

# EPA can't link cows to fouled shellfish

## No cattle DNA in fecal coliform

By **DON JENKINS**  
Capital Press

A study by the Environmental Protection Agency and Lummi Indian tribe failed to find evidence that cow manure is polluting tribal shellfish beds in Portage Bay in northwest Washington.

The study suggests farmers are keeping manure out of the Nooksack River and its tributaries, which drain into the bay, said Fred Likkell, an environmental consultant and executive director of Whatcom Family Farmers.

"It shows the farm community has been working very hard for the last number of years to make sure it's not polluting the shellfish beds," he said.

Dairies have long been suspected of being a leading contributor to fecal coliform contaminating the Lummi



shellfish beds. The Nooksack River drains nearly 800 square miles, much of it farmland, and is the primary source of freshwater for the bay.

To identify the sources of fecal coliform, the EPA analyzed the DNA in 54 water samples collected in 2016 from the bay, river, five creeks and a ditch.

The EPA reported last month that its laboratory found fecal coliform from birds in two samples, from non-cattle hoofed animals such as horses or deer in four samples, and from both birds and non-cattle hoofed animals in three samples.

The source of fecal coliform in 45 samples was undetermined. No genetic material from cattle, humans or dogs was found.

The EPA in a two-page

summary said it's possible that cattle fecal coliform was present, but at levels too low to detect or in genetic sequences that were not identified.

The Washington Department of Health in 1997 blamed dairies for fecal coliform that caused shellfish beds to close. Water quality improved and the beds reopened after dairies adopted new manure-handling rules enforced by the state Department of Agriculture.

In recent years, however, water quality has again degraded. Other potential sources of pollution include wildlife, hobby farms and failing septic tanks.

"This study really validates our position: You need to look at other sources," Likkell said. "That doesn't mean we can slack off and not do our job."

Efforts to obtain further comment from the EPA and tribe were unsuccessful.

In early 2016, the EPA and the tribe set out to identify the

sources of fecal coliform to help develop pollution-control strategies for the Nooksack River watershed, according to the agreement.

At first, the EPA's Region 10 laboratory analyzed 53 water samples for genetic material from humans and hoofed mammals and found one sample with human DNA and four with animal DNA.

The laboratory later added the ability to test for material specific to cattle, birds and dogs for the other 54 samples.

The threat of lawsuits has hung over Whatcom County dairies. Seven dairies early this year agreed to pay the tribe \$450,000 to compensate it for closed shellfish beds. The agreement calls for more payments later and for dairies and the tribe to collaborate on pollution-prevention plans.

Six farmer-led watershed improvement districts have hired a microbiologist to analyze fecal coliform in Scott Ditch, one of the waterways tested by the EPA. The report has yet to be completed.



USDA

The National Cattlemen's Beef Association and other groups laud the proposed eventual elimination of the estate tax, but they're concerned about restrictions on business interest deductions they say could harm rural America.

## Farm group reactions mixed on federal tax relief package

By **TIM HEARDEN**  
Capital Press

more of what they earn from their labors."

Farm groups and Western lawmakers are giving mixed reviews to tax relief legislation now making its way through Congress.

The National Cattlemen's Beef Association and other groups hail a provision in the bill approved Nov. 16 in the House of Representatives that doubles the current estate tax exemption limits of \$5 million for individuals and \$10 million for couples. The bill calls for the so-called "death tax" to be repealed entirely after six years.

Among other benefits to farms, the bill also allows businesses to write off the cost of new investments all at once rather than over time and increases certain small-business expensing limits, industry insiders say.

But the bill also limits the ability of some businesses to deduct interest expenses — a provision that the National Council of Farmer Cooperatives asserts would drain \$2 billion a year from rural America at a time when farmers and communities are struggling through a fourth year of stagnant commodity prices.

"This could be a big problem for some members of the cattle production business," agreed NCBA president Craig Uden, a Nebraska rancher. "We've worked closely with members of Congress to address this issue, and we'll continue to work tirelessly to fix this problematic provision as this legislation moves forward in the Senate and toward a House-Senate conference committee."

The nearly \$1.5 trillion tax package passed the House by a 227-205 margin. A similar bill advanced out of the Senate Finance Committee late Nov. 16 and heads to the Senate floor, where debate could begin after the Thanksgiving break. The House bill won praise from U.S. Agriculture Secretary Sonny Perdue, who said in a statement that it would create jobs and boost the economy.

"The people of agriculture dedicate their lives to putting food on the table for their fellow citizens," Perdue said, "and they deserve to keep

A key provision for growers is the eventual elimination of the estate tax, which has long been a target of agriculture advocates who have argued it complicates farm succession plans. The tax has been a major focus of the NCBA-backed Cattlemen For Tax Reform's two-month media campaign, which has included videos of producers that have been viewed more than 1 million times on Facebook, according to the organization.

The bill also preserves a step-up in the value of inherited assets for tax purposes in addition to 100 percent expensing of farm property other than land. Under current law, businesses can only depreciate the costs of such investments as buildings and equipment over time — as long as 39 years, the California Cattlemen's Association explained in a legislative newsletter.

