

Lawsuit opposes spraying of grasshoppers, Mormon crickets

By **MATEUSZ PERKOWSKI**
Capital Press

Federal insecticide treatments aimed at controlling grasshoppers and Mormon crickets on Western rangelands have come under fire from environmental advocates for allegedly causing ecological damage.

Two environmental nonprofits — the Xerxes Society for Invertebrate Conservation and the Center for Biological Diversity — have filed a lawsuit claiming the USDA’s rangeland pesticides program violates the National Environmental Policy Act.

The complaint has asked a federal judge to overturn the agency’s authorization of the insecticide program in Oregon, Idaho, Montana and Wyoming and to potentially prohibit spraying while the environmental

impacts are reconsidered. Congress intended for the USDA’s Animal and Plant Health Inspection Service to use a “holistic approach” for controlling the pests, using tools other than just chemicals, but the agency has ignored these instructions to focus almost exclusively on spraying, the plaintiffs say.

“APHIS’s widespread, routine application of pesticides on public and private rangelands to manage grasshoppers — many of which never reach economic infestation levels — harms not just grasshoppers but also numerous non-target insect species critical to ecosystem functioning and productivity,” the lawsuit alleges. “This, in turn, has repercussions for birds, mammals, and plants that rely on these insects for food or pollination.”



Capital Press File

An environmental lawsuit seeks to overturn USDA’s approval of a pesticide treatment program for grasshoppers and Mormon crickets.

A spokesperson for APHIS did not respond to requests for comment as of press time.

Killing billions of grasshoppers affects rangeland ecosystems but the USDA hasn’t considered long-term benefits from the species, whose outbreaks serve valu-

able environmental functions while causing “short-term damage” to crops and forage, according to the plaintiffs.

“Grasshoppers play an important role in nutrient cycling and serve as an important food source for wildlife, including reptiles,

small mammals, fish, and birds, particularly the imperiled greater sage grouse,” the complaint said.

The lawsuit claims USDA has underestimated the adverse effects on bees, butterflies, moths, ants and other insects from the four pesticides it uses to control grasshoppers and Mormon crickets: carbaryl, diflubenzuron, malathion and chlorantraniliprole.

For example, the agency has evaluated the threat from diflubenzuron, known as Dimilin, by reviewing studies on honey bees, which have different life cycles than native rangeland bees that are already suffering from falling populations, the complaint said.

The USDA conducted an environmental impact statement that comprehensively examined the pesticide program in 2019.

Though APHIS did not comment on the litigation, the agency’s environmental review concluded the spray regime would provide the most flexibility in controlling grasshoppers and Mormon crickets while still protecting the environment.

The agency uses a “reduced agent area treatment” approach, or RAAT, under which the chemicals are sprayed at lower rates or over a smaller land area. This method preserves natural predators and parasites that prey on grasshoppers and Mormon crickets while still reducing pest populations.

“The goal of the RAAT strategy is to economically and environmentally suppress grasshopper populations to a desired level, rather than to reduce those populations to the greatest possible extent,” according to APHIS.

Oregon horse tests positive for equine herpesvirus

By **GEORGE PLAVERN**
Capital Press

SALEM — A horse in Clackamas County, Ore., was euthanized after testing positive for equine herpesvirus, the state Department of Agriculture reported June 2.

Equine herpesvirus is a highly contagious disease in horses. It can be transmitted via nose-to-nose contact, respiratory secretions, fetal fluids and contaminated equipment such as feed and water buckets. The disease cannot be transmitted to humans.

According to ODA, the infected horse had traveled to the 2022 State Oregon High School Equestrian Teams Championship, which was May 12-15 at the First Interstate Bank Expo Center in Redmond.

A second horse from the same ranch that also traveled to OHSET is

doing well and recovering from initial respiratory symptoms. ODA has placed the ranch under quarantine.

Dr. Ryan Scholz, state veterinarian for ODA, said he is working with OHSET to evaluate the potential exposure risk for other animals. Event coordinators are also working with contract exhibitors. It was not immediately clear how many horses may have been exposed.

All owners who believe their horses may have been exposed should monitor their animal’s temperature twice daily and call their veterinarian if they notice any symptoms — including fever, difficulty urinating, nasal discharge, coughing, head tilt, stumbling or weakness in hind limbs or inability to rise.

The virus typically has an incubation period of 2-10 days. Respiratory shedding of the virus generally occurs for 7-10 days but could persist longer in infected horses.

