



Union Pacific Railroad Co.

A Union Pacific train. The Surface Transportation Board, a federal agency that regulates transportation, has ordered Union Pacific Railroad Co. to improve its service to Foster Farms' chicken farms in California.

Union Pacific ordered to improve rail service to Foster Farms' operations

By **SIERRA DAWN McCLAIN**
Capital Press

The Surface Transportation Board, a federal agency that regulates transportation, has ordered Union Pacific Railroad Co. to improve its service to Foster Farms, a major chicken grower and manufacturer.

The board's order came after complaints from the poultry company that Union Pacific wasn't delivering feed on schedule to the company's chicken farms in California.

Foster Farms told the board in a letter on June 15 that since February it has faced challenges getting the animal feed it needs — primarily corn meal — from the Midwest to Foster Farms' facilities in Traver and Turlock, Calif.

Foster Farms wrote in the letter that its California facilities rely on "huge quantities of corn" that must be delivered by rail each week to feed chickens. The company says that in the past, Union Pacific delivered the feed "with reasonable regularity," but since February it has failed to do so. Foster Farms said it has recently seen a "substantial,

measurable deterioration of rail service."

UP's service failures, wrote the poultry company, "have resulted in numerous instances where Foster Farms has suspended its production and distribution of feed for tens of thousands of dairy cattle and tens of millions of chickens and turkeys, which consume corn meal supplied by Foster Farms."

As a result, the company said, "millions of chickens will be killed and other livestock will suffer because of UP's service failures."

Foster Farms wrote that it has also incurred "considerable costs" attempting to find alternative means and transportation modes to ship corn to its facilities.

Foster Farms asked the board to order UP to prioritize the movement of 100-car unit trains of corn to Foster Farms' facilities.

On June 17, the board agreed to Foster Farms' request, issuing an emergency service order that requires UP to perform on its service commitments and prioritize corn shipments to Foster Farms' facilities. The board wrote that an emergency order was "warranted" while the agency

investigates the underlying issues and reviews the remainder of Foster Farms' petition.

Under the emergency order, the service improvements include prioritizing the assignment of crews to Foster Farms' unit trains at loading points, prioritizing Foster Farms' unit trains on the UP system and assigning and retaining sufficient locomotives to Foster Farms' trains so that there's enough locomotive power to make the long-distance trips from the Midwest to California.

On June 28, Foster Farms requested that the board continue monitoring UP for at least the initial 30-day emergency period.

July 1, the board granted this request and agreed to continue monitoring the situation.

Foster Farms did not immediately respond to a request for comment.

Union Pacific Railroad Co. did respond but declined to comment on details.

"I appreciate (the Capital Press) reaching out, but we are in our quiet period before our (second quarter) earnings announcement and cannot comment," said Robynn Tysver, spokeswoman for Union Pacific.

Wildlife commission nixes wolf rule sought by Inslee

By **DON JENKINS**
Capital Press

The Washington Fish and Wildlife Commission on July 8 voted down a rule specifying what ranchers must do to protect livestock before the state will resort to shooting wolves.

The 5-4 vote ended a process that began nearly two years ago with Gov. Jay Inslee, prodded by the Center for Biological Diversity and other groups, ordering the department to write a rule.

The groups alleged that Fish and Wildlife relied too much on lethal control and too little on non-lethal measures. The governor echoed those concerns.

Some commissioners supported a rule. A majority, however, voted to retain the current informal policy that gives the department leeway in setting expectations for ranchers.

Fish and Wildlife Director Kelly Susewind said the department — with or without a rule — will continue working with ranchers to improve nonlethal safeguards.

"We have a bunch of staff, brilliant staff, working on that every day," he said. "We will always look for better ways of doing it."

Inslee could order up a rule proposal, but he could not dictate its content or whether the commission would pass one.

"Though the commission did not adopt the rule, several commissioners noted the need for additional work," a governor's spokeswoman, Jaime Smith, said in an email.

"The governor will discuss possible approaches for that work when he meets with (Susewind) later this month," she said.

Complying with Inslee's order, Fish and Wildlife staff proposed to merely codify its current protocol. The department's Wolf Advisory Group developed the protocol in 2017 and it has held up well in court.

