

Advocates urge Little to veto wolf-control bill

By BRAD CARLSON
Capital Press

The Center for Biological Diversity on April 27 called on Idaho Gov. Brad Little to veto a bill that would allow a substantial increase in the annual wolf harvest including through new methods.

Little's office would not comment on whether he will sign the bill.

The full Senate passed Senate Bill 1211 on April 21 by a vote of 26-7-2. The House passed it 58-11-1 on April 27 and sent it to Little for his signature.

It expands harvest opportunities and allowed methods of take — including by private contractors, snowmobiles and all-terrain vehicles — and increases funding the Idaho Department of Fish and Game transfers to the Wolf Depredation Control Board from the current \$110,000 to \$300,000. The board also is funded by the livestock industry and the state general fund.

Idaho had just over 1,500 wolves each of the last two summers, according to Fish and Game counts using cameras and other methods, after harvest of around 500 each year by hunting, trapping and for depredation control.

A 2002 wolf conservation and management plan calls for at least 150 wolves and 15 packs in the state. The state has been managing wolves for about a decade. Associated Press reported the legislation's opponents said it threatens the 2002 plan and could lead to the federal government assuming control.

"If this horrific bill passes, Idaho could nearly wipe out its wolf population," Andrea Zaccardi, a senior attorney at the Center for Biological Diversity, said in a release. "Unless we can stop this from becoming law, decades

of progress towards wolf recovery will be lost."

The center said if the governor signs the bill, it will consider next steps to protect Idaho's wolves and wildlife, which may include legal action.

Little "must veto this cruel and disastrous bill," Zaccardi said. "Idaho's state wildlife agency should be allowed to continue to manage wolves, not anti-wolf legislators dead-set on exterminating the state's wolves. We're going to do everything we can to fight for the survival of wolves in Idaho."

Zaccardi said wolves kill well below 1% of Idaho's livestock annually, and elk populations are above management objectives in most of the state.

Eastern Idaho rancher and wolf board member Richard Savage said it's highly unlikely the population would be reduced by anywhere near 90% soon.

"Hunting wolves is difficult," he said. "There is not much risk we would put much pressure on the population. I don't think we'll get even close."

And the wolf board acts in response to reported depredations, Savage said.

"We are not a population-management board," he said. "We are depredation control." A wolf control action is taken only after an investigation confirms a livestock depredation as wolf-caused and Fish and Game approves.

He said SB 1211 "appears to add more tools that the Depredation Control Board can consider to use to control depredations moving forward. I'm optimistic we could limit depredations and perhaps more than anything, where elk populations are struggling, benefit wildlife more than livestock."



Sarah Bassing/University of Washington

The Washington Department of Fish and Wildlife reported April 23 that the state had at least 178 wolves at the end of 2020, up 22% from the year before.

Washington Fish and Wildlife toasts higher wolf count

By DON JENKINS
Capital Press

Washington wildlife managers reported Friday that the state's minimum wolf count rose by 22% to 178 wolves in 2020, with more than 100 concentrated in three counties in the northeast corner of the state.

The state's wolf population has increased for 12 straight years. For the first time, four breeding pairs were documented in the North Cascades, a milestone for meeting statewide recovery objectives.

"I think it's fabulous news. I think it should be a cause for celebration," state Fish and Wildlife Director Kelly Susewind said.

The count was based on year-end surveys by Fish and Wildlife and an estimate by the Colville tribe, which manages wolves on its northeast Washington reservation.

Wolves have been recolonizing Washington since 2008. The state's recovery goals call for at least four breeding pairs in Eastern Washington, the North Cascades and South Cascades for three straight years.

The goal has long been surpassed in Eastern Washington, especially in Ferry, Pend Oreille and Stevens counties, where 19 of the state's 29 packs roam.

The North Cascades will need to retain at least four breeding pairs for two more years. The South Cas-

cades recovery zone, which extends through southwest Washington to the coast, has no confirmed wolves.

Stevens County Cattlemen's Association President Scott Nielsen said more wolves in northeast Washington will mean for more problems for livestock producers.

"It's not a cause for celebration, at least not for ranchers," he said. "We have more and more conflict."

State wildlife managers envision wolves dispersing into the South Cascades, completing recovery and perhaps leading to wolves being taken off the state's endangered species list.

"We were told we were going to have a little pain and then the wolves would disperse," Nielsen said. "That is the way it is supposed to work. People here can see that it's not the way it's working."

Fish and Wildlife tracked eight dispersing wolves that were wearing radio collars. None of them headed toward the South Cascades.