The House bill also temporarily allows farms to expense up to \$5 million for the cost of both new and used equipment, buildings, breeding livestock and dairy cows, with the allowance phased out when the purchases exceed \$20 million, the CCA notes. Current law covers only new equipment, allows for a write-off of \$500,000 and phases out when the purchases exceed \$2 million, according to the organization. The bill also expands cash accounting by increasing the eligibility threshold from \$5 million to \$25 million, including for farm corporations and partnerships, the newsletter explains.

However, farms and other operations would not be allowed to deduct net business interest expenses beyond 30 percent of the business' adjusted taxable income, which would be computed without regard to such things as net operating losses, the CCA notes. Businesses with gross receipts under \$25 million would be exempt from the limits.

"It is unfortunate that the House of Representatives ... approved a tax reform bill that will raise taxes on farmers and their co-ops across the country," NCFCA president Chuck Conner said in a statement.

# Ag industry: CAHNRS dean candidates are 'exceptional'

## Provost hopes to make job offer before Christmas

By **MATTHEW WEAVER**  
Capital Press

When stakeholders meet with candidates for the next dean of Washington State University's agricultural college, they want to find the right fit, they say.

The four candidates for dean at WSU's College of Agricultural, Human and Natural Resource Sciences will visit Washington the weeks of Nov. 27 and Dec. 4.

Dan Bernardo, provost at WSU and former CAHNRS dean, said he is excited about the "depth and breadth" of the candidate pool.

This is the second round of interviews for the position this year. Bernardo previously announced in June that he would not extend an offer to a single candidate who interviewed for dean, electing to begin the search again in the fall.

"As I regularly tell people, a failed search is not defined as not making a hire," he told the Capital Press. "We want to make sure we get the right person, and I think we have four people here who are all very capable and qualified."



Washington State University

Agricultural stakeholders and Washington State University faculty will meet with the four candidates for dean of the College of Agricultural, Human and Natural Resource Sciences the weeks of Nov. 27 and Dec. 4. University officials hope to make a selection by Christmas.

The four candidates are:

- Gregory Lardy, associate vice president for agricultural affairs, North Dakota State University.

- André-Denis Wright, endowed professor and director of the School of Animal and Comparative Biomedical Sciences, University of Arizona.

- Gary Thompson, associate dean for research and graduate education, and director of the Agricultural Experiment Station, Pennsylvania State University's College of Agricultural Sciences.

- John Kirby, dean of the

College of the Environment and Life Sciences, and director of the Agricultural Experiment Station and Cooperative Extension, University of Rhode Island.

They will speak on the Pullman campus and tour WSU centers in Wenatchee and Mount Vernon.

"We feel it's really important that they see the scope of the activity at WSU within this college and they have the opportunity to visit with our stakeholders," Bernardo said.

"All of them are excellent candidates, it's really going

to come down to which one is right," said Jay Gordon, policy director of the Washington State Dairy Federation and a member of the search committee.

"The dean's position is really important," said Mike Willett, manager of the Washington Tree Fruit Research Commission and a member of the stakeholder groups I represent are heavily invested in and look to CAHNRS for high levels of support to ensure people's success in these agricultural endeavors."

## Idaho livestock owners eligible for cattle inspection fee refund

By **SEAN ELLIS**  
Capital Press

BOISE — Idaho livestock owners who had a brand inspection between July 1 and Oct. 1 are eligible for a partial refund.

Because of a paperwork error, those producers were overcharged 25 cents per head during that time.

Idaho State Brand Inspector Larry Hayhurst told Capital Press the overcharge was due to a paperwork error, a claim that was substantiated by Jani Revier, budget director of the state's Division of Financial Management.

"In the simplest terms, the paperwork didn't all get filed correctly," she said.

The Idaho Brand Board in May proposed a temporary rule to raise the state's brand inspection fee by 25 cents, from 94 cents to \$1.19 a head.

That increase, which was approved by the governor's office, was intended to cover an anticipated increase in personnel and equipment costs in fiscal year 2018 related partially to the new beef processing plant in Kuna.

It was expected to raise \$462,000.

But the proposed increase was never published in Idaho's Administrative Bulletin in June, a requirement for it to become effective.

The brand board didn't find that out until late September.

That means producers who had brand inspections July 1

to Oct. 1 were overcharged 25 cents per head and are eligible for a refund. Hayhurst said they have until Jan. 1 to request one but that date will likely be extended.

He said there is confusion over why the paperwork error occurred, but ultimately, the responsibility for the error lies with him.

"It was just a stupid error," he said. "At the end of the day,

I should have caught it. All we can do is fix it, be upfront about it and do what is right."

After correcting the mistake, the brand board began collecting the higher fee as of Oct. 2.

Hayhurst said about 400,000 cattle inspections were performed July 1 to Oct. 1, which means the board could have to refund as much as \$100,000 if every producer requests a refund.



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