

Easterday Dairy application dealt setback

By **GEORGE PLAVEN**
Capital Press

BOARDMAN, Ore. — A proposal to reopen Oregon's second-largest dairy farm has hit an administrative snag.

Easterday Farms, based in Pasco, Wash., purchased the former Lost Valley Farm near Boardman, Ore., in 2019, hoping to operate the facility with up to 9,700 mature dairy cows, 8,600 dairy heifers and 10,000 non-dairy cattle.

Earlier this year, one of the farm's co-owners, Cody Easterday, pleaded guilty to defrauding Tyson Foods of \$233 million as part of a "ghost cattle" scheme, selling more than 200,000 head of cattle that existed only on paper.

Sentencing for Easterday is scheduled for Aug. 4. He faces up to 20 years in

prison for felony wire fraud.

However, Cody Easterday's name is still listed as the operator of Easterday Farms Dairy on its Confined Animal Feeding Operation, or CAFO, permit, which was previously submitted to the Oregon Department of Agriculture and Department of Environmental Quality.

Cody Easterday's son, Cole Easterday, has since taken over as manager of Easterday Farms Dairy LLC after purchasing his father's interest in the business. But according to Oregon state law, the name listed on the CAFO application must be the owner or operator of the facility.

Accordingly, ODA and DEQ announced they are giving Cody Easterday until July 15 to withdraw the application or it will be denied.

ODA spokeswoman



EO Media Group File

The former Lost Valley Farm outside Boardman, Ore., now the proposed Easterday Dairy.

Andrea Cantu-Schomus said the current application cannot be transferred to another individual or entity, meaning Cole Easterday would have to submit an entirely new CAFO permit application.

That includes detailed plans about how the farm will manage an estimated 5.4 million cubic feet of liquid manure, 5.9 million cubic feet of solid manure and 11.7 million cubic feet of processed wastewater annually.

Cole Easterday declined comment when reached July 2.

A coalition of environmental groups that opposes the dairy, called Stand Up to Factory Farms, released a statement supporting ODA's decision, while also urging the agency to reject the project outright.

"Oregon is in the throes of a record-breaking, climate change-fueled heat wave and drought that will be worsened by a mega-

dairy's massive greenhouse gas emissions and water waste," said coalition organizer Kristina Beggen.

Beggen said Oregon Gov. Kate Brown must step in and deny the permit "no matter who the applicant is."

The dairy in question began as Lost Valley Farm, under the management of California dairyman Greg te Velde. Within a year of opening in 2018, the dairy racked up more than 200 violations of its CAFO permit, including open-air lagoons overflowing with manure.

The 5,390-acre property is in the Lower Umatilla Basin Groundwater Management Area, designated by DEQ in 1990 for elevated levels of groundwater nitrates.

Te Velde eventually declared bankruptcy and the dairy was taken over by a trustee who sold it at

auction. Easterday Farms bought the property for \$66.7 million, and promised to invest \$15 million upgrading the farm's wastewater facilities.

The sale did not include Lost Valley Farm's cattle, and no animals are currently allowed on site.

Farms and ranches owned by the Easterday family in southeast Washington were auctioned to pay off the company's debts.

An investment group with ties to the Church of Jesus Christ of Latter Day Saints was the high bidder for more than 33,000 acres of Easterday land in Benton County, Wash.

In a previous interview, Cole Easterday said he and his brothers, Clay and Cutter, are now the sole owners of Easterday Dairy LLC, and are not involved in Easterday Ranches.



Don Jenkins/Capital Press

The Biden administration says it will propose new water-quality standards for surface water in Washington.

Biden EPA to write water-quality rules for Washington

By **DON JENKINS**
Capital Press

The Biden administration will set new limits on pollutants in Washington rivers, creeks and lakes, likely embracing standards the Washington Farm Bureau and other trade groups say will stifle industries.

The Environmental Protection Agency pledged to propose water-quality standards within nine months and finalize the rule within 18 months. The announcement disowned limits adopted by the Trump EPA.

The standards affect dairies, food processors and other industries that have permits to discharge wastewater. The EPA said in a statement Thursday that it was committed to applying "sound science."

Farm Bureau CEO John Stuhlmiller said he expects the Biden EPA to revert to standards imposed on the state by the Obama EPA in 2016.

"In nine months, you're probably just rehashing what's been developed," he said.

"We're not happy about that, obviously," Stuhlmiller said. "The political winds shift. That's what we're experiencing."

The Inslee administration welcomed EPA's announcement.

"As our partner in clean water, we are ready to work with EPA to get the right water-quality standards in place and working for Washington," Ecology Director Laura Watson said in a statement.

Ecology's position on water-quality standards has changed with who occupies the White House.

In 2016, Ecology proposed standards that it said were based on "the best available science." The Obama EPA disagreed and imposed stricter standards, brushing aside Ecology and using its power under the Clean Water Act.

The Farm Bureau joined other trade groups in petitioning the Trump administration to restore the stan-

dards developed by Ecology.

The Trump EPA granted the petition. Washington Attorney General Bob Ferguson responded by filing his 39th lawsuit against Trump.

