

# Brown says feds must end refuge occupation

## Priorities include money for Harney County

By **PARIS ACHEN**  
Capital Bureau

SALEM — Besides occupying the Malheur National Wildlife Refuge in Harney County, armed protesters now occupy a place on Gov. Kate Brown's list of policy priorities.

During Brown's unveiling of her agenda Wednesday, the governor said that one of her priorities this year is to pass a funding package to offset expenses associated with responding to the occupation. The governor said her administration would "scour the budget to make sure that we have the resources at the state level to subsidize the cost for Harney County."

The cost of responding to the occupation is running about \$100,000 per week, Brown said.

The state would later ask



Molly J. Smith/Statesman-Journal

**Gov. Kate Brown outlines her 2016 policy agenda at a press conference at the State Capitol in Salem Wednesday.**

the federal government to reimburse the state for those costs, she said.

Ammon Bundy and his armed followers seized the remote refuge Jan. 2 in a protest against federal public lands policies.

"The situation is absolutely intolerable," Brown said. "The very fabric of this community is being ripped apart. The residents of Harney County have been overlooked and underserved by federal officials' response thus far."

Brown said she has expressed her concerns to federal officials "at the highest levels of our government, the U.S. Department of Justice and the White House."

"Federal authorities must act quickly to end the occupation and hold all of the wrongdoers accountable," she said. "The spectacle of lawlessness must end. Until Harney County is free of it I will not stop insisting federal officials enforce the law."

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According to the National Park Service website, "More than 10,000 artifacts were uncovered, including trade beads, plates, cups, musket balls, arrowheads, Indian fish net weights and ceremonial items."

Eventually, the park was re-named "Middle Village/Station Camp," the remains were re-interred under tribal supervision, and members of the tribe helped design displays that highlighted Chinook culture. In 2011, Public Utilities District workers began an effort to move Middle Village power lines underground.

Tony Johnson said Monday. "... There is grave concern with any compacting out there, given that remains (discovered in 2005) were so close to the surface."

### Emergency work

"One (pole) was leaning over, ready to fall down," Public Utilities District General Manager Doug Miller said Tuesday.

Miller said the average pole is about 17 years old when it's replaced, but the two replaced poles were roughly 40 to 50 years old. Though the district had known for at least 20 years that the two poles were approaching the end of their life spans, Miller described the recent replacements as "emergency" work — a pole failure would have caused a power outage, and might have damaged equipment or created potentially serious safety issues.

"We didn't have time to call anybody. The electricity was going out. We had to replace it," Miller said.

Miller said the district has an easement that allows workers to maintain the poles, and an obligation to prevent power outages. Miller said he is not aware of any legal agreement that requires the district to give notice or seek approval from the tribe, state or National Park Service before working on the poles.

"There's no notification. We have no agreement with anyone regarding that area. I have never received anything in writing," Miller said. "They have not sent anything to us regarding sensitivity."

### Well-publicized finds

The site's significance has been well-documented in state, local and tribal records, and Miller acknowledged that district workers previously encountered remains while working there.

In early 2005, preparatory work for the planned "Station Camp" park came to a halt when workers discovered the remains

of a collapsed plank house. Archaeologists later confirmed the presence of Chinook remains and other significant finds.

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"But that project has been held up because as we were digging that, it unearthed some bones," Miller said, adding that the project stalled because of unresolved design and engineering questions. In Miller's opinion, the recent conflict could have been prevented if the authorities that manage the park had been more responsive to district efforts to complete the project.

According to Tucker and Johnson, an archaeologist and Chinook representatives came to observe the district's work after the 2011 discovery.

"We do know that the PUD was aware of the sensitive archaeological location," Tucker said.

Miller, who has been general manager since 1994, said he had occasionally spoken with former Chinook Chairman Ray Gardner, who passed away in February, but had no recollection of ever working directly with the tribe.

"I am not aware that we've communicated with the tribe in the past," Miller said. "If there was a tribe member there, I have not heard that."

### A tragic past, a living culture

Last week, tarps and stones covered the mounds of earth at

### Minimum wage, housing

Some of Brown's other priorities were no surprise. She wants the Legislature to enact her plan to boost minimum wage to \$15.52 in the Portland area and \$13.50 in the rest of the state by 2022. The plan is intended to thwart two ballot measures that would raise the minimum wage in three years instead of six.

She is championing state House Speaker Tina Kotek's omnibus housing bill to increase affordable housing options around the state.

Brown said she plans to use her executive power to create a Council on Educator Advancement. The council will be responsible for coordinating and promoting leadership development, mentorship and best practices.

The governor gave no timeline for establishing the council and did not address what relationship that council would have to the Department of Education and the Teacher Standards and Practices Commission, which licenses teachers.

### Education innovation, public records

The governor also repeated her plan to hire an education innovation officer to improve the state's high school graduation rate and a public records ombudsman to help agencies respond more efficiently and consistently to requests.