ODA recommends several biosecurity measures to decrease potential spread of equine herpesvirus, including:

- Limit horse-to-horse contact.
- Limit horse-to-human-to-horse contact.
- Avoid use of communal water sources.
- Avoid sharing equipment unless thoroughly cleaned and disinfected between uses.
- Isolate new or returning horses from others for 30 days.
- Monitor horses for symptoms, and report any temperature over 102 degrees to a veterinarian.

California court rules bumble bee is a fish under endangered species law

By **SIERRA DAWN McCLAIN**
Capital Press

SACRAMENTO — A California appeals court has ruled that, under certain circumstances, bees are now legally considered fish and can be protected as such under the state’s endangered species law.

The May 31 decision triggers protections for bumble bees and effectively prohibits actions that could kill, or “take,” some species without a permit or authorization.

Supporters of the ruling call it a win for bumble bees; critics say it might make farming activities, including grazing, growing crops and applying pesticides, more difficult.

In the ruling, Almond Alliance of California v. Fish and Game Commission, the California 3rd District Court of Appeals reversed an earlier judgment that had found that bumble bees could not be considered “fish” under the California Endangered Species Act, or CESA.

In 2018, the Defenders of Wildlife, Xerxes Society for Invertebrate Conservation and Center for Food Safety petitioned the California Fish and Game Commission to list four bumble bee species — the Crotch, Franklin’s, Suckley cuckoo and Western bumble bees — for CESA protection.

CESA, however, only protects “native species or subspecies of a bird, mammal, fish, amphibian, reptile or plant.” Insects are notably missing from the list.

The conservation groups argued that the definition of fish should be reinterpreted. Section 45 of CESA defines a fish as a “wild fish, mollusk, crustacean, invertebrate, amphibian or part, spawn or ovum of any of those animals.” The groups argued that the word “invertebrate” should include all invertebrates, not just aquatic ones.

The California Fish and Game Commission responded by voting to begin the listing process in 2019 but was sued by seven agricultural groups, including the Almond Alli-



The Western bumble bee.

ance of California and the California Farm Bureau Federation.

The California Superior Court ruled in favor of the farm groups in 2020, but last month the California 3rd District Court of Appeals reversed the decision, allowing bumble bees to be classified as fish.

“Although the term fish is colloquially and commonly understood to refer to aquatic species, the term of art employed by the Legislature in the definition of fish in section 45 is not so limited,” 3rd district California Court of Appeals Associate Justice Ronald Robie wrote for the three-judge panel. “...Accordingly, a terrestrial invertebrate, like each of the four bumble bee species, may be listed as an endangered or threatened species under the Act.”

Robie called the decision “a liberal interpretation of the act.”

“The court’s decision allows California to protect some of its most endangered pollinators,” Sarina Jepsen, Xerxes Society’s director of endangered species, said in a statement.

The Xerxes Society said the decision could also pave the way for “critical protections” for other “imperiled insects.”

California Farm Bureau’s senior counsel, Kari Fisher, said the organization is “troubled” by the appeal court’s decision and is “evaluating potential next steps.”

Andony Melathopoulos, Oregon State University Extension Service’s pollinator health specialist and assistant professor, said that although the decision was intended to protect bumble bees, it may actually have some unintended negative consequences.

One downside of the ruling, he said, is that it could make it more difficult for scientists to study bumble bee populations because they’ll need to apply for permits to “take” endangered pollinators.

“Before this ruling, entomologists in California could collect a lot of data on bumble bee distribution, and now, it will be more closely scrutinized through permits,” 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 06/13/2022. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2015 MAZD MZ3 4D
VIN = JM1BM1V76F1268174
Amount due on lien \$1515.00
Reputed owner(s)
HELEN MILLER

LEGAL PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 06/13/2022. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2016 TOYOTA PRI 4D
VIN = JTDKARFUXG3506660
Amount due on lien \$1535.00
Reputed owner(s)
TYLER & JEREMY NOFZIGER
TOYOTA MOTOR CREDIT CORP

LEGAL PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 06/13/2022. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2011 CHEV TRV 4D
VIN = 1GNKRGED8B1199404
Amount due on lien \$1535.00
Reputed owner(s)
BREAUNA MIRANDA & WILLIAM RUFF
OREGON STATE CREDIT UNION

PUBLIC LIEN SALE U-STORE SELF STORAGE
Auction Starts June 14, 2022
storageauctions.com
Ends Friday, June 24, 2022 10am