The suit sought to repeal the water-quality standards once championed by Ecology, but now associated with Trump.

The suit is still pending in U.S. District Court for Western Washington. On Wednesday, the Justice Department moved to put the litigation on hold, while the EPA sets new water-quality standards.

The Trump-approved standards — written by Ecology — "may not be based on sound science," according to the motion.

Ecology neither admits nor denies its science was unsound. The agency praised the EPA for moving to end "years of uncertainty."

"This is a step in the right direction for protecting the communities most vulnerable to pollution, including tribal members who rely on fishing for traditional diet and work," Watson said.

The Farm Bureau joined a coalition, led by the Northwest Pulp and Paper Association, that intervened in the lawsuit to defend the Trump, or old Ecology, standards. Coalition members met Thursday by phone and were discouraged by how the case has turned, Stuhlmiller said.

"We were very unhappy with what came out of the process (in 2016). Why would there be any difference?" he asked. "Now we have to face impossible standards."

Ecology's old standards — the ones called inadequate by the Biden EPA — purported to protect the health of a person who ate 6 ounces of fish caught in Washington every day for 70 years.

The Quinalt Indian Nation and Sauk-Suiattle Indian Tribe intervened in the lawsuit, claiming the Trump EPA was impairing treaty-reserved rights to catch and consume fish.

Wildfire officials: Peak risk arrives early as drought expands

By **BRAD CARLSON**
Capital Press

Widespread and worsening drought in much of the West prompted the wildfire season's high-risk period to arrive at least a month early.

"We have active large fires in all Western regions," National Interagency Fire Center meteorologist Nick Nauslar said in a multi-agency news conference July 1.

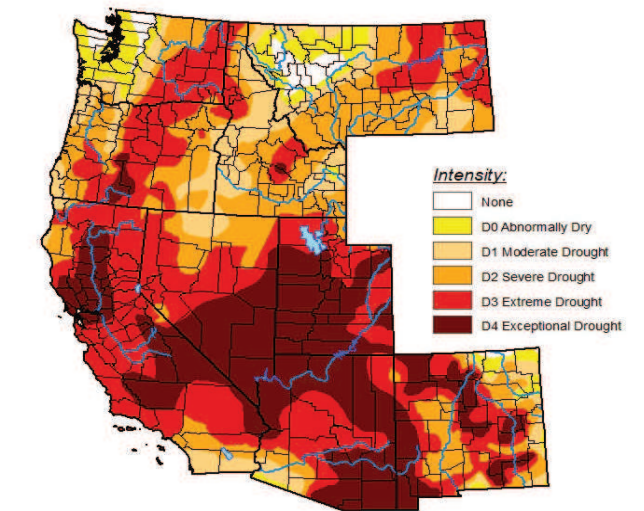
Prolonged extreme heat continues to bake built-up grasses and other fine fuels that dried early during an unusually warm spring. Some timber also dried early.

Nauslar, who wrote much of the National Significant Wildfire Potential Outlook for July through October, said the last few days of June brought a surge of monsoonal moisture to the Southwest, Colorado and southern Great Basin.

"We expect that shift (of risk) west to north due to the monsoon starting to ramp up," he said.

Meanwhile, more than 90% of the West is in drought, including extreme or exceptional classifications in over half the region, Nauslar said. "And it has intensified in the last handful of months."

He said in the NIFC report that drought continues to intensify in California and parts of the Pacific Northwest, as well as in the Northern Rockies. It per-



U.S. Drought Monitor

The Western U.S. as of June 29.

sists in the Great Basin and much of the Southwest.

The report assesses the risk of large fires. These typically are at least 300 acres in rangeland, 100 acres in timber, or require an incident-management team.

Nearly all of the Northwest faces above-average risk of large fires into September before that likelihood drops in October, NIFC reported.

But October risk likely will stay above normal in much of California, in the south from the mountains westward and in the north except in the northeastern area. In Southern California, drought continued to worsen in June, and live fuels continued to dry — they are about a month and a half ahead of schedule.

Climate outlooks call for above-normal tem-

peratures through summer in much of the West, the report said. Weather that's hotter and drier than usual is expected through September in the Northwest and Northern Rockies.

"We are currently facing the most challenging wildfire conditions we've seen in Idaho in a long time," U.S. Bureau of Land Management State Fire Man-

agement Officer Dennis Strange said.

NIFC on July 1 said California reported eight large fires, Oregon two and Idaho one. Nationally, acres burned to date are just over 1% ahead of a year ago.

Big wildfires July 1 included California's Lava and Salt fires in the Shasta-Trinity National Forest, and the Tennant fire in the Klamath National Forest. Burned acres totaled 19,680 for Lava, 9,439 for Tennant and 3,800 for Lava.

Oregon fires included Wrentham Market near Dufur at 7,222 acres, and the new Sunset Valley fire initially reported at 650 acres southeast of The Dalles.

The Fritzer Fire west of Salmon, Idaho, stood at 139 acres.

Inciweb, which reports wildfires of all sizes, said un-contained fires as of early July 2 totaled 11 in California, seven in Oregon excluding Sunset Valley, one in Idaho and none in Washington.

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