

Judge stays lawsuit against USDA

Baker City couple challenged USDA loan forgiveness program

By **MATEUSZ PERKOWSKI**
Capital Press

PORTLAND — A federal judge has stayed a lawsuit brought by an Oregon couple who've challenged a USDA loan forgiveness program for allegedly discriminating against white farmers.

U.S. Magistrate Judge Patricia Sullivan has put the litigation on hold to "avoid unnecessary, duplicative government action" because

the plaintiffs, Kathryn and James Dunlap, are already represented in a class action lawsuit against the \$4 billion debt relief program.

The judge said the "interests of judicial efficiency weigh in favor of a stay" because it would "not unduly prejudice plaintiffs, nor would it present tactical disadvantages to plaintiffs."

The Dunlaps, who farm near Baker City, are among several growers across the U.S. who have claimed white farmers were unlawfully excluded from the loan assistance program, which was passed by Congress as part of COVID-19 relief legislation earlier this year.

Under the program, farmers who are Black, Native American, Asian, Hawaiian or Pacific Islander are eligible for payments of up to 120% of their USDA loans, which critics argue violates equal protection under the law.

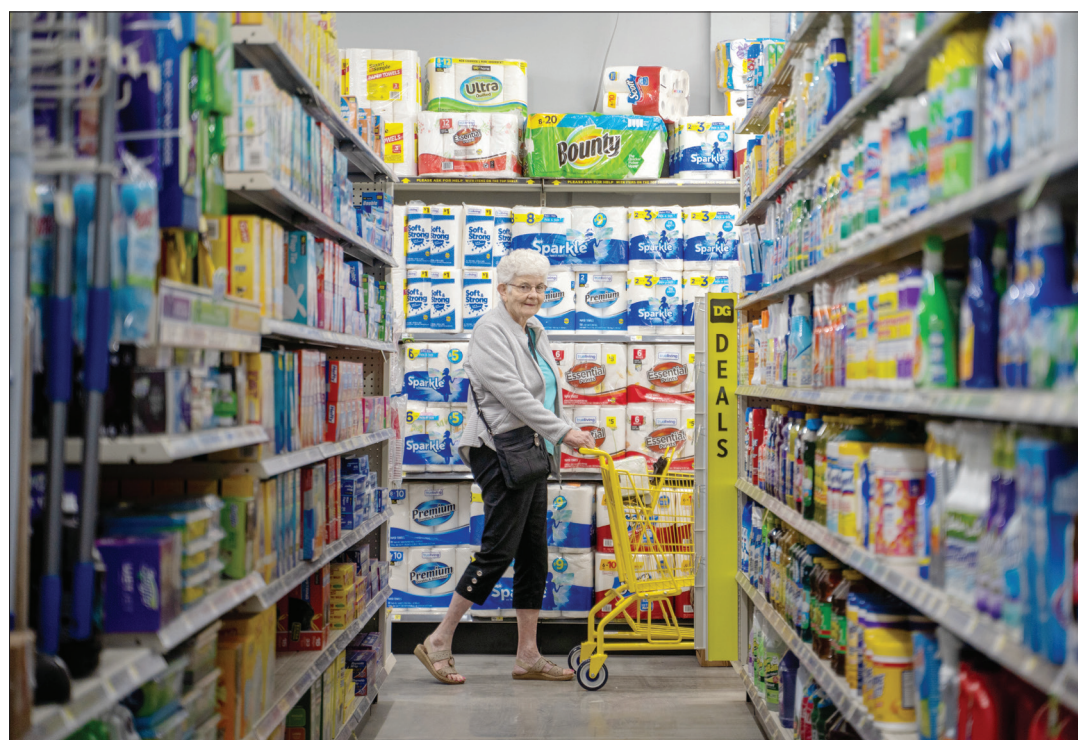
"Farmers and ranchers who are white are ineligible for loan assistance, regardless of their individual circumstances," according to the complaint filed by the Dunlaps, who have otherwise qualifying USDA loans for cattle and farm equipment.

The USDA argued their lawsuit and similar ones must be stayed because a class action case has been certified in Texas that already represents their interests while also enjoining the debt relief program.

The Dunlaps objected to the stay, arguing the class action may not adequately represent their interests, but the judge said she would follow the example of federal courts in other states that have put similar cases on hold.

The Texas class action lawsuit "involves the same defendants,

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Laura Parsons browses the shelves at the newly opened Dollar General in Elgin along Highway 82 on Monday, Sept. 27, 2021.

Alex Wittwer/The Observer

On the money

Dollar General customers provide encouraging reviews

By **DICK MASON**
The Observer

ELGIN — Elgin has a new shopping option, one that has residents excited.

A Dollar General store opened in Elgin on Monday, Sept. 27, at 450 Baltimore St.

"I think it is a great addition to Elgin. It gives us a new opportunity to shop locally," said Elgin Mayor Risa Hallgarth.

The store may become a one-stop-shopping destination for some. Dollar General offers a wide variety of items, including food, cleaning supplies, paper products, over-the-counter medicines, hygiene products, DVDs, toys and baby items.

In the future the store also will be carrying a variety of fresh fruits and vegetables, according to a press release from Dollar General. The produce section will offer the top-20 items typically sold in traditional grocery stores and cover approximately 80% of produce categories most grocery stores carry.

Laura Parsons was among Dollar General's opening-day customers and believes the store will be a popular addition.

"I think it is wonderful. All of Elgin is going to appreciate it. It is a mini Walmart," she said.



Alex Wittwer/The Observer

The Dollar General opened its doors on Monday, Sept. 27, 2021, after a short development time brought the first big chain business to Elgin.

