

# Gebbers family, Chelan Fruit Co-op deserve a lot of credit

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They plan to continue operating the town's only fruit facilities, which power a large part of Oroville's economy.

"The Oroville community is fortunate that Gebbers came in and purchased the warehouse that kept all those jobs in the Oroville area. We are thankful for that," said Dave Taber, an Oroville grower.

"The whole town is grateful. Any boost to the economy is a big deal," said Mayor Jon Neal, who's been involved in town government for 13 years and owns Neal's Auto Body. "Gebbers was at maximum capacity at Brewster on packing cherries and already was having Gold Digger pack some of theirs, so it's a win-win."

The Gebbers family and Chelan Fruit Cooperative deserve a lot of credit for saving Oroville's tree fruit industry, said Jim DeTro, an Okanogan County commissioner.

## 'A huge impact'

Oroville had been facing hard times before Gold Digger's troubles surfaced.

Hughes Department Store closed a year ago, the timber industry is struggling and Kinross Gold Mine east of Republic is closing, so "it's a huge impact to keep these jobs here," said Roni Holder-Diefenbach, executive director of the Economic Alliance of Okanogan County.

The number of Canadians who shop in Oroville is also down because the Canadian dollar is so much weaker than the U.S. dollar, said Kate MacKenzie, who sells advertising for the Omak-Okanogan County Chronicle.

MacKenzie, Holder-Diefenbach and others listened to Cass Gebbers, president and CEO of Gebbers Farms, and other Gebbers Farms officials at an Oroville Chamber of Commerce luncheon on April 13.

"There's a lot of good growing areas here. We worked with Gold Digger for years and when this came up we said why not keep it going. We have a lot of belief in this town," Gebbers told the group.

Welcome Sauer, Gebbers' business development manager, said the company will invest a lot in upgrading facilities and replanting some orchards with newer apple varieties.

Johnny Gebbers, manager of the company's warehouses, said Gebbers Farms is making a long-term commitment to Oroville.

Amy Wise, a grower, said she would have been sunk had not Gebbers leased the cherry plant from the bankruptcy court last season to keep it running.

Jeffrey Earl, the U.S. Justice Department-appointed bankruptcy trustee, told Capital Press that part of Gebbers'



Dan Wheat/Capital Press

Downtown Oroville, Wash., on April 13. The town of 1,600 has struggled economically for some time and townspeople say they are grateful the Gebbers family bought the bankrupt tree fruit packing plant and is keeping it open.

## Gebbers family faces wildfires, lawsuits — and bullets

By DAN WHEAT  
Capital Press

OKANOGAN, Wash. — The Gebbers family traces its roots back 132 years in Okanogan County. In just the past three years it has sustained millions of dollars in losses to wildfires, faced a lawsuit over a road closure and Cass Gebbers has even been shot at.

Mark Worth, 45, managing broker of MW Real Estate in Pateros, has been held in the Okanogan County Jail since September in lieu of \$750,000 bail on charges of attempted first-degree murder and drive-by shooting. He has pleaded not guilty.

About 4 p.m. Sept. 7, Worth allegedly fired two shots from a gun in his car at Gebbers after pulling along side Gebbers' pickup truck as the two were northbound on Old Highway 97 north of Brewster, according to the county prosecutor's statement of probable cause.

One bullet went through a window and struck the headrest inches from Gebbers' head while another lodged in the door frame of the truck.

Gebbers, 52, president and CEO of Gebbers Farms, returned to Brewster, reported the shooting and was treated for cuts from broken window glass at the Brewster hospital.

Worth was arrested five hours later in Wenatchee.

Gebbers told deputy sheriff Kevin Kinman that he doesn't know why but that Worth has been stalking members of his family for years, the probable cause statement says.

Authorities have not identified a motive. Gebbers declined to comment to Capital Press.

Branden Platter, the county's chief crim-

inal deputy prosecutor, said he cannot discuss the facts and that no trial date has been set. The maximum penalty for attempted first-degree murder is life in prison.

Meanwhile, on April 13, a group of people called Chiliwist Residents and Friends petitioned the state Supreme Court to hear its case involving Okanogan County's closure of a road at the Gebbers' request.



Cass Gebbers

Two years ago, Gamble Land & Timber, a Gebbers company, convinced county commissioners to permanently close the upper three miles of Three Devils Road leading from Chiliwist Valley, northwest of Brewster, to Loup Loup Pass and the Methow Valley.

The Gebbers family said they had maintained the road for years while people used it to trespass onto their property, cut fences and open gates, allowing their cattle to stray. A county hearings examiner first denied the Gebbers' request but two of three county commissioners later granted it.

