

Oregon Court of Appeals upholds wolf delisting

By **GEORGE PLAVEN**
Capital Press

SALEM — The Oregon Court of Appeals has dismissed a lawsuit filed by three environmental groups challenging the state's decision to lift endangered species protections for gray wolves.

The Oregon Department of Fish and Wildlife removed wolves from the state endangered species list in November 2015. Lawmakers passed House Bill 4040 during the 2016 legislative session, which ratified the agency's findings.

Cascadia Wildlands, Oregon Wild and the Center for Biological Diversity sued to reverse the delisting, arguing it was premature and not based on sound science. Though the case



ODFW

The Oregon Court of Appeals has tossed out an environmentalist lawsuit challenging the state's decision to take the gray wolf off the list of protected species.

was initially dismissed, it was later reinstated by the appeals court.

On Nov. 27, judges again

tossed out the complaint, ruling that HB 4040 rendered the environmentalists' petition moot.

"In this case, the legislature has ratified the delisting, thereby providing the delisting with the statutory effect of removing it from a rule challenge," the court wrote in its dismissal. "Consequently, a decision on our part regarding the petitioners' challenge would have no practical effect, and the petition is therefore moot."

Wolves are still federally protected as an endangered species west of highways 395, 78 and 95 in Oregon.

The Oregon Cattlemen's Association and Oregon Farm Bureau intervened in the lawsuit to support delisting the wolves. Ranchers have long argued they need to be able to kill wolves that

make a habit of preying on livestock, despite using non-lethal deterrents such as electric fences and range riders.

Killing wolves is allowed under certain strict requirements in ODFW's Wolf Conservation and Management Plan, which was last updated earlier this year.

Jerome Rosa, executive director of the Oregon Cattlemen's Association, said the court's ruling was a long time coming.

"We were glad to see that the appeal was dismissed," Rosa said. "Justice was had."

In a statement, the Oregon Farm Bureau said the ruling "is a huge win for ranch families and the livestock industry, which have long advocated for responsible wolf management in

Oregon."

Nick Cady, legal director of Cascadia Wildlands based in Eugene, Ore., said the appeals court did not evaluate whether delisting wolves was scientifically defensible, but simply based its decision on HB 4040, which was signed by Gov. Kate Brown.

"That was the main grounds of the case," Cady said. "We're really disappointed that Oregon's Democratic supermajority is what threw Oregon's wolves under the bus."

The number of wolves in Oregon has grown every year since population surveys began in 2009. As of the most recent count in 2018, Oregon had at least 137 wolves statewide — a 10% increase over the previous year.

WDFW sticks with meetings outside law

By **DON JENKINS**
Capital Press

Washington Fish and Wildlife commissioners plan to discuss wolves, cougars and other topics next month in committees that the department says aren't subject to the state's open-meetings law, even when a majority of the commission attends.

The Habitat, Fish, Wolf and Wildlife committees will meet Dec. 12 in Bellingham, the day before the commission convenes for its on-the-record meeting. The commission has invited the public to attend committee meetings, but it reserves the right to withdraw the invitation and close meetings.

Unlike regular meetings, committee meetings are not recorded and posted online for people unable to attend in person. The department does not keep written minutes.

"Though the public is invited to attend the commission's committee meetings, these meetings are not subject to the public meeting rules that would require the department to keep and maintain public meeting notes or recordings," a Fish and Wildlife spokeswoman said in an email.

Over the past two years, commissioners have increasingly used committee meetings to talk about major issues. The talks precede regular meetings, which the public has a guaranteed right to attend. The commission closed a meeting of the Executive Committee in June.

The department, citing counsel from the attorney general's office, said the Public Meetings Act doesn't apply because each committee has only four of the commission's nine members.

A majority of commissioners, however, attended some committee meetings in October, according to reports by the commissioners who led the meetings.

"What they did was illegal," said Rowland Thompson, executive director of Allied Daily Newspapers of Washington. "They should have told somebody to leave."

The department did not keep a record of which commissioners attended the meetings. Committee chairmen verbally report to the full commission about what was discussed, but there are no written records.

"It wouldn't hurt us to spiff up the reporting of those meetings," said Commissioner Barbara Baker, who chairs the Big Tent Committee, a group whose topics include "strategic planning."

Baker said that she recalled at least a fifth commissioner at the committee's meeting in October.

She said she would "absolutely" continue to preside over committee meetings with a majority of commissioners in attendance. She said that she was shut out of a committee meeting three years ago.

"I tried to attend the meeting and was told I couldn't go," she said. "My own personal opinion is that the way we operate now is a definite improvement over where we used to be."

