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POULTRY DEBATE

Large chicken farms raise concerns in rural Oregon



Foster Farms

An aerial view of Hiday Poultry Farms LLC in Brownsville, Ore.



'FRANKLY, WE'VE BEEN OPERATING THESE BUSINESSES FOR 30 YEARS OUT HERE, AND WE HAVEN'T DONE HARM TO THE AREA. SO THE PROOF IS OUT THERE.' — Eric Simon, a longtime poultry farmer

By **GEORGE PLAVERN**
Capital Press

SCIO, Ore. — A steady mid-June rain fell as Christina Eastman drove her UTV past fields of grass and yellow-flowering dill at her family's farm outside Scio, Ore.

Eastman stopped along the North Santiam River near Wiseman Island, a reach known for providing high-quality fish and wildlife habitat. From here, the river flows past an adjacent property that could soon be home to millions of chickens raised every year for the poultry company Foster Farms.

The operation, J-S Ranch, is one of three new large-scale chicken farms proposed in the Mid-Willamette Valley. Members of the industry say the farms are needed to make up for lost production as more growers have retired in recent

years, and to keep up with Americans' appetite for chicken.

However, the proposals have neighbors like Eastman worried about potential impacts, including air and water pollution, odor and increased traffic on the rural roads.

"They couldn't pick a worse place than here," Eastman said. "It's going to affect our farming, it's going to affect our crops, it's going to affect our way of life."

Eastman is part of a group called Farmers Against Foster Farms, which opposes the three farms and has appealed to state regulators and lawmakers for greater protections.

J-S Ranch has already received permits to begin construction. The other two — one near the small

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George Plaver/Capital Press

Christina Eastman, a member of the Farmers Against Foster Farms group, stands next to her pickup truck at her family's farm near Scio, Ore.

Feds defend dropping plan to bring grizzlies to North Cascades

By **DON JENKINS**
Capital Press

The Interior Department said July 29 it was not obligated to restore grizzly bears to the North Cascades and moved to dismiss a lawsuit filed by the Center for Biological Diversity.

The motion defends a Trump era decision in 2020 to cancel a study on releasing grizzlies in northwest and north-central Washington.

The center sued the outgoing Trump administration and hoped the Biden administration would restart the study. The suit was on hold for more than a year, but no agreement was reached.

Center for Biological

Diversity attorney Andrea Zaccardi said Monday the environmental group still hopes for a change in policy, but wants to get on with the lawsuit.

"The settlement talks haven't gone very far because the relevant decision-makers in the Interior Department haven't been briefed on the issue," she said.

The center is scheduled to respond in September to the federal government's motion. The U.S. Fish and Wildlife Service declined to comment Monday, citing the pending litigation.

The USFWS and National Park Service started an environmental review in 2015



Terry Tollefsbo/USFWS

In a court brief filed July 29, the Biden administration defends a Trump era decision to cancel plans to release grizzly bears in the North Cascades.

on building a self-sustaining population of at least 200 grizzly bears over 60 to 100 years.

Trump's Interior Secretary David Bernhardt told an invited group of cattlemen, farmers and elected officials on July 7, 2020, in

Omak that the agencies were no longer considering the project.

The Trump administration cited local opposition to importing grizzlies. No grizzlies have been seen on the U.S. side of the North Cascades in the past 10 years.

The suit, filed in federal court in Washington, D.C., claims that ending the review violated the Endangered Species Act.

Grizzly bears are listed as a threatened species and abandoning the restoration plan jeopardizes their existence, according to the lawsuit.

In the brief filed Friday, the Biden administration said the Interior Department devotes more resources to grizzly bears than almost any other protected species.

Although federal agencies identified the North Cascades as one of six grizzly "recovery zones" in the U.S., they aren't required to stock the region with bears,

according to the brief.

"It was a proposal considered by the agencies that they chose not to pursue — a decision squarely within the authority delegated to the agencies by Congress," the government argues.

The suit also alleges federal agencies violated the National Environmental Policy Act and Administrative Procedure Act by failing to fully explain their decision.

According to the government, the federal agencies merely maintained the status quo and that there is no "final action" that needs to be defended or that can be challenged in a lawsuit.

Difference between farmers, meth cooks proves key in ruling

By **MATEUSZ PERKOWSKI**
Capital Press

The difference between farmers and meth cooks who misuse legal products has proven crucial in a court ruling with far-reaching implications for the biotech industry.

Biotech companies can be held responsible for damages caused by farmers who misuse genetically engineered, herbicide-tolerant seeds or any chemicals sprayed on them, according to a federal appeals court.

The decision distinguishes such biotech companies from pharmaceutical firms, which were previously found not liable for cold medicines being used as methamphetamine ingredients.

Monsanto and BASF failed to convince the 8th U.S. Circuit of



Mateusz Perkowski/Capital Press File

An applicator sprays a field with herbicide. An appeals court has determined that biotech companies can be held liable for farmers misusing herbicide-tolerant crops.

Appeals they aren't liable for damages caused by unlawful dicamba spraying of cotton and soybean crops, which were genetically engineered to tolerate the volatile chemical.

The 8th Circuit has upheld a jury verdict from 2020 that blamed Monsanto and BASF for the her-

bicide drift that caused millions of dollars in damages to a Missouri peach farm.

Seed and pesticide manufacturers say they fear the case sets a dangerous precedent that "threatens to severely disrupt the modern agriculture industry" by penalizing the development of new technologies.

Environmental groups have also pointed to the lawsuit's broader implications, claiming it's a "microcosm" of the widespread ecological and agronomic problems with "herbicide-resistant crop systems."

A key point in the legal dispute over liability turned on the comparison between farmers and meth cooks.

The biotech companies cited a legal precedent that absolved pharmaceutical firms from liability even though their cold medicines were used to manufacture meth.

In that case, the 8th Circuit concluded the "methamphetamine epidemic" is not a "natural and probable consequence" of selling cold medicine through legal channels.

Meth production is a "new and independent force" that "interrupts

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