

CTUIR: Tribal members voted 312-257 in special election to recall Close

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procedures and policies; elder abuse; and abuse of position. The board on June 6 voted 3-1 to put the recall to voters.

The Board of Trustees voted again Sept. 12 to have the tribes’ legal arm and its executive office investigate Close’s use of tribal resources related to his lawsuits and disputes going back to Dec. 7, 2015, according to the meeting minutes. The board also wanted the findings by Sept. 26, so members of the CTUIR General Council could receive that information in the mail.

Tribal members voted 312-257 in the Oct. 4 special election to oust Close. The recall was effective immediately.

Close in an email said he saw “several components” behind the investigation approved by the Board of Trustees just three weeks before he was recalled.

“The first is, I exposed code violations regarding individuals selling ceremonial fish to our longhouse,” he stated. “The family was furious and made up the allegations against me with help from some of the board members.”

He also said he questioned the board for not taking action on the fish ordeal before he was in office, and he questioned Board Chairman Gary Burke and Vice-Chairman Jeremy Wolf’s “ideas about their assumed authority as supervisors” of the board.

“They were going around acting like dictators, so I set them straight,” according to Close, “that all the board members were equal, and that the only authority each of the officers had was spelled out in the constitution.”

The preliminary findings came out Sept. 30, according to the *CUJ*, and showed Close tried to access the legal office and court after hours and used tribal resources to create documents and send dozens of emails regarding litigation and other matters not related to his job.

The influence charge Shippentower argued the board’s action on Sept. 12 and the investigation were to influence the recall vote. The scheme “clearly violated the code,” he said, and “taints the integrity of the recall.”

Shippentower referred to this part of the section under “Unlawful Campaign Practices” in the code:

“No person shall use Tribal government or Tribal enterprise personnel, property, equipment or work time for purposes of influencing the outcome of a Tribal election or promoting the placement of an issue on the ballot (including preparing petitions or gathering signatures).”

Shippentower said

trustees were overzealous to remove Close and forgot their own responsibilities to honor tribal codes. Close agreed with Shippentower.

“Of course it was a maneuver to influence the recall election,” he said in the email. “The recall petition stated allegations with absolutely no evidence, so the board wanted to find some dirt on me somehow and use it to smear my name before the recall election and they did just that.”

Chuck Sams is the spokesperson for the tribes. He said the Board of Trustees talked about investigating Close for some time before that vote.

“It was separate from the recall,” he said, “and had to do more with the obligations and responsibilities of the secretary that weren’t being fulfilled.”

Sams also said the findings went to the elections commission.

The Board of Trustees appoints eight members to the elections commission, but the commission operates as an independent regulatory body. The commission has a budget to conduct and oversee tribal elections, and like other tribal commissions and committees, its members receive a stipend for their service.

Shippentower said he took his concerns to the commission on Oct. 12, and accused the following people of violating the elections code: Board Chairman Burke, Vice-Chairman Wolf, board members Woodrow Star, Aaron Ashley, Armand Minthorn, and Justin Quaempts; Alan Crawford, the tribes’ General Council chairman; along with Tovey, Sams, Deputy Executive Director Debra Crosswell, and lead tribal attorney Naomi Stacey.

The outcome so far

Sams said he understood the commission dismissed Shippentower’s allegations, but he did not have confirmation of that because of the commission’s independent status. Andrea Hall heads up the commission. She would not comment on the allegations nor if the commission reached any decisions.

Close stated the board’s lack of government experience is at the heart of the problem.

“It seems the board thinks they can override the tribal codes at a whim, or when it suits them,” he said, and suggested the tribes should consider “an ethics commission and incorporate some sort of vetting of allegations and to make sure the people have due process.”

Sams said Close followed due process and took his complaints to tribal court, the same as any an tribal member can. And the court determined the board and the tribal government conducted no wrongdoing.

DAIRY: Conducts voluntary animal welfare audits

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But Marty Myers, general manager for Threemile Canyon, defended their management practices, which he said are forward-thinking and sustainable.

“It isn’t bad just because it’s big,” Myers said. “It’s agriculture of the future.”

Closed-loop system

In fact, Myers said the size of Threemile Canyon allows them to do things that wouldn’t be practical for a smaller dairy farm.

By growing crops and raising cows all in the same place, the farm is able to recycle its own waste to use as fertilizer in the field. That, in turn, creates more feed for the animals, thus completing the closed-loop system.

“We get big beneficial uses out of that cow manure,” Myers said. “It’s not a negative for us. It’s a positive.”

It all begins with the cows. Threemile Canyon dedicates between 20,000 and 25,000 acres to growing feed crops, such as grain corn and a hybrid wheat known as triticale. Everything is harvested and stored for the animals to eat year-round.

Once the heifers are two years old, they are ready to be milked. Of course, they are also producing waste throughout their lives — roughly 436 million gallons of liquid manure every year. Per Oregon rules for confined animal feeding operations, or CAFOs, none of that material can be discharged into surface water or groundwater.

At Threemile Canyon, free-stall barns are flushed regularly into a concrete collection basin, and from there pumped into a methane digester at the farm. The digester then heats the waste at 100 degrees and bacteria breaks it down into a gas. The gas is then burned to drive three 2,000-horsepower engines capable of generating 4.8 megawatts of power.

Myers estimates the facility, which was built in 2012, removes 60,000 tons of carbon from the atmosphere annually.

From there, about half of the leftover solids are made into animal bedding. The other half is used for organic fertilizer. The liquid is pumped into one of three lagoons, which is treated and run through irrigation pivots to grow more conventional crops and feed.

“Our average time in that lagoon is 10 days,” Myers said. “We’re applying that year round to growing crops. ... We never let it become anaerobic. That reduces air emissions.”

