecutor Eileen McDevitt.

Being "more than fair" in its valuation of the cattle Anderson did admit to unlawfully selling, the prosecuting attorney's office is asking for restitution of about \$236,000.

The defense, however, argued fair-market value — the price at which Anderson sold the cattle — is closer to \$110,000. That calculation includes 43 cows at \$1,000 each, 55 calves at \$1,200 each and a bull at \$1,300.

At the three-hour restitution hearing on Monday, Anderson's attorney, Doug Nelson, first attempted to offset the owed restitution, alleging

the victim owed Anderson \$213,000 for the upkeep of his cattle. Nelson said the "complaining witness" (victim) only paid about \$30,000 of that and Anderson is owed the difference and asked Wildman if that could be addressed in the criminal case or "do we have to go after this guy in a separate civil case."

Wildman said statute doesn't allow for such offsets in a criminal case and any alleged damages to Anderson would have to be addressed in a civil case.

Anderson testified that he sold Marchi's cattle "mostly because I couldn't make any contact with him." He said he called Marchi repeatedly and "the phone would just ring and ring and ring."

He said Marchi paid him sporadically and he couldn't afford to continue to maintain Marchi's cattle because he needed to maintain his own cows or he'd lose everything. He said he was at a "breaking point where I'd lose all of mine."

Anderson's attorney argued, "He was either going to have to let these cows die or get something for them because of the position he was put in by Mr. Marchi."

Marchi previously said Anderson never sent him a bill, despite his requests, and he paid Anderson regularly, about \$37,000 total. Copies of checks provided by Marchi to investigators show Anderson continued to receive and cash or deposit checks from Marchi after the last of Marchi's cattle were sold.

"This is getting more ludicrous," Marchi said from his home in California.

Anderson is trying to "weasel out of this," and he's "grasping at straws," he said.

"I just want what's fair coming to me, period," he said.

Wildman said the case involves a large amount of restitution and he views repayment as a significant component of the sentencing, whether that sentence is probation — as requested — or the length of the probation.

He said he will issue a written decision ahead of sentencing, reminded the parties that the court is not bound by the plea arrangement and that he wants to see a payment schedule.

Sentencing is set for June 19 at 2:30 p.m. at the Jerome County Judicial Annex building.

Complaints prompt state to modify new insect fee

By **TIM HEARDEN**
Capital Press

DAVIS, Calif. — A state agency is dialing down a proposed rule requiring costly permits for collecting insects for research after hearing complaints from entomologists.

Lynn Kimsey, director of the University of California-Davis Bohart Museum of Entomology, said a plan to charge up to \$75 per student or \$400 per team and require extensive paperwork for each bug-collecting expedition would "obstruct the scientific work of researchers and teachers."

In agriculture, the rule could complicate UC Cooperative Extension's ability to identify and study crop pests, although growers would be able to collect bugs without a permit, Kimsey said.

"Certainly all the Cooperative Extension agents and farm advisers are surveying all the time, and growers are doing the same thing," she said. "The growers would not be doing it for research purposes, but the Cooperative



Courtesy of UCANR

Students in Lynn Kimsey's entomology class at the University of California-Davis go on an insect-collecting expedition. Kimsey is criticizing proposed state rules that would require costly permits for collecting insects for research.

Extension people might be. We constantly have growers coming to us saying, 'Can you study this and tell me how to control it?'"

But the state Department of Fish and Wildlife is taking a second look at its proposal and will likely require the permits only for bugs on a "prior-

itized list" that would include imperiled species or other species the agency considers sensitive, spokeswoman Jordan Traverso said.

"We're working on narrowing down the specific insects that are sensitive, which should help with the problem," she said.

The agency received over 100 letters during a recent public comment period and has decided to seek a second round of public comments, Traverso said. In any event, if the purpose of the collection is the study or control of agricultural pests, no permit will be required, she said.

Washington puts wolfpacks on shorter leash

By **DON JENKINS**
Capital Press

Washington wildlife managers have issued a new wolf-control policy that calls for lethal removal sooner, but with the hope that quicker action will ultimately mean killing fewer wolves to deter packs from attacking livestock.

