

Washington butterfly gets ESA protection

By **DON JENKINS**
Capital Press

The island marble butterfly, found exclusively on one island in northwest Washington, will be listed as an endangered species, the U.S. Fish and Wildlife Service announced Monday.

The USFWS will designate 812 acres as critical to the butterfly’s survival, mostly on federal land in the San Juan Island National Historical Park. A notice was published Tuesday in the Federal Register. The listing will take effect 30 days later.

About 90% of the critical habitat is federally owned. The state and San Juan County are other landowners. Less than one-half percent of the land is privately owned, according to USFWS, which described the property as “steep coastal bluffs.”

In addition to the federally designated critical habitat, the Washington Department of Fish and Wildlife has enrolled more than 1,000 acres on San Juan and Lopez islands in a conversation program.



Karen Reagan/USFWS

The island marble butterfly is found only on the southern tip of San Juan Island in Washington. The state Department of Fish and Wildlife proposes to enroll landowners, including farmers and ranchers, into a voluntary conservation program.

Landowners will maintain patches of field mustard plants for butterfly habitat — 50 square feet per acre for larger parcels. In exchange, landowners will have protection from prosecution if they accidentally kill or injure the federally protected species while farming, ranching or some other routine activity.

Once the butterfly has federal protection, it’s too late to sign up. Landowners have about two weeks left to apply, state Fish and Wildlife biologist Ruth Milner said.

So far, 19 landowners have agreed to provide habitat. “I can’t remember talking to anyone who was opposed to the listing or opposed to conserving the butterfly,” she said. “It’s a source of pride for people on the island.”

“The lack of habitat clearly has negative impacts on this animal,” Milner said. “Having these folks involved is going to be really crucial to the (recovery) plan.”

Landowners who enroll in the conservation program must follow some

rules, such as keeping livestock out of the patches and not using insecticides within 15 feet of the habitat. Landowners who put up a fence to block deer can reduce the size of the patches by one-third.

The USFW calls the island marble butterfly one of the rarest butterflies in the world. It was unseen for 90 years until a Washington Department of Natural Resources employee spotted one in 1998.

Surveys in the following decade found the butterfly at several places on San Juan and Lopez islands. For the last decade, however, the butterfly has been found just at American Camp in the national historic park.

Milner said it’s unknown how many island marble butterflies survive. In the spring, federal and state agencies try to find flying butterflies. No count has been done this year because of state COVID-19 restrictions on human interactions.

USFWS proposed listing the butterfly as endangered in 2018. The proposal received 23 public comments.

9th Circuit rejects lawsuit against grazing authorizations

By **MATEUSZ PERKOWSKI**
Capital Press

Environmentalists have failed to convince the 9th U.S. Circuit Court of Appeals that grazing authorizations unlawfully harmed bull trout on seven allotments in Oregon’s Malheur National Forest.

The appellate court has rejected allegations from the Oregon Natural Desert Association and Center for Biological Diversity that more than 100 federal grazing decisions — including permit approvals and operating instructions — violated the forest’s management plan over a decade.

Contrary to the plaintiffs’ claims, “the record amply demonstrates that the Forest Service is actively engaged in protecting bull trout habitats from the effects of livestock grazing by monitoring the effects of livestock grazing on various habitat indicators and implementing site-specific grazing limitations,” the 9th Circuit said.

In 2018, a federal judge dismissed a lawsuit over grazing on the seven allotments that had originally been filed 15 years earlier, ruling that the plaintiffs hadn’t proven grazing caused threatened bull trout populations to plummet in the Malheur and North Fork Malheur rivers.

The plaintiffs argued that each river should be able to support about 2,000 bull trout but instead contain only 50 individuals, which means grazing must be restricted enough to allow for the



Mateusz Perkowski/Capital Press File

Cattle graze in the Malheur National Forest. A federal appeals court has rejected environmentalist claims against grazing on seven forest allotments.

populations to recover.

The 9th Circuit has now determined the judge correctly ruled in favor of the U.S. Forest Service and 16 ranchers who rely on the allotments and intervened in the lawsuit.

Under a federal strategy aimed at protecting the bull trout and other inland fish, the Forest Service must adjust or suspend grazing practices if “riparian management objectives” for stream health aren’t met.

As indicated by the Forest Service’s grazing curtailments, the agency “is not only monitoring, but also enforcing plan standards related to the protection of bull trout habitats,” the 9th Circuit said.

While the “continuing struggles of the bull trout” in the national forest are “undoubtedly troubling,” the 9th Circuit cannot act as a “panel of scientists” and

must “defer to the Forest Service’s expertise” regarding grazing rules, according to the ruling.

Dams, irrigation, non-native species and other factors have also affected the species, so the court “cannot effectively mandate, as ONDA would have us do, that bull trout numbers increase,” the ruling said.

From a procedural perspective, the agency also isn’t required to “analyze and show” in a written document that every grazing decision conforms with the forest plan, the 9th Circuit said. “Because the Forest Service was not obligated by statute, regulation, or caselaw to memorialize each site-specific grazing authorization’s consistency with the forest plan, the absence of such a document is not in itself arbitrary and capricious.”