Managing nitrates

Threemile Canyon is located within the Lower Umatilla Basin Groundwater Management Area, where the level



Staff photo by E.J. Harris

Jersey cows queue up to be milked at Columbia River Farms outside of Boardman.

of nitrates in the groundwater already exceeds the federal safe drinking water standard. According to the Oregon Department of Environmental Quality, the primary source of nitrogen in groundwater comes from fertilizer, with irrigated agriculture making up 81.6 percent of the problem.

Opponents of mega-dairies are concerned about adding a second operation so close by, comparing it to a “sewer-less city.” Oregon CAFO permits also lack surface water monitoring required under the federal Clean Water Act, they argue.

Myers said the fertilizer that is applied onto the farm’s own crops is mixed at precise rates to ensure nothing leaches into water supplies. Employees regularly test the manure to keep tabs on the nutrient level, and will apply only as much as the crop will use for nutrition.

That’s easier said than done. Phil Richerson, a hydrogeologist for DEQ in Pendleton, said the soil in the area is coarse, making it difficult to keep irrigation from seeping down below the plant’s roots.

Don Butcher, who manages water quality permits for DEQ in Pendleton, said the problem isn’t just limited to CAFOs. More land is being converted to grow vegetable crops. And more food processors are popping up to turn those vegetables into high-value products.

“With all the expansion and change in the Groundwater Management Area, we are concerned,” Butcher said. “We still have an increasing nitrate trend.”

Butcher said DEQ works closely with the Oregon Department of Agriculture, which enforces CAFO permits for the state. Wym Matthews, CAFO program manager for ODA, said they generally conduct routine inspections of facilities once every 10 months.

However, due to the size of Threemile Canyon, Matthews said that farm is inspected once every five

or six months. The most recent was in July. Over the past decade, he said the dairy has been issued six water quality advisories — essentially a warning — and two notices of noncompliance, meaning they’ve violated a condition of their permit.

In every case, Matthews said the problem was dealt with quickly. Overall, he said he believes the management practices at Threemile Canyon are thorough.

“If they see an issue, I think they do a very good job to bring it to our attention and repair it,” Matthews said.

Animal welfare

In addition to environmental practices, Myers said Threemile Canyon is subject to a three-layer approach to animal welfare.

First, Myers said the farm conducts voluntary animal welfare audits through a company called Validus. Inspectors arrive unannounced, and are free to watch employees and go over protocol, Myers said.

Last year, Myers said Columbia River Dairy was the first in the country to receive a perfect score from Validus. They also consistently scored 95 percent or better on how they treat their heifers, he said.

“Those are pretty impressive scores,” Myers said.

Along with voluntary audits, Myers said the dairy works regularly with its own animal advocate, a veterinarian and professor at Evergreen University. Along with the farm’s own animal welfare committee, they make recommendations on how to improve practices.

“It’s not a static process,” Myers said. “It’s a continual improvement process, and we’re proud of that.”

Greg te Velde, a California dairyman, is the owner of Willow Creek Dairy, which has applied for its own CAFO license under the name Lost Valley Ranch.

Myers has testified in favor of te Velde and his longtime tenant. Myers said he believes they too will be dedicated to best management practices. A similar lagoon and land application system is proposed at Willow Creek, and though a methane digester is not in the immediate plans, it could be phased in later down the road.

“They know how to do things right,” Myers said.

The public comment period for the Willow Creek/Lost Valley CAFO has been extended through Nov. 4.

Contact George Plaven at gplaven@eastoregonian.com or 541-966-0825.

LANE: Became first resident to transition to regular life in 2013

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mental illness that can cause debilitating delusions.

“He went from the most popular kid in school to living in the streets,” Bret said.

Like many other people who suffer from mental illness, Tim was homeless for decades before his symptoms subsided enough for his family to secure low-income housing for Tim when he was about 40 years old.

But Tim’s condition worsened and he was eventually committed to the Oregon State Hospital in Salem.

Peters said many Pendleton Cottage residents are transferred from Oregon State Hospital to start the transition to regular life.

When Tim made the move in 2009, Bret said

Pendleton Cottage offered him a place to call home and a community to support him.

Throughout his four-year stay at Pendleton Cottage, family and friends came from across Oregon, Washington, California and Nevada to visit him and challenge him to a game of bowling at Round-Up Lanes, or listen to him play piano.

Peters said Tim’s support system was unusually exemplary for a mental health patient. Many families have run out of patience and become estranged by the time people have checked into a facility.

Tim became Pendleton Cottage’s first resident to transition to regular life in 2013, moving on to a group home in Gresham.

Tim told family members

that his self-esteem had grown over his time at the cottage, but any more progress he made was cut short soon after he moved from Pendleton, dying in 2013 at age 53 from what Bret described as natural causes.

Despite dying young, Tim has now found a permanent tribute to his time Pendleton at the cottage.

Pendleton Cottage staff describe the Lane Activity Center as a “treatment mall,” a dedicated space where residents can receive therapy, whether that in a group or one-on-one session, or participate in structured activities like music, art and resident-led educational classes.

After serving a variety of purposes over the years, psychiatric social worker

Nancy Slover said they re-purposed the room so that they no longer had to conduct those daily activities in the housing units.

The Lane Activity Center has been open to residents since July, and although there were concerns that they might not be receptive to change, staff members have found that residents are more eager to participate in activities in therapy now that they have a separate space to do it in.

Residents now gather for activities in a building named after a man who used them to propel himself toward independence, a reminder of what these residents could one day achieve.

Contact Antonio Sierra at asierra@eastoregonian.com or 541-966-0836.

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