

Kruse Farms fined by DEQ for burning plastic row cover

By **GEORGE PLAVERN**
Capital Press

ROSEBURG, Ore. — A farm owned by former Oregon state Sen. Jeff Kruse was fined \$12,236 for illegal burning more than a year ago near the South Umpqua River.

The Oregon Department of Environmental Quality issued the penalty Feb. 24 to Kruse Farms, of Roseburg, though the incident took place in February 2020.

According to DEQ, Douglas County firefighters responded to an open burn complaint at Kruse Farms. Crews arrived and extinguished the fire, which included approximately 233 cubic yards of polyester fabric used as a soil cover between rows of sugar beets.

State law prohibits open burning of plastics, which can create both noxious odors and toxic air pollutants. Furthermore, DEQ alleges the fire was within 200 yards of the South Umpqua River, creating a risk of ash in the waterway.

Kruse Farms is appealing the fine. While he does not deny the burning took place, Kruse said he does not feel the punishment fits the crime.

“The closest house to where I burned is a little under a half-mile away,” Kruse told the Capital Press. “I wasn’t putting any animals or people at risk with it.”

Kruse disputed several facts laid out by DEQ. First, he said the size of the burn pile was significantly overstated by the Douglas County Fire District. A spokesman for DEQ said the pile was reportedly 30 feet by 40 feet, and 10 feet high, though Kruse claims it was only 5 feet in diameter.

Secondly, Kruse said the only time he’s ever had water from the Umpqua River reach where he burned was in 1964, during a 100-year flood.

“What DEQ is doing,



Jeff Kruse

there is a maximum fine for an offense,” Kruse said. “I don’t think this meets that standard. We can come to an agreement on a different number.”

The material, known as Reemay, was used as row covering for growing sugar beets, Kruse said. Row covering helps retain heat in the soil, providing a boost for the crop.

Rather than hauling the cloth to the dump — where it would stay forever — Kruse said Reemay “actually burns pretty darn clean, if you have it hot enough.”

Kruse Farms grows a wide variety of produce for sale at its farm stand and bakery. Kruse said the business has suffered during the coronavirus pandemic, and such a large fine would be potentially devastating.

“I really don’t think the objective should be to jeopardize somebody’s ability to be in business,” he said. “A fine of that size does that for us. We’ve had to take out loans to keep going, and this just adds insult to injury.”

In addition to farming, Kruse served more than 20 years as a Republican senator in the Oregon Legislature. He resigned his post in 2018 after an investigation determined he engaged in a pattern of “unwelcome physical contact toward females in the workplace.” Kruse has denied any wrongdoing.

Despite drought, good water supply predicted for Columbia River

By **SIERRA DAWN McCLAIN**
Capital Press

COLUMBIA LAKE, B.C. — Drought plagues much of the West, but officials predict abundant water supplies this year for Pacific Northwest irrigators who rely on the Columbia River System.

That’s good news for thousands of U.S. farms that rely on drainage from the Columbia River watershed, spanning Oregon, Washington, Idaho, western Montana and small portions of Wyoming, Utah and Nevada.

The Columbia — the Pacific Northwest’s largest river — begins in the Rocky Mountains of British Columbia, Canada, zigzags into Washington state, turns west into Oregon and finally empties into the Pacific Ocean. The river’s largest tributary is the Snake River, which crosses Idaho.

The recent positive forecast comes after a winter of heavy snowpack in British Columbia.

The Canadian Drought Monitor’s most recent report labels the region surrounding the river’s headwaters as “abnormally dry” this spring due to meager rainfall — 40% below average. But because of a snowy winter, officials say water supplies look healthy.

“I don’t think (irrigators) will have any problems with water supplies on the Columbia this year,” said Nick Bond, Washington state climatologist. “It’s tapping that healthy snowpack. The places that are kind of under the gun are the lower elevations where they’ve had an extended period of subpar precipitation and so forth.”

Bond said farmers that rely on the Columbia are much more fortunate than irrigators in other regions, such as farm-



U.S. Army Corps of Engineers

The Dalles Dam on the Columbia River. The water supply for the river system will be ample, experts say.

ers in the Klamath Basin straddling the Oregon-California border.

According to an April 1 snowpack report from British Columbia’s River Forecast Centre, snowpack in the Upper Columbia River Basin is 108% of normal for this time of year.

The water level at The Dalles Dam in Oregon also looks good, according to Joyce Redfield-Wilder, Washington State Department of Ecology public information officer. That’s an important indicator for water allocations.

According to rules adopted in 1980, if the dam’s April-September water flow falls below 60 million acre-feet, junior water right users could lose allocations. Data from the Northwest River Forecast Center April 26 show the projected water flow for the dam April through September 2021 is well above that threshold, at 81 million acre-feet, with only a 1 in 10 chance of falling below 76 million acre-feet.

“It’s looking good,” said Redfield-Wilder.

The Columbia River Basin includes

15.4 million acres of farmland across Oregon and Washington alone, according to the 2017 USDA Census of Agriculture. The highest-producing farmland in that region — nearly 1.7 million acres — is irrigated.