LEGAL
PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/18/2020. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2014 TOYOTA COA 4DR
VIN= 5YFBURHE0EP114384
Amount due on lien \$1,595.00
Reputed owner(s)
CAITLIN MARIE HILL
OREGON STATE CU

\$187231-1

LEGAL
PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/18/2020. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2007 CHEV SILVERADO 4C
VIN= LGCEKL 9CL 72583557
Amount due on lien \$1,535.00
Reputed owner(s)
LILIA VARGAS & ROMARCIO SORIA

\$187232-1

LEGAL
PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/18/2020. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2015 DODGE JOURNEY LL
VIN= 3C4PDCGG3FT630209
Amount due on lien \$1,535.00
Reputed owner(s)
BEAU S & MAKENZIE L SHIREY

\$187233-1

LEGAL
PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/18/2020. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2014 FORD FUS 4DR
VIN= 3FA6P0SU3ER357529
Amount due on lien \$1,655.00
Reputed owner(s)
JENNIFER & ROBERT LANGFORD

\$187234-1

LEGAL
PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/11/2020. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2019 KIA FORTE 4D
VIN= 3KPF54AD5KE034725
Amount due on lien \$1,555.00
Reputed owner(s)
DOUGLAS JOHN, BOSCAM HYUNDAI LEASE TITLING TRUST

\$187179-1

LEGAL
PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/04/2020. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2019 HYUNDAI VELOSTER 3D
VIN= KMHTH6ABXKU014133
Amount due on lien \$1,575.00
Reputed owner(s)
JOSEPH BLAND & WILLIAM FREITAS

\$187182-1

LEGAL
PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/04/2020. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2018 NISSAN KICKS 4DR
VIN= 3NLCPSCU5JL541315
Amount due on lien \$1,555.00
Reputed owner(s)
MARIA G VAZQUEZ & MARIAM GAYOSSO
NISSAN MOTOR ACCEPTANCE CORP

\$187195-1

LEGAL
PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/11/2020. The sale will be held at 10:00am by
COPART OF WASHING TON INC
2885 NATIONAL WAY WOODBURN, OR 2004 FORD F450 PU
VIN= 1FDXW47P14ED62964
Amount due on lien \$1,555.00
Reputed owner(s)
LANE GENE BREWER OREGON STATE CREDIT UNION

\$187198-1

LEGAL
PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/11/2020. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2016 TOYOTA HIGHLANDER UT
VIN= 5TDBKRFH9GS244225
Amount due on lien \$1,555.00
Reputed owner(s)
ERIN CLARKE & RICHARD FISCHER
RIVERMARK COMMUNITY CU

\$187199-1

LEGAL
PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/11/2020. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2015 MAZDA 6 4D
VIN= JMLGJL W50F1216244
Amount due on lien \$1,555.00
Reputed owner(s)
LAURI COTTON JP MORGAN CHASE BANK NA

\$187200-1

LEGAL
PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/11/2020. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2017 KIA SEDONA VAN
VIN= KNDMB5C14H6337891
Amount due on lien \$1,555.00
Reputed owner(s)
NATHAN JOSEPH STUFFLEBEEM
MARION/POLK SCHOOLS CREDIT UNION

\$187172-1

LEGAL
PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/11/2020. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2008 CHEV SUBURBAN 4D
VIN= 3GNFK16398G230596
Amount due on lien \$1,555.00
Reputed owner(s)
ONEMAIN FINANCIAL GRP LLC
JENNIFER L R & BRET D BRENNER

\$187174-1

LEGAL
PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/11/2020. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2011 GMC SIERRA 4D
VIN= 1GT21ZCG9BZ412841
Amount due on lien \$1,555.00
Reputed owner(s)
COFFMAN EXCAVATION INC ALLY FINANCIAL

\$187175-1

LEGAL
PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/11/2020. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2008 BMW M3 4D
VIN= WBSV A93598E2 L 6239
Amount due on lien \$1,555.00
Reputed owner(s)
JAMES JASON SMITH

\$187176-1

LEGAL
PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/11/2020. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2016 NISSAN ALTIMA 4D
VIN= 1N4AL3AP0GN367587
Amount due on lien \$1,555.00
Reputed owner(s)
AMANDA & RICHARD WADE CUTTING
EDGE FCU

\$187177-1

LEGAL
PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/11/2020. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2012 AUDI A 5 CP
VIN= WAUJFAFR8CA044198
Amount due on lien \$1,555.00
Reputed owner(s)
FREDERIC & HEIDI BAUM AUDIO FINANCIAL SERVICES

\$187178-1

LEGAL
PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/18/2020. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2019 HYUNDAI TUCSON LL
VIN= KM8J3CAL4KU069593
Amount due on lien \$1,535.00
Reputed owner(s)
MELANIE MYERS & JACK MATTISON
HYUNDAI MOTOR FINANCE

\$187115-1

LEGAL
PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/11/2020. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2016 TOYOTA SCION 4D
VIN= 3MYDLBZV0GY125911
Amount due on lien \$1,555.00
Reputed owner(s)
AMANDA MAGLALANG & MALIK TUNE

\$187116-1

LEGAL
PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/04/2020. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2017 JAY 31' MH
VIN= 1FDXE4 F55GDC48596
Amount due on lien \$1,595.00
Reputed owner(s)
RONALD S & SUE WOODS GREAT NORTHWEST FEDERAL CREDIT

\$187117-1

LEGAL
PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/11/2020. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2011 HYUNDAI TUCSON LL
VIN= KM8JUCAC8BU206015
Amount due on lien \$1,555.00
Reputed owner(s)
BARBARA ANN BROWN

\$187169-1

LEGAL
PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/11/2020. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2015 TOYOTA CAMRY 4D
VIN= 4TLBFLFK4FU018536
Amount due on lien \$1,555.00
Reputed owner(s)
ORTON ABIGAIL & CODY S

\$187170-1

LEGAL
PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/11/2020. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2014 TOYOTA PRIUS 4H
VIN= JTDKDTB3XE1574905
Amount due on lien \$1,555.00
Reputed owner(s)
DUEL N CHAVEZ

\$187171-1