Chiliwist Residents & Friends was organized to fight the closure in court and said the historic road is needed for access to public lands and as a fire escape route. The Okanogan County Superior Court upheld the commissioners.

The closure became an issue in the unsuccessful 2016 re-election bids of the two county commissioners who voted for it, Ray Campbell and Sheila Kennedy.

On March 16, a state Court of Appeals upheld the Superior Court ruling, saying there was no fraud or collusion, grounds needed to overturn a road closure.

An attorney for the Gebbers family issued a statement saying the ruling confirmed the road closure was proper and said the family hopes it ends the matter. But the group is now petitioning the Supreme Court.

ket areas have very good growing sites and we were already producing fruit in those areas so it was helpful to have access to additional storage and packing. We live and do business in Okanogan County and wish to support the local economy and communities as much as possible," Gebbers said.

## 'A natural fit'

Gold Digger Apples Inc., named for Oroville's gold-mining roots and the last grower-owned tree fruit cooperative headquartered in Okanogan County, filed for Chapter 7 bankruptcy in U.S. District Court on May 26, 2016, six days after U.S. Bank sued it seeking \$18.5 million and alleging it defaulted on loans.

Gold Digger's attorney, Peg Callaway of Omak, Wash., blamed the bank for trying to force Gold Digger into receivership, which ended up in bankruptcy. The co-op was handicapped by high transportation costs and two years of crop damage caused by poor weather, she said at the time.

Gold Digger laid off virtually all of its seasonal and year-round employees and the bankruptcy trustee sold the 2016 fruit crop to Gebbers Farms, she said.

Gebbers then leased the co-op's fruit packing lines from the bankruptcy court for the 2016 season, rehiring many of the employees.

Stepping in to help keep the orchards growing during the heat of summer was critical to their survival, and getting the cherry line running with harvest starting just three weeks after the bankruptcy shutdown "required quick action and everyone pulled together," Gebbers said.

In past years, depending on crop size or harvest timing, Gold Digger packed apples and cherries for Gebbers Farms and was always good to work with, he said.

"So it was a natural fit and made sense to continue utilizing the storage and packing capacity in Oroville, where there was an existing base of

hard-working, skilled warehouse and orchard people," Gebbers said.

"We knew and trusted these folks and understood the importance of working with them and that it would hopefully have a positive effect on the community. So yes, we feel it was a win-win for all involved," he said.

## Chelan Fruit's role

Gold Digger had more than 44 grower-members. It packed about 1 million boxes of apples and pears annually and 300,000 boxes of cherries. It had 613,456 square feet of fruit storage and packing facilities with a cherry packing line and an apple-pear line. It also owned 500 acres of orchard and leased 250 acres.

Beside the packing lines, Northco bought three of the Gold Digger orchards, other buyers bought the other four and local growers took over the orchards that Gold Digger leased, Gebbers said.

Chelan Fruit Cooperative had for several years rented Plant No. 2 to serve its growers in Oroville so it made sense for the co-op to buy that plant, he said.

Generally, Gebbers will pack fruit from its orchards in Oroville, and the area's independent growers will go with Chelan Fruit Cooperative, he said.

About 85 to 90 percent of the growers who were with Gold Digger have joined Chelan Fruit, and all came as non-members last season, said Reggie Collins, general manager of Chelan Fruit.

They will deliver their fruit to Plant No. 2, saving them the cost of hauling it 72 miles south to Brewster or 97 miles to Chelan.

Chelan Fruit will pay to truck cherries to Brewster and apples to Pateros or Chelan and pears to Beebe near Chelan.

"It's worked out well for everybody. The town would have suffered. Growers would have had longer hauls but the main thing is saving the jobs up there in Oroville," Collins said.

Chelan Fruit already had 300 grower-members before the Gold Digger members joined. It packs the fruit its growers produce on about 13,000 acres from Oroville to south of Chelan.

## Other pieces

With its acquisitions, Gebbers and its Northco operation now own approximately 13,000 acres of orchard in Okanogan County. They hire 1,800 H-2A visa foreign guestworkers annually to prune trees and thin and harvest fruit. Gebbers doesn't disclose its production volumes.

Altogether, the family now has orchards, storage, packing sheds, cattle, 25,000 acres of timberland and a golf resort.

## Dairy farmers voluntarily fenced miles of streams to keep cattle out

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U.S. Magistrate Judge John Jelderks has now dismissed the case, ruling that it should have been filed in state court rather than federal court.

Thomas Benke, attorney for the Hayes Oyster Co., said he's preparing to refile in an Oregon court soon.

