

Washington farm groups tally win as judge sides with EPA

State can keep clean water grants

By **DON JENKINS**
Capital Press

Washington farm groups were on the winning side when a judge ruled in July that the state Department of Ecology doesn't have to refund \$14 million it got from the Environmental Protection

Agency since 2011 to protect waterways.

U.S. District Judge John Coughenour in Seattle dismissed a claim by Northwest Environmental Advocates that Ecology doesn't adequately regulate farms and therefore wasn't entitled to federal grants.

In a written ruling, Coughenour said that Northwest lacked standing to press the claim because its members

hadn't been hurt by the grants. The Portland-based group has asked the judge to reconsider.

If left in place, Coughenour's ruling settles one aspect of a lawsuit filed by Northwest against the EPA. A broader claim — that the EPA has failed to make Ecology adopt plans that protect water from farming and logging — remains unsettled.

Ecology distributes EPA grants to tribes, nonprofit

groups and local governments for projects such as restoring wetlands and building fences to keep livestock from streams. Northwest argued that cutting off future grants and seeking refunds would motivate Ecology to adopt agricultural "best-management practices."

The Washington Farm Bureau and Washington Cattlemen's Association have joined the lawsuit as allies

of the EPA and Ecology. The farm groups and government agencies said cutting off federal funding would harm the environment.

According to court records, Ecology has received \$14 million from the EPA since 2011 for the clean-water projects. Almost all of the money has been spent or committed, according to Ecology.

If forced to refund the

money, Ecology would have had to either get it back from different organizations, get lawmakers to appropriate money or cut spending on future environmental projects. Ecology has convened a task force to identify the best ways to keep farms from polluting water. The agency says the outcome will be voluntary guidelines, not mandatory best-management practices.

Financial aid available for post-fire rehab

NRCS to provide funding for conservation treatments

By **GEORGE PLAVERN**
Capital Press

Farmers and ranchers in north-central Oregon are already dealing with lost crops and forage following a rash of wildfires that charred nearly 200,000 acres this summer across Wasco and Sherman counties.

Now, an environmental crisis may also be looming on the scorched, barren landscape.

Clinton Whitten, acting district conservationist for the USDA Natural Resources Conservation Service in The Dalles, said high winds are eroding soil in burnt fields and rangeland, robbing the ground of vital plant nutrients and water-holding capacity.

On Monday, the NRCS announced funding for conservation projects in the wake of the Substation, Boxcar and Jack Knife fires, which combined to burn roughly 192,000 acres of prime wheat and cattle country.

Financial assistance is available through the NRCS Environmental Quality Incentives Program, or EQIP, to control soil erosion by planting cover crops and range grasses, while stopping the spread of invasive species



Mark Graves/The Oregonian via AP

Farmers and ranchers affected by the Substation, Boxcar and Jack Knife fires are eligible for financial assistance through the NRCS Environmental Quality Incentives Program.

like cheatgrass and medusa-head.

The top priority, Whitten said, is in fields where standing wheat went up in flames, since they will be entering fallow next season.

"If (farmers) don't do anything, it would be left bare until next fall when they plant," Whitten said.

According to NRCS estimates, the Substation fire, which started July 17, affected roughly 31,000 acres of cropland over 86 farms in both Wasco and Sherman counties, including 18,500 acres of standing wheat. Up to a quarter of the region's crop went up in flames, and one farmer — 64-year-old John Ruby — died trying to fight the blaze as he dug a

firebreak to protect his neighbor's property.

Wind erosion causes further damage, Whitten said, because it strips away soil and makes the ground less productive.

"The deeper your soils are, and the more silts and clays it has, the more water it will hold," he said. "As you lose that with wind, it will lose more water, and that will affect crop yields."

Yet another large fire ignited July 26 in the same area, sparked by farm equipment south of Dufur in Wasco County. The Long Hollow Fire was 33,451 acres and 95 percent contained as of Tuesday.

The Boxcar and Jack Knife fires were started by

lightning in June, primarily affecting grazing pastures around Maupin and Grass Valley located farther south in the two counties.

Oregon Gov. Kate Brown, along with U.S. Sens. Ron Wyden and Jeff Merkley, have recently called upon the USDA to provide additional aid for local farmers affected by wildfires. In a statement, Merkley said this EQIP funding is a step toward recovery.