Idaho grant aids cost-effective genetic testing of sheep

A project to provide genetic testing for sheep to help producers minimize diseases and improve valuable traits will receive a grant from the Idaho Global Entrepreneurial Mission Council.

The \$209,595 grant to University of Idaho animal science professor Brenda Murdoch and Meridian-based Rile Ag will help sheep producers employ an inexpensive test to reduce economic losses to diseases and enhance their flocks' productivity, UI said in a news release.

Idaho's sheep industry ranks sixth nationally with 1,200 producers and 255,000 head of breeding sheep and lambs. Rile is a subsidiary of Superior Farms, which works with sheep producers responsible for a third of the nation's flocks. The Idaho producers are part of the Superior supply chain and are critical to the American sheep industry.

Murdoch said the grant will help producers capitalize on a low-cost genetic tool to make genetic and economic gains in their production systems.

She is fine-tuning the Flock54 genomic test, which provides a broad picture of a sheep's "catalog" of genes. Gene variants or mutations can improve an animal's weight gain and carcass quality, or make it vulnerable to diseases such as Ovine Progressive Pneumonia — an example of a disease the test can detect.

"I am excited for Rile Ag and Superior Farms to continue our partnership with Dr. Murdoch at the U of I to enhance and improve genetics within the American lamb industry," Lesa Eidman, director of producer resources and sustainability for Superior Farms, and direc-



USDA ARS

A recently awarded grant will help commercialize a genetic test for sheep.

tor of Rile, said in the press release. "The opportunity to improve the U.S. sheep flock with genetic improvement and Flock54 testing is tremendous, and I am excited to be part of this groundbreaking technology for the sheep industry."

"This grant money will be a tremendous asset for further research and development of Flock54," Murdoch said. "Specifically, it will allow her research team to increase the number of genetic traits reportable and create indexes for production traits that are so crucial to producers. The team will also create a new online reporting tool so that producers can submit data with

their DNA samples and receive their genetic report via this new online tool."

Murdoch told Capital Press that Flock54 looks at several traits, in contrast to single-gene tests. It is a 1,000-marker panel that "looks at about 1,000 different spots in the genome associated with disease traits we want to cull against, or economically important traits we want to select for" like meat quality or wool production. "The grant will help us validate more traits to deliver back to our Idaho producers."

UI said at less than \$20 per animal, the test can identify parent-

age, a broad range of genetic traits and susceptibility to major diseases like OPP. The disease can create major costs for sheep producers by reducing the number of lambs weaned by 8% and leaving survivors weighing 24% less. For a producer who markets 1,000 lambs a year at \$1.50 a pound, the financial hit can total more than \$37,000 a year — twice the cost of the testing.

Murdoch, an assistant professor of animal genomics at UI's Moscow campus, helped develop the first genomic tests for cattle. She will monitor results from the sheep testing and use the information to identify other genetic traits of interest for producers.

Idaho producers using Flock54 genetic testing to date have been able to enhance breeding flocks, and cull low-producing and disease-susceptible animals, UI said. More than 10,000 samples have been submitted for testing within the first six months of the test becoming available, UI said.

The collaborators anticipate producers will submit 150,000 test samples within the first three years, generating \$2.25 million to \$3 million in sales, UI said. Within five years, the business projects 500,000 samples will generate \$10 million a year, leading Rile to expand its lab and hire additional employees.

Idaho Commerce Director Tom Kealey said the IGEM funding will help advance the use of Flock54 genomic selection tool by Idaho's sheep producers and others nationwide.

"The genome research is for much better yield for sheep ranchers and processors, but at a lower cost," Kealey said.

Ex-ag secretary Vilsack on USMCA: 'Get it done'

By **MATTHEW WEAVER**
Capital Press

A trade agreement between the U.S., Mexico and Canada is likely to pass Congress with little problem if political leaders pursue it, agricultural leaders say.

"Very, very few" unresolved issues remain between members of Congress and the administration in finalizing the United States-Mexico-Canada Agreement, said Tom Vilsack, former U.S. Department of Agriculture Secretary and now president and CEO of the U.S. Dairy Council.

USMCA is the renegotiation of the North American Free Trade Agreement.

Vilsack said suffi-



Tom Vilsack

cient work appears to have been done in USMCA to strengthen, improve and modernize NAFTA, leaving no reason for it not to pass.

"This is something that can be done, needs to be done," Vilsack said. Sen. Chuck Grassley, R-Iowa, is working to create the sense of a deadline and push the agreement forward, Vilsack said.