Benke said DEQ wrongly assumes that permits issued to confined animal feeding operations, or CAFOs, by the Oregon Department of Agriculture actually prevent the discharge of bacteria into surface water.

But since bacteria are nonetheless released into rivers, the DEQ has "sanctioned a pollution easement across the entire bay by the dairy farms," he said.

The Hayes Oyster Co. has been unable to harvest oysters during eight of the past 10 holiday seasons because of high river flows that are associated with elevated bacteria levels, said Jesse Hayes, the company's president.

After heavy rains, the company must routinely wait until 10 high tides wash out

the estuary to resume harvesting, he said. "You can't imagine how frustrating that is."

Hayes argues the manure generated by dairies in the region exceeds what can safely be applied to fields.

"If you take the amount of dairy waste, there is not enough room for it," he said.

The goal of Hayes' lawsuit is for DEQ to recognize that CAFO permits aren't adequately controlling bacteria and to tighten manure management practices to stop water contamination, said Benke.

Another possibility would be for wastewater plants in the region to pay dairies to reduce pollution, rather than be subjected to stricter discharge controls by DEQ, he said.

"It's intended to create a situation where the citizens of Tillamook encourage farmers to abate their fecal coliform contribution to the estuary," Benke said.

Chad Allen, president of the Oregon Dairy Farmers Association, bristled at the notion that dairies are under-regulated.

Manure can only be applied to fields at agronomic rates needed to grow crops,

which is subject to oversight by regulators, said Allen, who farms in the Tillamook area.

To compare, crop farmers aren't subject to restrictions on synthetic nitrogen, he said.

Dairy farmers have also voluntarily fenced miles of streams to keep cattle out and planted vegetation in riparian areas to keep streams cool, Allen said.

"Dairymen here in Tillamook take it extremely seriously," he said. "We're not going to survive in this estuary if we can't show we can co-exist."

Reducing the amount of manure on fields would basically mean decreasing the number of dairy cows in the region, said Troy Downing, an Oregon State University dairy specialist.

If dairy operations ceased operating, pastures could still be stocked with other livestock that also produce manure, he said.

Septic systems, horses and wildlife also contribute to fecal coliform bacteria, Downing said. "That's part of people living here in the valley."

Though manure levels are applied at rates aimed at precluding discharge, it is

possible for some bacteria to get into water, said Wym Matthews, manager of ODA's CAFO program.

"The field is a treatment system and it's not as highly controlled as a factory would be," he said.

Even so, farmers are required to change their waste management plans if permit conditions are found to be insufficient, Matthews said.

"The plan is very specific for each individual farm," but none are allowed to discharge, he said.

Genetic tests have shown the source of fecal coliform bacteria in the Tillamook region is most commonly human in populated areas while ruminants are the more common source in rural areas, said York Johnson, North Coast basin coordinator for DEQ.

Over time, though, statistically significant decreases in bacteria levels have been documented in the Wilson, Kilchis and Tillamook rivers, which feed into the bay, he said.

"In general, we're seeing improvement," Johnson said. "We're making progress toward our goal."

## Trump has used executive orders aggressively over past 3 months

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Native Americans and home to tens of thousands of archaeological sites, including ancient cliff dwellings.

Republicans in the state have asked Trump to take the unusual step of reversing the designation, arguing it will stymie growth by closing the area to new commercial and energy development. The Antiquities Act does not give the president explicit power to undo a designation and no president has ever taken such a step.

The order is one of a handful the president is set to sign this week as he tries to rack up accomplishments ahead of his 100th day in office. The president has used executive orders aggressively over the past three months, despite railing against their use by Obama when he was campaigning.

Zinke said that the order would cover several dozen monuments across the country designated since 1996 that total 100,000 acres or more, from the Grand Staircase-Escalante National Monument in southern Utah to the Bears Ears in southeastern Utah.

He'll provide an interim re-

port in 45 days in which he'll provide a recommendation on Bears Ears and a final report within 120 days.

Over the last 20 years, Zinke said, tens of millions of acres have been designated as national monuments, limiting their use for farming, timber harvesting, mining and oil and gas exploration, and other commercial uses.

Zinke said that while designations have done "a great service to the public," the "local community affected should have a voice."

Some, including Sen. Orrin Hatch, R-Utah, have hailed the order as the end of "massive federal land grabs" by presidents dating to Bill Clinton.

But Sen. Martin Heinrich, D-N.M., said that if Trump truly wants to make America great again, he should use the Antiquities Act to protect and conserve America's public lands. In New Mexico, Obama's designation of Rio Grande del Norte National Monument and Organ Mountains-Desert Peaks National Monument have preserved important lands while boosting the economy, Heinrich said, a story that has been repeated across the country.