

# I-90 reopens as firefighters contain wildfire

By DAN WHEAT  
Capital Press

VANTAGE, Wash. — Interstate 90 reopened at noon Tuesday after being closed for about 12 hours due to a wildfire that crossed the freeway and threatened the town of Vantage, causing its evacuation.

A 22-mile portion of I-90, the main route between Seattle and Spokane, was closed between Ellensburg and Vantage due to the fire that burned 1,612 acres of mostly sagebrush.

Randy Shepard, interagency fire spokesman, said he's not aware of any of the ground being used for grazing and believed no crops were damaged.

As of Wednesday morning, the Ryegrass Coulee Fire was 80 percent contained with crews mopping up and watching unburned areas within the southeastern portion, Shepard said.

"For the time being we have the upper hand," he said. It is not known if the cause is natural or unnatural and it is under investigation, he said.

The fire burned to the edge of the Columbia River and 2-inch embers were blown across the river by winds of up to 60 mph but did not ignite the eastern shore, firefighters said.

The fire was reported shortly before 11 p.m. July 9



Kittitas County Sheriff's Office

Interstate 90 between Vantage and Ellensburg, Wash., was closed for about 12 hours as firefighters worked to contain it.

by I-90 motorists who spotted it north of the freeway about three miles west of Vantage.

Wind rapidly spread the fire to Vantage where about 200 people were evacuated about midnight by Kittitas County sheriff's deputies going door-to-door.

An outbuilding in an orchard south of town was destroyed and a barn damaged, Shepard said.

More than 400 guardrail posts along the freeway were burned, the sheriff's office said.

Meanwhile, the 317-acre Little Camas Fire, about eight miles west of Wenatchee and six miles south of Cashmere, was 74 percent contained as of Wednesday morning. The

fire was kept within fire lines despite significant winds on July 6 and July 10, said Rick Acosta, spokesman for an interagency effort led by the state Department of Natural Resources, Chelan County Fire District 6 and the U.S. Forest Service.

Crews worked to save Weyerhaeuser timber and a rare plant, the Oregon Checker Mallow, he said.

The fire was reported about noon July 5 and was attacked initially primarily by aircraft. Steep, rugged terrain made ground efforts difficult.

Camas Meadows Bible Camp and three homes within two miles of the fire were on evacuation standby for sever-

al days and then released. The cause is not known and is under investigation, Acosta said.

On Wednesday, firefighters were reinforcing fire lines, mopping up hot spots and watching for rolling burning logs. Full containment is estimated for July 20.

Demobilization was underway with total personnel at 364, down from a peak of 442. Aircraft were reduced from eight to three. Fire engines from 23 to two and bulldozers from four to two. Water tenders were up from eight to 11.

A 2-acre lightning-strike fire near Beaver Creek about 12 miles northeast of Leavenworth was extinguished by firefighters Tuesday.



EO Media Group File

An appeals court has upheld the conviction of an Idaho farmer for baiting ducks.

## Court upholds farmer's conviction for 'baiting' ducks

Prosecutors and defense attorney misunderstood key legal provision

By MATEUSZ PERKOWSKI  
Capital Press

Despite a legal error during trial, an Idaho farmer was properly convicted of illegally baiting ducks by leaving unharvested corn in a field, according to a federal appeals court.

In 2016, a jury found Gregory Obendorf guilty of two counts of violating the Migratory Bird Treaty Act through such actions as leaving certain rows of corn standing and calibrating a combine harvester to spill the crop on a field near Parma, Idaho.

Obendorf was sentenced to 15 days in jail, 200 hours of community service, three years of probation and a \$40,000 fine, though the jail time and community service were postponed while he challenged the verdict before the 9th U.S. Circuit Court of Appeals.

The 9th Circuit has now ruled that both federal prosecutors and Obendorf's defense attorney "misapprehended" the law but the "error was harmless" and didn't affect the jury's decision.

The confusion in Obendorf's trial concerned an "agricultural practice exception" to the Migratory Bird Treaty Act, a statute that aims to protect ducks and other bird species from excessive killing.

The judge overseeing the trial did not allow Obendorf's attorney to cross-examine three University of Idaho Extension agents who had testified that he didn't follow normal agricultural practices.

Planting, harvesting, post-harvest manipulation and soil stabilization practices are exempted from the MBTA's prohibition against taking birds from baited areas, as long as the practices are officially recommended by the state's Extension Service.

However, that exemption only applies to the unlawful hunting, or "taking," of migratory birds in a bait-

ed area, not to the statute's prohibition against baiting itself, the 9th Circuit said.

The agricultural practice exception "permits hunting over certain lands that would otherwise be off-limits" because they contain crops while still banning farmed fields from being baited, according to the ruling.

Although the exemption was "not relevant to the baiting charges Obendorf faces," the error was harmless in regard to the jury instructions because the government was "tasked with disproving an exception that did not apply in the first place," the appeals court said.

The 9th Circuit also rejected the argument Obendorf was prejudiced by the mistake because his legal theory centered on a "regulatory safe harbor" that didn't actually exist.

Regardless of the exemption, the evidence was still "extremely strong" that Obendorf baited a field to facilitate hunting, the ruling said.

For example, employees of the farm testified Obendorf told them to configure combine settings to leave a maximum amount of corn behind for ducks in a certain field, while elsewhere they were expected to harvest as much as possible.

While the judge didn't allow three Extension specialists who served as prosecution witnesses to be cross-examined by Obendorf's attorney, they could still have been called as direct defense witnesses regarding farm practices, the 9th Circuit said.

"In the end, we cannot see what Obendorf would have done differently if the parties had not misapprehended the MBTA regulations," the ruling said.

Under federal sentencing guidelines, Obendorf faced substantially more time behind bars than the 30 days sought by prosecutors, according to a court brief filed by the government.