In defending killing wolves, Fish and Wild-



IDFG

A gray wolf



Gov. Jay Inslee

life lawyers have relied on the department's authority to control dangerous wildlife, rather than its application of a rule.

Commissioner Loma Smith said she wants a rule, but one stricter than the current protocol.

"I believe it does way too little to achieve the goals of reducing livestock losses and reducing the need to kill wolves," she said.

Smith and Commissioners Melanie Rowland, Tim Ragen and John Lehmkuhl voted against the motion to not adopt a rule. Inslee appointed all four after he requested a rule.

Commissioners Molly Linville, Kim Thorburn, Barbara Baker, Jim Anderson and Don McIsaac voted for the motion.

All five were on the commission in 2020 when it unanimously rejected a rule-writing petition from environmental groups, who then appealed to Inslee.

The environmental groups said they did not support killing wolves to protect livestock. They advocated new requirements, such as electronically tracking cattle and limiting the number of times Fish and Wildlife could shoot wolves on public lands.

Center for Biological Diversity attorney Sophia

Ressler criticized the commission's decision, saying in a statement it was devastating to see the state fail to require nonlethal deterrents.

Fish and Wildlife reports spending 80% of its wolf-management budget on nonlethal approaches, such as range-riders, lights and alarms.

In recent cases, the department has demanded "daily or near daily" range-riding before resorting to lethal control.

At times, ranchers have been frustrated by changing expectations.

Susewind said the ability to learn and adjust to changing conditions was a strength of the department's current protocol.

"We will continue to evolve," Susewind said. "We will always work on improved methods."

Since 2012, Fish and Wildlife has killed 38 wolves to stop attacks on livestock. Tribal hunters have harvested 52 wolves.

Fish and Wildlife says it hasn't shot enough wolves to stop packs from expanding.

Washington wolf population has averaged 25% growth annually since 2008. The department said there were at least 206 wolves in the state at the end of 2021.

In an environmental impact statement released this month, the department said it disagreed with wolf advocates who say that more regulation is needed to ensure recovery.

WSDA proposes Japanese beetle quarantine

By **DON JENKINS**
Capital Press

Nursery plants and hop vines will have to be checked or treated for Japanese beetles before leaving a 49-square-mile area in Central Washington under a quarantine proposed by the state Department of Agriculture.

The quarantine responds to the state's first-ever infestation of Japanese beetles, a pest that damages more than 300 ornamental plants and agricultural crops.

The quarantine will affect nurseries, hop growers, landscapers, construction companies and other businesses in and around Grandview in Yakima County.

The department trapped



WSDA

A Japanese beetle clings to a plant in Yakima County, Wash.

thousands of beetles there last year and this spring began what it expects will be a multi-year campaign to eradicate the beetles with an insecticide.

In addition to applying chemicals, the department has drawn up rules for moving out of the quarantined area soil, plants and yard waste that could harbor beetles.

Some 59 businesses will be affected, including seven hop producers, the department estimates.

The department has described various treatment options for vegeta-

tion and the top 8 inches of soil, such as heating the material to 140 degrees for one hour.

Agriculture department spokeswoman Amber Betts said Wednesday the department and city of Grandview are setting up a site for residents and businesses to drop off regulated material.

The area includes 4,838 acres of hops. The department proposes to trap for beetles in hop fields. If beetles are found, hop vines must be treated with a pesticide before leaving the area.

Other regulated items include non-commercial compost, un-shucked corn, cut flowers and sod.

The department said it did not identify any corn or flower producers that would be affected by the quarantine.

The department initially proposed regulating manure, corn silage, and all compost and soil. The department narrowed the quarantine's scope after surveying businesses.

Regulating those items would cost businesses a lot of money, according to the department, which said it excluded everything with a relatively low risk of spreading Japanese beetles.

The department will take comments on the proposed quarantine until Aug. 2. Comments can be emailed to wsdarulescomments@agr.wa.gov.

The department tentatively plans to adopt the quarantine Aug. 9. It would take effect one month later.

LEGAL

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

IN THE MATTER OF THE ESTATE OF PAUL MELVIN STUDER, deceased. Case No.: 22PB05623

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 July 8, 2022.