The policy also commits the state Department of Fish and Wildlife to initially shooting one or at most two wolves and pausing to see how a pack responds. In past cases, WDFW started with plans to shoot several wolves.

"The goal is to interrupt the behavior pattern earlier,"

WDFW wolf policy coordinator Donny Martorello said. "If we can do that by removing one or two animals, good. If not, we can take the next incremental step."

WDFW's use of lethal control has been a flashpoint since wolves began returning to Washington a decade ago. WDFW last summer shot seven wolves preying on cattle in the Colville National Forest in northeast Washington. The action angered environmentalists, but one ranch still lost an estimated 70 cattle to wolves.

The new policy reduces to three from four the number of depredations to trigger lethal removal.

In another significant change,

one of the three strikes against a pack can be a "probable" depredation. Previously, only "confirmed" kills were counted, leaving out cases in which wildlife investigators were fairly sure wolves had killed livestock, but too little of the carcass remained to show wolf bites.

"Going to lethal earlier is definitely the right way to go," said northeast Washington rancher Arron Scotten, who regularly attends meetings of the department's Wolf Advisory Group as an observer. "I believe we made progress when it comes to the meat and potatoes of the protocol."

WDFW's policy applies to only the eastern one-third of

Washington, where a large majority of the state's 115 wolves roam. Wolves are federally protected in the rest of the state and aren't subject to lethal control.

WDFW Director Jim Unsworth ultimately decides whether to resort to killing wolves. The policy states he won't consider lethal removal until non-lethal measures — such as range riders and guard dogs — have proved ineffective.

The environmental group Conservation Northwest, which is represented on the advisory group, said in a statement that the new policy balanced wolf conservation with the interests of rural communities in wolf country.

Pacific Northwest canola association forming

By **MATTHEW WEAVER**
Capital Press

RICHLAND, Wash. — Pacific Northwest canola growers are forming a new association that will represent them on the state and local levels.

Farmers and industry representatives met June 6 in Richland, Wash., to discuss the next steps in creating the organization, such as setting up a board of directors. The organization, which will be operational by the end of the year, will serve growers in Idaho, Montana, Oregon and Washington.

Organizers are incorporating the association and finishing the bylaws, said Karen Sowers, outreach specialist for oilseeds with Washington State University Extension. The organization will also hire an executive director.

The Washington Oilseeds Commission collects assessments, but can't lobby in the state legislature, Sowers said.



Paul Walker, who grows canola in Grant County, Wash., speaks during a meeting to discuss forming a Pacific Northwest Canola Association June 6 in Richland, Wash.

The new organization will be able to lobby legislatures in any of the four states.

Dale Thorenson, assistant director of the U.S. Canola Association in Washington, D.C., said his organization works with Congress and the federal government on farm and regulatory policies. The regional association would do that on the state and local levels, he said.

Interest in canola is grow-

ing due to low wheat prices and a saturated cover crop market, said Anna Scharf, a grower in the Willamette Valley of Oregon. She is a board member of the U.S. Canola Association and president of the Willamette Valley Oilseed Producers Association.

In Oregon, only 500 acres can be grown in the valley under state restrictions until 2019. Craig Parker, of Willamette Biomass Processors in Rickreall, Ore., hopes the new association would help fight such restrictions.

"Valley growers really need help in the legislature, and it's an expensive process, so being part of an association would help," he said.

The valley is one of the best places in the world to raise the crop, which yields nearly 5,000 pounds an acre, Parker said.

In Washington, farmers average 1,500 to 3,000 pounds per acre, he said.

Priced at 18 to 20 cents per pound, canola is profitable for farmers, Sowers said. It also benefits other crops in a rotation.

Paul Walker raises canola in Grant County, Wash. Not many farmers are trying the crop in his area, and he said more outreach is needed to help them understand how canola fits into their crop rotations.

"I feel like I have seen disease pressures getting worse, so we need to be looking into crops to break up that," he said.

Dues for farmers would be \$75 per year, \$25 of which would go to the U.S. association. Agency member dues would be \$100 per year. Industry membership would be \$250 and up.

Sowers would like to see 100 farmers from across the four states participate.

For additional information, contact Sowers at ksowers@wsu.edu and Scharf at Anna.scharffarms@gmail.com