Parsons believes that fewer people will be traveling from Elgin to shop at the Walmart in Island City because of the new Dollar General.

David and Teri Fuhrman, owners of Cowboy and Angel's Place in Elgin, also were impressed with the new store. Teri Fuhrman said they intend to purchase many items, including canned food, for their restaurant from Dollar General because of its low prices.

Phyllis Bechtel also expressed enthusiasm for the new store.

"It looks like it is going to come in handy. It will be a fun place to shop," she said. "We won't have to travel to La Grande as much to get things."

Lisa Arnold also had a positive first take.

"The prices are low and the cashier was over-the-top friendly," she said of her initial impression of Dollar General.

The store, open from 8 a.m. to 10 p.m. seven days a week, is on the eastern edge of Elgin adjacent to Highway 82. Carl Vinson, who was among the first day customers, believes more tourists will now be stopping in Elgin because the new store is so easy to pull into off the highway.

"It will help our economy," said Vinson, an Elgin resident.

Dollar General will employ as many as 10 people,

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Mounting disasters reveal gaps in USDA relief programs

By **MATEUSZ PERKOWSKI**
Capital Press

SALEM — A series of natural disasters has opened the eyes of Oregon farmers to the ways federal relief programs often aren't well-suited to the state's specialty crops.

Agriculture has suffered from wildfires, ice storms, extreme heat and severe drought over the past year, exposing "gaps" in USDA assistance that's generally designed for major commodity crops, experts say.

"When you have a federal program that's supposed to serve everyone, we kind of get left out," said Tiffany Monroe, grassroots coordinator for the Oregonians for Food and Shelter agribusiness group. "We need programs to support that type of farming, but right now they're not."

Farmers can be disqualified from receiving disaster assistance from USDA if they haven't bought federal crop insurance, but many growers don't see enough benefit to sign up, she said.

Crop insurance may cost more than they'd expect to potentially gain from the coverage, and many are also dissuaded by the complexity of the requirements, Monroe said.

For example, calculating ice damage to tree limbs a hazelnut orchard is more difficult than estimating damage to a soybean field, she said. Sun-burned foliage on Christmas trees is also challenging to describe, particularly if it's unknown whether they'll survive.

"They are discouraged from getting insurance because these programs aren't designed for their commodities," Monroe said.

The USDA's tree assistance program, which also covers bushes and vines, requires 15% mortality to kick in. However, Oregon farmers have experienced damage that hasn't actually killed their plants, said Mary Anne Cooper, vice president of public policy for the Oregon Farm Bureau.

Crop loss manifests itself in other ways, such as heat damage or smoke taint that destroys the fruit, she said.

"In most cases, you didn't see the actual tree, bush or vine die," Cooper said. "The program

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The Brick opens, offering unique fare in Wallowa

By **BILL BRADSHAW**
Wallowa County Chieftain

WALLOWA — A local couple has taken over the former Main Street Grill and revamped and reopened the place dubbing it The Brick Restaurant.

Cody and Tish Green opened The Brick in April. The name of the new establishment comes more from its structure than anything, Tish said.

"It actually wasn't anything spectacular," she said. "We were having a hard time landing on a name and we looked around one day and because the building's all brick, it became The Brick."

In fact, she relishes the local and family history of the building. On one of the walls she keeps photographs of the building from the 1880s and 1902 of the Hotel McCrae, owned and operated by her stepgrandmother's family. She said the building was sold in 1902, thus the latter photo.

"And now we have it," she said.

The Greens are green

Neither Cody nor Tish has run a restaurant or bar before and they're learning as they go, she said.



Tish and Cody Green prepare to open The Brick Restaurant in Wallowa, their new venture on Main Street, on Wednesday, Sept. 8, 2021.

Bill Bradshaw/Wallowa County Chieftain

"We're green at it," Tish said. "I worked as a property manager for Chrisman (Development) for the past five years while I lived here. When Wiley (Frye) decided to sell this place ... we just got

a wild hair and thought we'd try and do it. I've always loved cooking at home and now we're serving other people."

Cody, on the other hand, has more experience with cattle. He

operates his grandfather's 1,000-acre ranch where he raises about 100 head of Hereford-Angus cross.

"I don't know anything about restaurants," he said. "I'm mainly doing it to help Tish."

He's the main bartender, but also handles the front end of the restaurant while Tish cooks.

"He was saying (a few days previously) how his life has changed opening this place because he used to work solely with cows and didn't have to work with many people," Tish said. "Now he's in this profession where he's (working with people) all day, every day, so it's been a huge change for him."

Does he prefer people or cattle?

"A little bit of both," Cody said with a laugh.

He grew up in the Wallowa area, while Tish is from Pendleton and has lived here only about six years. But she's no stranger to the area.

"I spent a lot of summers here because my grandparents were here," she said. "We spent all our lives coming to Wallowa, but as far as actually moving here, that was in 2015."

Working out 'kinks'

Being that the restaurant business is new to them, they're still working out bumps in the road.

"We're still trying to figure out 'kinks' before we settle into a menu and what works for us, especially as we move toward a fall and winter menu," Tish said. "The hours, we've had to change a little bit — we even had to close the past couple of weeks because we had to stay in quarantine because we were exposed to COVID, and we absolutely had no income the past two weeks, so that was another kink we had to work out."

Other delays were caused by a wait to get liability insurance to cover the hard liquor in the bar.

"It was previously just beer and wine," Tish said. "But figuring our hours and what works for us — we open at 3 p.m. and it usually picks up about 5 p.m."

Finding their niche

Adding one more eatery to a small town may seem like too much, but the Greens have found

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