Washington state farmers especially rely on water from the Columbia Basin Project, managed by the U.S. Bureau of Reclamation, which serves 720,000 acres of farmland, including potatoes, sweet corn, onions, grapes, hops, fruit trees and alfalfa.

Bond, the climatologist, said while it might seem strange that the Columbia River is getting more water while other areas are getting less, it makes sense according to current climate change models, which predict lower latitudes will experience increasing drought while higher latitudes will experience more extreme winter snowfalls.

He expects this trend to continue. “If anything, while other places are getting drier, the Columbia River overall may be getting more water in the future than in historical times,” he said.

Capital gains tax likely to hit Washington farmers

By **DON JENKINS**
Capital Press

OLYMPIA — The legislative session ended Sunday with Democrats passing a capital gains tax that could take a bite from the income that farmers receive from selling their share in partnerships.

Earlier proposals broadly exempted income from selling farmland. In the last week of the session, Democrats extended the new 7% tax to landowners who sell their share in entities that own real estate.

Democrats said they didn’t intend to tax farm sales, but didn’t act on a plea by farm lobbyists to amend the bill and clarify that intent.

Farm groups, after consulting with the Department of Revenue and a tax

accountant, said the tax could be applied to a significant amount of farmland. Several Republicans came to the same conclusion.

“It is absolutely true, small farms will be affected by this,” said Senate Republican Leader John Braun, R-Centralia.

The capital gains tax was a high priority for Gov. Jay Inslee. The tax goes into effect Jan. 1, 2022. The state projects that by April 2023 about 7,000 taxpayers will owe approximately \$415 million.

“This has been a priority of mine for years, and I’m grateful to see some economic justice to begin to address the problems in our tax system,” Inslee said in a taped message late Sunday.

Over the years, the capital gains tax has been consistently promoted as a way to make the rich pay more. Exempting income from selling a farm has been a standard feature.

The bill finally passed by the Legislature still exempts income from selling real estate, including land that farmers sell directly.

In emails to farm groups,

however, the Department of Revenue said that while farmland meets the definition of real estate, a share in an entity that owns farmland may not.

Farms are often owned by multiple entities which in turn are owned by other entities, according to farm groups.

The bill may tax corporate farmland owners, most famously Bill Gates, but farm groups and Republicans warned the tax could hit many farmers who will notice the lost income.

“This is a complicated bill, and ag land is still included,” said Moses Lake Sen. Judy Warnick, the top-ranking Republican on the Senate agriculture committee.

The revenue department cautioned that it was impossible to make definitive interpretations until the tax was enacted and all details of a transaction are known. It was clear from the emails, however, that farm sales won’t get an automatic pass from the tax.

If the capital gains tax does hit farmers, Washington Farm Bureau director of

government relations Tom Davis said he wasn’t looking forward to asking again for changes.

“It’s hard to believe we’re going to get the relief the second-time around that we didn’t get the first-time around,” he said.

Democrats made the bill referendum-proof by declaring the tax was necessary to fund the government. The bill could still be challenged by an initiative, but qualifying an initiative for the ballot requires double the signatures.

Republicans said the bill was illegal because the state constitution forbids a graduated income tax. The capital gains tax will only apply to income above \$250,000 from selling long-held assets.

Ultimately, the state Supreme Court probably will decide whether the tax stands.

Sen. Curtis King, R-Yakima, predicted the “most-liberal Supreme Court” will uphold the tax and that it will be adjusted to affect more taxpayers “every time we need a dime.”

“If you think that this tax ... will stay at the level it’s at, you’re very naive,” he said.

LEGAL

PURSUANT TO ORS CHAPTER 87

Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/03/2021. The sale will be held at 10:00am by

COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR
2017 HONDA CRV UT
VIN = 2HKRW6H30HH218610
Amount due on lien \$1,515.00
Reputed owner(s)
BRENT DANIEL FISK
AMERICAN HONDA FINANCE CORP

S240457-1

LEGAL

PURSUANT TO ORS CHAPTER 87

Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/03/2021. The sale will be held at 10:00am by

COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR
2017 BMW 330 E 4DR
VIN = WBA8E1C54HK895216
Amount due on lien \$1,515.00
Reputed owner(s)
KARLI A & HAZEL C ADAMS
BMW BK OF NORTH AMER

S240458-1

LEGAL

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Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/03/2021. The sale will be held at 10:00am by

COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR
2018 KIA OPTIMA 4DR
VIN = 5XXGT4L30JG260496
Amount due on lien \$2,715.00
Reputed owner(s)
DAWNIELLE M & GEORGE R JR POST
OREGON COMM CU

S240459-1

LEGAL

PURSUANT TO ORS CHAPTER 87

Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/03/2021. The sale will be held at 10:00am by

COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR
2015 TOYOTA SCION 2DR
VIN = JTKJF5C72FJ006080
Amount due on lien \$2,395.00
Reputed owner(s)
MARTIN JONATHAN NOYOLA
TOYO MOTOR CREDIT CORP

S240454-1

LEGAL

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Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/03/2021. The sale will be held at 10:00am by

COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR
2017 NISSAN PATHFINDER UT
VIN = 5N1DR2MM1HC902825
Amount due on lien \$1,515.00
Reputed owner(s)
ERNESTO M NUNEZ & ROSALINDA
MEDINA
SANTANDER CONSUMER USA

S240455-1

LEGAL

PURSUANT TO ORS CHAPTER 87

Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/03/2021. The sale will be held at 10:00am by

COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR
2016 VW JETTA 4DR
VIN = 3VVD67AJ0GM370479
Amount due on lien \$1,515.00
Reputed owner(s)
SHANNON SODORFF & ALYSSA
RUTHERFORD
ONPOINT COMMUNITY C.U

S240456-1

LEGAL

PURSUANT TO ORS CHAPTER 87

Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/03/2021. The sale will be held at 10:00am by

COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR
2017 HYUNDAI ELANTRA 4DR
VIN = KMH084LF8HJ384742
Amount due on lien \$1,455.00
Reputed owner(s)
SPEEDWAY MOTORS LLC

S240452-1

LEGAL

PURSUANT TO ORS CHAPTER 87

Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/03/2021. The sale will be held at 10:00am by

COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR
2014 TOYOTA 4RN UT
VIN = JTEBU5JR8E5185041
Amount due on lien \$1,515.00
Reputed owner(s)
JILLIAN ANN HIGHT
UNIFY FINANCIAL CU

S240453-1

LEGAL

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF MARION PROBATE DEPARTMENT

IN THE MATTER OF THE ESTATE OF CUONG MANH NGUYEN, deceased.
Case No.: 21PB02974

NOTICE TO INTERESTED PERSONS

NOTICE IS HERBY GIVEN that the undersigned has been appointed Personal Representative of the above estate. All persons having claims against the estate are required to present them to the undersigned attorney at: 319 Sixth Street SW, Albany, OR 97321 within four months after the date of the first publication of this notice, as stated below, or such claims may be barred.

All persons whose rights may be effected by the proceedings in this estate may obtain additional information from the records of the Court, the Personal Representative, or the attorney for the Personal Representative.
DATED and first published April 16th, 2021

Personal Representative

NHUNG LE
14388 NW Liliun Drive
Portland, OR 97229
Attorney
DAVID B. BECKHAM
319 Sixth Ave SW
Albany, OR 97321

S24005-1

LEGAL

PURSUANT TO ORS CHAPTER 87

Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/03/2021. The sale will be held at 10:00am by

COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR
2017 CHRYS PACIFICA VAN
VIN = 2C4RC1BG4HR795523
Amount due on lien \$2,515.00
Reputed owner(s)
CYNTHIA J & GLEN T SHARP
ONPOINT COMMUNITY C.U

S240449-1

LEGAL

PURSUANT TO ORS CHAPTER 87

Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/03/2021. The sale will be held at 10:00am by

COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR
2017 HYUN ELANTRA 4DR
VIN = 5NP084LF4HH083187
Amount due on lien \$1,415.00
Reputed owner(s)
PATRICIA ANN BILLERBECK

S240450-1

LEGAL

PURSUANT TO ORS CHAPTER 87

Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/03/2021. The sale will be held at 10:00am by

COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR
2011 CHEV TAHOE UT
VIN = 1GNS2E0XBR282077
Amount due on lien \$2,515.00
Reputed owner(s)
JUSTIN TIMOTHY WILLIS
SUNSET SCIENCE PARK FCU

S240451-1

LEGAL

PURSUANT TO ORS CHAPTER 87

Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/03/2021. The sale will be held at 10:00am by

COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR
2019 VW JETTA 4DR
VIN = 3VVE57BU7KM194460
Amount due on lien \$2,515.00
Reputed owner(s)
TIGER R & ALONDRA PINEDA
METLIFE

S240447-1

LEGAL

PURSUANT TO ORS CHAPTER 87

Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 05/03/2021. The sale will be held at 10:00am by

COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR
2017 HUYNDAI SONATA 4DR
VIN = 5NPE34AF5HH473298
Amount due on lien \$1,435.00
Reputed owner(s)
LINDA MARIE DAVIS
FIFTH THIRD BANK NATIONAL ASSOC

S240448-1

NOTICE OF TALL FESCUE COMMISSION BUDGET HEARING

TO: ALL OREGON TALL FESCUE GROWERS
Notice is hereby given that a public hearing will be held pursuant to ORS 576.416 (5), on Thursday, May 27, 2021, at 7:30 a.m. via Zoom meeting or call, upon a proposed budget for operation of the Oregon Tall Fescue Commission during the fiscal year July 1, 2021 through June 30, 2022. At this hearing any producer of Oregon-grown Tall Fescue seed has a right to be heard with respect to the proposed budget, a copy of which is available for public inspection, under reasonable circumstances, in the office of each County Extension Agent in Oregon. For further information, contact the Tall Fescue Commission business office, P.O. Box 3366, Salem, Oregon 97302, telephone 503-364-2944. The meeting location is accessible to persons with disabilities. Please make any requests for an interpreter for the hearing impaired or for other accommodation for persons with disabilities at least 48 hours before the meeting by contacting the Commission office at 503-364-2944.

S241579-1