Due to his legal history — two convictions for driving while intoxicated and one conviction for involuntary manslaughter while driving intoxicated — the federal guidelines recommended two years in prison, the government brief said.

## WDFW to limit GPS data revealing whereabouts of wolves

Less data given to counties, range riders

By DON JENKINS  
Capital Press

Washington wildlife managers will be less precise about the whereabouts of wolves, holding back information previously shared with ranchers, range riders and local authorities, according to a policy outlined by the Department of Fish and Wildlife this week.

Fish and Wildlife says exact locations, drawn from wolves wearing radio collars, have been misused to disturb wolves. The more restrictive data-sharing policy comes as sheriffs in Stevens and Ferry counties have jointly deployed a deputy to watch wolves in northeast Washington.

"I think they resent that we have a wildlife specialist of our own," Stevens County Sheriff Kendle Allen said on



Don Jenkins/Capital Press

A Washington Department of Fish and Wildlife biologist holds a radio collar that wildlife managers use to track wolves. The department has adopted a more restrictive policy on providing collar data to ranchers.

Thursday.

"We're not out there to manage their animals. We're just trying to give our citizens the best information we can and try to help them prevent depredations," he said. "We're not advocating anybody go out and shoot wolves, which I think is what they're concerned about."

Fish and Wildlife collars

wolves to track the growth and spread of packs, and prevent and investigate attacks on livestock. Some environmentalists call the collared animals "Judas wolves" because they give away packs that wildlife managers intend to cull.

The department does not make the collar data available to the public, but has shared it with registered users.

The department's Eastern Washington director, Steve Pozzanghera, briefed Stevens County commissioners on the new policy July 2. Some people receiving collar data "have been visiting den and rendezvous sites," according to a document Pozzanghera presented.

The department will continue to share the data with University of Washington researchers, but others will see maps of where wolves "have been, not where they are currently," according to the document.

The maps are expected to

be less specific than GPS coordinates. Allen said he saw an example described as a "big blue blob."

Allen said he asked Fish and Wildlife for evidence that collar data was being misused. "They will not give me a single incidence," he said.

Efforts to obtain comment from Fish and Wildlife on Thursday were unsuccessful.

Stevens County Commissioner Don Dashiell said that the county has a right to collar data collected by Fish and Wildlife. "If they try to withhold it, we'll sue them," he said.

The department routinely does not share collar data with private parties in the spring while pups are in dens. The black-out period this year was extended from June 1 to July 15.

Stevens County rancher Arron Scotten said he hasn't been getting the collar data, even though he has a range rider contract with Fish and Wildlife.

## Hermiston watermelon harvest ready to roll

By GEORGE PLAVEN  
Capital Press

HERMISTON, Ore. — One of Eastern Oregon's most popular crops is back in season.

Hermiston watermelons are nearing harvest as summer temperatures rise into the 90s and triple-digit degrees. High heat should help to ripen the fruit quickly, and growers anticipate they will begin picking in earnest between July 10 and 15.

"I think we're pretty much on schedule," said Patrick Walchli, with Walchli Farms. "Quality-wise, it's by all indications looking pretty good, as far as the fruit set."

Hermiston watermelons may be a niche crop in terms of overall acres, with about 750 total, but figure prominently in the city's identity and civic pride. Driving north into town on Highway 395, the Hermiston logo emblazoned on the water tower features a

watermelon backdrop along with the slogan, "Where Life is Sweet."

It isn't just the locals who have a sweet tooth for Hermiston melons. Shoppers can find the specially branded fruit in Portland, Seattle and across the West Coast. Some shipments have even gone as far as Texas and Georgia.

The secret lies in the region's sandy soil and desert climate, which provides a perfect combination of hot, dry days and cool nights. Watermelons absorb heat during the day, which the plants metabolize into sugar for energy. Once they cool at night, the respiration process slows and that sugar is stored in the fruit, hence their exceptionally sweet flavor.

Walchli said this year has been a mostly typical growing season, compared to last year when planting got off to a slow start.

"Last season, we had a colder start and this year we

had a more favorable May and end of April," he said. "It's hard to predict. Melons are very reactive to the weather, more so than some of the other crops."

Scott Lukas, assistant professor of horticulture for Oregon State University, recently started a new research program at OSU's Hermiston Agricultural Research and Extension Center with a partial focus on watermelons. He said growers have reported few issues with disease pressure, and for the most part the vines have been

growing well.

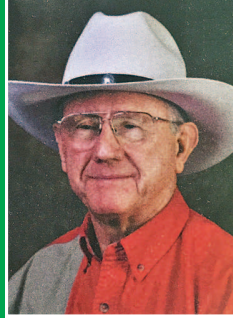
"This has been a good season so far," Lukas said. "I've heard the plants are looking good, and they are growing as they should."

Hired by HAREC in 2016, Lukas has spent the last couple of years studying treatments for soil-borne fusarium and verticillium wilt diseases in watermelons. He plans to expand his program next year to include more irrigation trials using remote sensors to monitor soil moisture and help farmers conserve water.

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## Weekly fieldwork report




Ore.



Wash.



Idaho



Calif.

Item/description (Source: USDA, NASS; NOAA)	Ore.	Wash.	Idaho	Calif.
• Days suitable for fieldwork (As of July 8)	6.7	6.8	6.8	7
• Topsoil moisture, surplus	0	1%	10%	0
• Topsoil moisture, percent short	75%	28%	48%	80%
• Subsoil moisture, surplus	0	1%	8%	0
• Subsoil moisture, percent short	71%	19%	48%	75%
• Precipitation probability (6-10 day outlook as of July 10)	33-50% below	50% below	33-50% below/ Normal	33% Below/ Normal

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