Personal Representative

CHRISTOPHER S. STUDER

796 S. Grice Loop
Jefferson, OR 97352

Attorney
DAVID B. BECKHAM
319 Sixth Ave SW
Albany, OR 97321

LEGAL

PURSUANT TO ORS CHAPTER 87

Notice is hereby given that the following vehicle will be sold, for cash to the highest bidder, on 07/18/2022. The sale will be held at 10:00am by

COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2016 TOYOTA COA 4D
VIN = 2T1BPRHE6GC556600
Amount due on lien \$1455.00

Reputed owner(s)
DIRCEU JOSE DOS REIS
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 07/25/2022. The sale will be held at 10:00am by

COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2013 NISSAN FRT 4D
VIN = 1N6AD0CW8DN763074
Amount due on lien \$1535.00

Reputed owner(s)
SHERRYL LEIGH MOORE

LEGAL

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COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2016 AUDI Q3 UT
VIN = WA1EFCF54GR014479
Amount due on lien \$1555.00

Reputed owner(s)
NIKKI & MONICA CONNELLY
AUDI FINANCIAL SERVICES

LEGAL

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COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2021 KYRV HIDEOUT TT
VIN = 4YDT26B20MN243807
Amount due on lien \$2355.00

Reputed owner(s)
MICHAEL RAY KELIN

LEGAL

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COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2012 SUBA IMP 4W
VIN = JF1GR7E67CG207254
Amount due on lien \$1515.00

Reputed owner(s)
> LEONILA HERREJON FRAGA

LEGAL

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COPART OF WASHINGTON INC
2885 NATIONAL WAY WOODBURN, OR 2012 TOYT PRIUS 4D
VIN = JTDKN3DU3C1567813
Amount due on lien \$2395.00

Reputed owner(s)
MICHAEL E & DYNNE K MEDLOCK
SELCO COMMUNITY C.U

WDFW: Removing wolves works, won't harm recovery

By **DON JENKINS**
Capital Press

Killing wolves curbs attacks on cattle, but does not imperil wolf recovery, according to a Washington Department of Fish and Wildlife environmental impact statement.

The report drew on the department's experience and dozens of studies of wolves in the West. Concerns that lethal control prevents recovery are unfounded, the department concluded.

The impact statement was finished in anticipation that the Fish and Wildlife Commission will vote July 8 on a rule formalizing what ranchers must do to prevent conflicts with wolves.

Gov. Jay Inslee ordered the rule at the urging of environmental groups. The governor called the annual culling of packs in northeast Washington unacceptable.

Although the department proposed a rule as directed, the report says more regulation is not needed for wolves to thrive.

"Washington has some of the lowest levels of wolf-caused depredations and subsequent wolf removals anywhere in the nation

under current management practices," according to the report.

If the department concludes non-lethal measures aren't enough, it will shoot one or two wolves, hoping predations stop. The rule proposed by the staff would codify the current practice.

Wolf advocates say the state needs a more restrictive and enforceable rule that binds the department and ranchers to a slate of non-lethal measures.

The nine-member commission has the freedom to amend or vote down the proposal.

Several commissioners have said a rule would interfere with ranchers and wildlife managers working together, while others say the rule is too weak and not what wolf advocates want.

In the environmental impact statement, the department warns that raising the threshold for removing wolves might backfire.

The department cites research that found shooting a wolf within seven days of a predation can keep conflicts from escalating to the point that stopping the attacks takes killing the whole pack.

"Thus, quick action in

attempting lethal removal is critical in ensuring that lethal removal, if implemented, is as effective as possible," according to the environmental impact statement.

Including two wolves in June, Fish and Wildlife has removed 38 wolves since 2012. Tribal hunters have taken 52 wolves. Meanwhile, the population has averaged 25% growth a year.

The department and Colville tribe counted 206 wolves in 2021. The department says it's a minimum count and that there are probably more wolves.

Fish and Wildlife says northeast Washington, especially in the Colville National Forest, has seen the most consistent wolf population growth in the state.

The department took aim at claims that the wolf population in the national forest has been "decimated" by the agency killing wolves to protect cattle on federal grazing allotments.

"In fact, the opposite is true," states the department. The national forest had 87 wolves in 17 packs in 2021. In 2009, it had six wolves in one pack.