"While we need significant funding for recovery beyond the usual crop insurance or disaster assistance, conservation treatments will help restore land in the aftermath of this devastation," Merkley said.

The initial deadline to apply for EQIP funding is Aug. 10. Whitten said they are still gathering information about how many producers are affected by the Long Hollow fire, and a second sign-up period will likely run through Aug. 24.

Producers may apply at the USDA service centers in The Dalles or Moro, or contact Whitten at 541-289-8559 ext. 112.

Meat, poultry groups want USDA to regulate 'fake meat'

By **CAROL RYAN DUMAS**
Capital Press

Livestock and poultry organizations last week sent a letter to President Donald Trump urging him to ensure USDA has primary regulatory authority over lab-grown meat and poultry products.

They said protecting the health and welfare of consumers is their top priority and that goal is achieved under USDA's comprehensive regulatory system.

Signing the letter were American Farm Bureau Federation, National Cattlemen's Beef Association, National Pork Producers Council, National Chicken Council, National Turkey Federation, American Sheep Industry Association and North American Meat Institute.

The letter follows a recent FDA public meeting, which they say excluded USDA and at which FDA indicated it plans to assert itself as the primary regulator of cell-cultured products.

"Cell-cultured protein products that purport to be meat or poultry should be subject to the same comprehensive inspection system that governs other amenable meat and poultry products to ensure they are wholesome and safe for consumers and to ensure they are labeled and marketed in a manner that provides a level playing field in the marketplace," the groups said.

USDA is uniquely equipped to ensure both elements. Its inspectors are on site daily and the agency approves all product labels to ensure products are what they claim to be and to prevent consumers from being misled, they said.

Cell-cultured meat and poultry companies can and should meet the same requirements meat and poultry pro-



David Parry/Press Association File
A burger made from cultured beef, which has been developed by Mark Post of Maastricht University in the Netherlands.

cessing companies have been meeting for decades, they said.

FDA's regulatory power grab is inconsistent with the administration's recently released government reorganization plan that includes moving primary food-safety functions into a single agency within USDA, they said.

U.S. Cattlemen's Association, which submitted a petition for rulemaking to USDA in February requesting that lab-grown products not be labeled as beef or meat, said the groups' comments to the president ignore the most pressing element of the issue.

"Cell-cultured protein needs to be labeled for what it is — and alternative food product that is not beef or meat as consumers currently know it," Kenny Graner, USCA president, said in a statement to the press on Thursday.

"USCA has called on Congress and the administration to engage on this pivotal issue and implement policies that will get ahead of consumer confusion in the marketplace by enforcing truth in labeling and facilitating inter-agency dialogue," he said.

The Good Food Institute, a plant-based food advocate, also released a statement in response to the groups' letter to Trump, saying FDA has demonstrated the expertise necessary to provide adequate oversight of cultured proteins.

However, the Institute and cultured-protein companies stand ready to work with whichever regulatory agency ultimately regulates the products, Jessica Almy, GFI director of policy, said.

"What is most important is that there is a single point of entry into the regulatory framework ... and that the path to market is not complicated by red tape or politically driven opposition to innovation that can provide consumers with safe food choices," she said.

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SECRETARY OF STATE NOTICE OF RULEMAKING HEARING

Oregon Department of Agriculture, Administration, Administrative Rules Chapter #603, Sue Gooch, Rules Coordinator, (503) 986-4583, ADOPT: 603-020-0001, 603-020-0005, 603-020-0010, 603-020-0015, 603-020-0020, 603-020-0025, 603-020-0030.

RULE SUMMARY: The rule is for the administration of the Bovine Manure Tax Credit Program. The rule includes program definitions, describes applicant eligibility, application process and required application information, sets program fees, includes steps taken to prorate the tax credit, outlines process for denying certification of tax credits as well as suspension, revocation, or forfeiture of tax credit approval. Hearing date August 21, 2018 at 9:00 a.m. Location: Oregon Department of Agriculture, conference room "D," 635 Capitol St NE, Salem, OR 97301. Last day for public comment is August 21, 2018. 31-3/999

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