Brown's other priorities include:

- Expanding the Office of Small Business Advocate to help small businesses through the labyrinth of government red tape.
- Creating a small business advisory group to develop recommendations to support small businesses in accessing capital and streamlining agency processes.
- Issuing an executive order to force agencies to adopt a public records policy.
- Supporting legislation to tighten deadlines for lobbyists to disclose their clients to the Oregon Government Ethics Commission and to require that information be posted online within two days.
- Launching a college campus safety working group.

- Approving a request from Umpqua Community College for funding to enhance safety on campus in the wake of the deadly shooting there Oct. 1.

- Securing funding to respond to drought and the 2015 wildfire season.

House Republican Leader Mike McLane, R-Powell Butte, said Brown's plan ignores Oregon's most pressing troubles, including the state's pension shortfall, transportation infrastructure, struggling rural communities and an education system that "ranks as one of the worst in the nation."

"New bureaucratic appointments and executive orders won't solve these problems," McLane said in a statement. "One-party rule has left our state with yesterday's ideas and status quo policies. House Republicans look forward to presenting meaningful alternatives to Democrats' stale agenda in the 2016 session."

*The Capital Bureau is a collaboration between EO Media Group and Pamplin Media Group.*

# Tribe, state investigating dig at Chinook burial site

By **NATALIE ST. JOHN**  
EO Media Group

CHINOOK, Wash. — State and tribal officials are investigating after the Pacific County Public Utilities District No. 2 dug in an area that is known to contain Chinook Indian remains.

Scott Tucker, superintendent of the Lewis and Clark National Historical Park, learned in late December that the utilities district replaced two failing power poles at the Middle Village/Station Camp unit of the park.

Located on U.S. Highway 101 near the old McGowan church, the site was once a thriving Chinook trade village, and also briefly served as a base-camp for the Lewis and Clark expedition. Archaeologists have found thousands of Native and European artifacts there, and confirmed the ground likely holds the remains of many Chinook Indians.

### No shovels in the ground

The Washington State Historical Society owns Middle Village, but the National Park Service manages it and will take ownership in March.

Out of respect for the remains, the park service enforces a strict "no-dig policy" at the site. Park service workers don't even pull out invasive weeds at the site — they cut them to avoid disturbing the ground.

"We don't want to put another shovel in the ground ever because of the known archaeological resources on the property," Tucker said Friday.

The Public Utilities District did not contact the Chinook Indian Nation or the National Park Service before doing the work, which involved pulling out two old poles that were buried to a depth of roughly 6 feet, placing new poles in the holes, and filling the earth back in. At least one of the poles is located "in the direct vicinity of the human remains," Tucker said.

The second pole is very near the property line that divides Middle Village and attorney Bill Garvin's neighboring property. The village probably wasn't confined to the boundaries of the modern park, so even if the second hole is on private property, the work may have disturbed ground where Chinook ancestors are resting.

"Somebody did it, and it greatly concerns the tribe," Chinook Indian Nation Chairman



Natalie St. John/EO Media Group

**In late December, the Public Utilities District replaced this power pole at Middle Village, the site of a former Chinook village where experts believe the remains of many Chinook Indians are buried close to the surface.**

the base of the two new poles, and sets of tire tracks cut through the surrounding grass.

For the Chinook, this place is part of a long and sometimes tragic history, but it is also a vital part of a very real and living culture.

"It's very important for people to know that this is not some ancient history, or some mysterious place or mysterious individuals," Johnson said. "At least two of my dad's relatives are known to be buried there."

Johnson explained that the recent digging — and compacting of the earth caused by utility truck traffic — is particularly upsetting because the people who died at Middle Village were buried close to the surface, out of necessity.

"We do not bury near our towns," Johnson said. "This was a town for many hundreds of years before it would have ever been considered to be a place to bury or leave people."

After Europeans arrived on the peninsula, "Our lack of immunity to foreign disease absolutely decimated our people. People lived in that town through many epidemics," Johnson said. The once-vibrant society collapsed, and the remaining survivors were unable

Miller acknowledged that he has not called the tribe, and doesn't see any need to do so right now. Instead, he said, he would wait for state and park service officials to tell him what the district needs to do to address the situation.

"I don't have any plans (to speak directly with the tribe) right now. No. My understanding is somebody will be getting back to me, since I don't have any contact with these people," Miller said. "I'm not aware of who is in charge of the tribe now."

### A collaborative response

Tucker said officials are still investigating, so it's too soon to say whether the Public Utilities District work violated any agreements or policies, or violated state laws that protect historical and archaeological sites. The state investigation will help determine whether remains were disturbed, and what must be done to address the recent incident, Tucker said.

Johnson said the tribe has very good relationships with Tucker, the historical society and the state, and he has "total confidence" in Tucker's ability to handle the situation.

However, he noted that Chinook members should lead the response, because only the tribe fully understands the relevant history and cultural practices.

"I am absolutely certain that everybody would defer to the Chinook, and I have full expectation that everyone would defer to the Chinook," Johnson said.

Right now, he added, the "pressing need is communication that assures that tomorrow or the next day when nobody is looking, it doesn't happen again."

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