1668 Industrial Way SW Albany, Oregon
Rebecca Beach, H095; Katrina Briones, A008; Brandon Hayes, Y013; Julia Horton, G054; Grace Moller, G002; Lisa Moore, A031; Dale Morford, G045; Nathan L. Reed, H103; Samantha Reid, Y004; Salvador Sepulveda, A024
1501 Hawthorne Ave NE Salem, Oregon
Michael Barlow, I017; Kristen Blyeth, 2C03; Joseph A Craigmyle, 2B37; William P Floyd II, 1C44; Nicole Haynes, Y1-3, Randall Jordan, 2A77; Anntara Martin, 1C18; Quanne Monette, 1F41; Armando Ochoa Quintero, 1G20; Ember Reed, 2B09; Caitlin Roney, 2A62; Nikki N Roque, 1D14; Elisha Severson, 1E38; Ashley Smaw, 1F35; Troy Vanscoter, Y4-5; St Jon Wilson, 1A01

LEGAL PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 06/13/2022. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2008 INFI G37 CP
VIN = JNKC6V4E38M122684
Amount due on lien \$1435.00
Reputed owner(s)
> ABHINAV & ASTHA MITRA

LEGAL PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 06/13/2022. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2015 RAM 150 PK
VIN = 1CGRR6GT3F5714404
Amount due on lien \$1535.00
Reputed owner(s)
BENTLEY BEAR WORKMAN-MORELLI
ONPOINT COMMUNITY CREDIT UNION

LEGAL PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 06/20/2022. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2015 TOYT 4RN UT
VIN = JTEBU5JR3F5205083
Amount due on lien \$1515.00
Reputed owner(s)
MARIO ALCARIO REYES
RIVERMARK COMMUNITY CU

LEGAL PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 06/13/2022. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2018 SUBA LEG 4D
VIN = 4S3BNAC66J3033147
Amount due on lien \$1515.00
Reputed owner(s)
> OLD REPUBLIC SURETY CO
ENTERPRISE FM TRUST

LEGAL PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 06/13/2022. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2018 HONDA CIVIC 4D
VIN = SHHF7H5XU415082
Amount due on lien \$1535.00
Reputed owner(s)
BEATRIZ D DIAZ & LIZBETH E DIAZ
CITIZENS BANK

LEGAL PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 06/20/2022. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2016 LNDR RRV 4W
VIN = SALGS2VF7GA246669
Amount due on lien \$1535.00
Reputed owner(s)
JEROME JOSEPH ROSE
UNITUS COMMUNITY CREDIT UNION

LEGAL PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 06/13/2022. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2018 TOYT RAV 4D
VIN = JTMRFREV8J14311
Amount due on lien \$1515.00
Reputed owner(s)
BETTY JUNE JOHNSON

LEGAL PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 06/20/2022. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2009 LEXUS RX35 UT
VIN = 2TZHK31U89C107182
Amount due on lien \$1535.00
Reputed owner(s)
DANIEL SHERMAN BATES
WELLS FARGO AUTO

LEGAL PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 06/20/2022. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2012 TOYT CAM 4D
VIN = 4T1BF1FK2CU030468
Amount due on lien \$1535.00
Reputed owner(s)
AIDEN DONG KIM

LEGAL PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 06/13/2022. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2016 ACURA TLX 4D
VIN = 19UBB3F57GA001670
Amount due on lien \$1515.00
Reputed owner(s)
KYLE WAYNE KAPPLER

LEGAL PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 06/13/2022. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2015 NISSAN MUR LL
VIN = 5N1A2ZMH3FN290909
Amount due on lien \$1535.00
Reputed owner(s)
JOSHUA BLAINE DEMARAY
CONSUMER PORTFOLIO SERVICES INC

LEGAL PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 06/20/2022. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2016 AUDI A3 4D
VIN = WAUJG7FF6G1002602
Amount due on lien \$1455.00
Reputed owner(s)
TIA MARI WILKINS
ALLY FINANCIAL

LEGAL PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 06/13/2022. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2013 TOYT PRIUS 4D
VIN = JTDKDTB38D1056791
Amount due on lien \$1515.00
Reputed owner(s)
DANIEL & NATHAN DONATI
RIVERMARK COMMUNITY CU

LEGAL PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 06/13/2022. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2016 GMC TRN 4D
VIN = 2GKFLUEK8G6251776
Amount due on lien \$1535.00
Reputed owner(s)
TED & SANDRA RICHARDS
OREGON COMMUNITY CREDIT UNION

LEGAL PURSUANT TO ORS CHAPTER 87
Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 06/20/2022. The sale will be held at 10:00am by
COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2012 DODGE R15
PK = 1C6RD7KT2CS237973
Amount due on lien \$1455.00
Reputed owner(s)
CHANDLER SHAWN VILLARREAL
OREGON STATE CREDIT UNION