Fish and Wildlife state-wide wolf specialist Ben Maletzke said he expects wolves to start colonizing the South Cascades, especially as more packs fill up the North Cascades.

Interstate 90 forms the boundary between the recovery zones. "I-90 is a pretty formidable structure, but it takes a nanosecond for a wolf to make it across," Maletzke said.

Competing fish needs spark Klamath legal dispute

By MATEUSZ PERKOWSKI
Capital Press

The competing needs of different protected fish species are pitting the Klamath Tribes against the federal government in a court battle with legal implications for Oregon irrigators.

The Klamath Tribes are seeking an injunction to scale back how much water the federal government can release from Upper Klamath Lake to the detriment of endangered sucker species that inhabit it.

The tribes claim the U.S. Bureau of Reclamation has reduced the lake's water level below the minimum needed for Lost River and shortnose suckers, contrary to the Endangered Species Act's requirements for operating the Klamath Irrigation project.

"These fish are critically endangered. There are very few of them left," said Jay Weiner, the tribes' attorney, during April 26 oral arguments in federal court.

The bureau has prioritized flows in the Klamath river to benefit threatened coho salmon, jeopardizing the survival of the suckers by allowing the lake to fall below levels needed to sustain them, he said.

The suckers are long-lived species and the gov-



Associated Press File

A debate over water levels in Oregon's Upper Klamath Lake has sparked a legal dispute among tribes, irrigators and the federal government.

ernment is counting on them to again withstand insufficient water levels this year, Weiner said.

"The problem with that is the fish are at the edge of their natural lifespan. There's no guarantee they'll be back next year to be able to reproduce," he said. "We're conducting a real-time experiment on how far you can push an aging population."

While a springtime "flushing flow" of the river is meant to lower parasite populations that harm salmon, they face a less dire situation than endangered sucker species in the lake, the tribes argue.

Meanwhile, the bureau

has basically given up on assuring adequate water levels in the lake due to this year's drought, Weiner said. "They said we're not going to make it, so we're just not going to worry about it."

Endangered species are also entitled to greater legal protections than threatened species under federal court precedents, he said. "The needs of the endangered species need to come first."

U.S. District Judge Michael McShane should prohibit the springtime flushing flow and order that less water be released from Upper Klamath Lake to bring it closer to minimum levels required by the "biological opinion" that guides

the project's operations plan, the tribes argue.

The Bureau of Reclamation argues the tribes have demanded an injunction that favors certain protected species over others when there's simply insufficient water to meet all their needs.

An injunction isn't warranted because the scarcity of water is due to natural conditions, not anything the Bureau of Reclamation has done, the agency said.

"Reclamation can't control the weather. It can't be blamed for this historic drought," said Robert Williams, the agency's attorney. "The lake just never got full."

Radish seed farmers drop \$6.7 million lawsuit against bank

By MATEUSZ PERKOWSKI
Capital Press

A group of Oregon farmers has dropped a lawsuit that sought \$6.7 million from an out-of-state bank that allegedly reduced their radish seed crop's value.

The Radish Seed Growers Association and two seed companies have stipulated to a dismissal of their complaint against Northwest Bank of Warren, Pa., with each side bearing its own litigation costs.

Attorneys for the radish seed farmers and the bank did not respond to requests for comment on the dismissal.

In 2015, Northwest Bank sought to seize radish seed from more than 40 Oregon farms that had contracted to grow it for a defunct cover crop seed broker.

When the seed broker went out of business, Northwest Bank claimed

the 7.4 million pounds of radish seed that served as collateral for a loan taken out by the company.

A federal judge rejected the bank's arguments and allowed the farmers to sell the seed because the bank held no security interest in it. The ruling was upheld by the 9th U.S. Circuit Court of Appeals.

The farmers filed a lawsuit in 2017 claiming Northwest Bank's actions forced them to spend more money on storage costs and then sell the radish seed at a significantly diminished value.

The bank tried to get the lawsuit thrown out of court, arguing that its actions were shielded by the "absolute litigation privilege" that protects parties from liability for allegations made in court.

The farmers argued the lawsuit shouldn't be dismissed because Northwest

Bank sent letters outside court urging seed companies not to buy the crop, which effectively killed the market for radish seed.

The bank lacked an adequate "probable cause" to believe it actually owned a security interest in the seed when it warned off potential buyers, according to the farmers.

After a federal judge refused to dismiss the lawsuit, finding that the case should be decided by a jury, Northwest Bank filed another appeal to the 9th Circuit last year.

Briefing on the appeal was postponed after a mediation conference and ultimately called off due to the case's dismissal.

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