"Congress works oftentimes when it is confronted with a deadline," Vilsack said. "If it's one or two issues, then get it done. No reason not to get it done today, no reason to wait for

tomorrow, no reason to wait for 2020. Let's get it done now."

Vilsack spoke during a Dec. 3 phone call hosted by the nonprofit organization Farmers for Free Trade.

More than 2,200 farmers signed a letter asking Speaker of the House Nancy Pelosi, House Minority Leader Kevin McCarthy, Senate Majority Leader Mitch McConnell and Senate Minority Leader Chuck Schumer to quickly pass USMCA, according to the organization.

"Farmers are hurting," said Brian Kuehl, co-executive director of Farmers for Free Trade. "The trade war, the trade disruption, the uncertainty of the last few years have really decimated the farm economy. Farm-

ers are down and they're down hard. Farmers are losing their farms, there are bankruptcies that are happening, farm suicides have been increasing. Farmers are pushed to the brink."

Those who aren't losing their farms aren't able to buy new tractors or combines, Kuehl said.

"That ripples through rural America," he said. "The ag equipment dealer that can't sell a combine, the Main Street business that isn't selling equipment from their hardware store, the local schools that don't have the sales tax revenue to support a bond initiative. Rural America is hurting because of the trade war and trade disruptions. ... Farmers need this win and they need this win now."

Passing the agreement in 2019 to provide trade certainty with Mexico and Canada is one of the "single biggest things" that would reverse the trend, Kuehl said.

"Since it's going to get done, why not get it done now?" Vilsack asked. "Why not just finish the work and get it done so the farmers and workers, the people out in the countryside whose livelihoods depend on this, have the confidence and reassurance that next year is going to be better than this year?"

Farmers for Free Trade is a bipartisan nonprofit organization formed in 2017 to tell people about the importance of free trade and helping farmers and ranchers support free trade agreements.

PUBLIC LIEN SALE
U-STORE SELF STORAGE
SAT, December 14, 2019 10AM

1st location starts at 10am.
2nd location starts at 11am.
1st - 1668 Industrial Way SW
Albany, Oregon

Michael Dunston, G032; Marnie Dymond, F034; Joel Mendez, J001; Grace Moller, G002; Errica Myers, G024; Patricia Traynor, H053

2nd - 1501 Hawthorne Ave NE
Salem, Oregon

John Balderas Jr, 2D67; Sarah Beskow, 1G02; Salem Bhayani, 1E28; Richard Cross, 2G08; Brian Davis, 1E01; DoubleTree By Hilton, 1G26; Erin Elliot, Y225; Michael Hancock, 1D11; Steven M Hanna, 1D27; Brian Ireland, 1C34; Martin John, 1H05; Randall Jordan, 2A77; James G Limes, 2G06; Ignatius T Mera, 1C27; Michael Moore, 1H02; Stephan Morales, 1G17; Kimberly Munz, Y217; Joshua Rupert, RJ16; Phillip Sanderson, 1D08; Kelly Wagers, 1F49

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Washington plans to spray 1,300 acres for gypsy moths

By **DON JENKINS**
Capital Press

About 1,300 acres in northwest Washington likely will be sprayed with an insecticide next spring to stop an outbreak of gypsy moths, including a type native to Asia never before detected in the U.S.

The Washington State Department of Agriculture said it tentatively plans to release *Bacillus thuringiensis* var. *kurstaki* over Woodway, a small city on Puget Sound, and Boulevard Bluffs, an Everett neighborhood. Both places are in Snohomish County.

An Hokkaido gypsy moth was trapped in Woodway this summer. It

was the first Hokkaido moth caught in the U.S. It feeds predominantly on larch trees in its native habitat, according to the department.

Three hybrid Asian gypsy moths were caught in Boulevard Bluffs.

Gypsy moths native to Asia are more mobile than European varieties and are considered more of a danger to spread.

Statewide, the department trapped 14 gypsy moths, a relatively low number. The department caught 11 European gypsy moths.

Before finalizing plans to spray, the department will conduct environmental reviews and consult with other agencies, including the USDA. The department said it will

explain its plan to residents at open houses.

European gypsy moths defoliate a wide variety of trees and shrubs. They are established throughout the East and Great Lakes. Western states have been successful in eradicating incipient populations.

Washington has sprayed for gypsy moths most years since 1979. To cover large areas, the agriculture department contracts with an aviation company to spray from the air.

Gypsy moths spread by laying eggs on personal belongings or ships. Eradication campaigns take place in the spring to kill emerging caterpillars.



WSDA

European gypsy moth larvae feed on trees and shrubs. Washington's Department of Agriculture will spray 1,300 acres to stop an outbreak.