

PARK WORK NEARS COMPLETION



Kathleen Elyrn/Chieftain

The replacement of crumbling bricks in Warde Park in Enterprise progresses and city crews work to beautify the popular spot and make it safer for visitors.

Oregon regulators OK permit for 30,000-head dairy expansion

By Claire Withycombe
Capital Bureau

SALEM — State regulators on Friday approved a wastewater permit for a hotly-debated expansion of a large dairy farm in Boardman. The Lost Valley Farm, on about 7,000 acres formerly belonging to the Boardman Tree Farm, is now due to start operating in the coming weeks. It's a project of Greg te Velde, the owner of the nearby mega-dairy Willow Creek Farm, whose cows supply milk to local processors. The proposed expansion drew criticism from environmental and animal-welfare groups, and state agencies say they have taken additional steps to address them. Lost Valley Farm will be allowed to have up to 30,000 cows under a permit designated for confined animal feeding operations, or CAFOs, according to the Oregon Department of Agriculture and the Oregon Department of Environmental Quality. The permit issued Friday is intended to protect surface and groundwater from contamination, officials say. Leah Feldon, deputy director of the Department of Environmental Quality, said Friday that the department

had done "extensive review and work" on the permit over the past year. The departments say Lost Valley Farm will also be required to closely monitor its groundwater, soil and leak detection in areas where animal waste is stored. There will be eleven groundwater monitoring wells on the site. The state also says that the only nearby surface water is a canal at a higher elevation than the farm, which would make it "improbable" that the farm's wastewater or stormwater would end up there. Further, they say, the entire property is in a depression. Large dairies such as Lost Valley Farm are typically subject to inspection by the state Department of Agriculture three or four times a year. Lost Valley Farm expects to start with 16,500 cattle in the first year and gradually build the herd over several years, according to ODA and DEQ. Although state regulators say it was not a factor in the permit decision, the state also touts the expected economic value of the project, which the dairy estimates will provide more than 100 jobs. The farm also says that they will recycle about 75 percent of the water they use.

In a statement, te Velde said the farm agreed to all the requirements of the permit and remained "committed to protecting the quality and quantity of groundwater in the critical groundwater area." The proposed dairy is located in the Umatilla Groundwater Management Area, which has elevated levels of nitrate. The state's water resources department is currently processing the dairy's water use applications; an appeal period ends April 7. The dairy currently has a temporary permit until April 30, which allows 450 gallons per minute of water for construction. Through a water rights transfer, the farm is requesting 1,037 acre feet of water per year. State officials said Friday that the state received a protest filed by the Crag Law Center on behalf of a coalition of environmental groups, who oppose the transfer and called the operation a "major threat" to water and air quality. The permit does not regulate air quality, which was a concern raised by environmental groups and by a group

representing small and mid-sized farms. The Lost Valley Farm plans to build and use a methane digester in two to three years, if it is "economically feasible." A bill currently before the Oregon Legislature would require the state's Environmental Quality Commission to adopt a program regulating air contaminant emissions from confined animal feeding operations such as Lost Valley. Ivan Maluski, of Friends of Family Farmers, called the decision by state regulators "disappointing but not unexpected." Maluski argues that large dairies like Lost Valley push small and midsize dairy farms out of business, and points to a 2013 report from the state's employment department that shows that the number of small dairies in Oregon shrank between 2002 and 2007. State Rep. Greg Smith, R-Heppner, said in a statement that the project was a "win" for the region and the state, and demonstrated "we can welcome projects without compromising our high standards for protecting the environment."

Commissioners fired by Brown defend hiring of DEQ director

By Paris Achen
Capital Bureau

SALEM — Three former state environmental quality commissioners say they were fired last Wednesday by Gov. Kate Brown because they defied the governor in selecting a director for the Department of Environmental Quality. Commissioners kept the Governor's Office informed every step of the way in their search for a new director, but Gov. Brown did not make her wishes known until the "11th hour," former commission Chairwoman Colleen Johnson wrote in a statement. "She went so far as to suggest that any decision contrary to her wishes could have negative consequences," Johnson wrote. The three commissioners — Johnson and Morgan Rider and Melinda Eden — received a phone call early last Wednesday informing them of Brown's decision. The governor's news release on the change included the names of her nominees to replace the three commissioners, indicating the decision had been in the works for some time. "After the past two years, it has become clear to Gov. Brown that the Environmental Quality Commission has not been able meet new challenges and implement policies that protect Oregonian's air and water resources," said Bryan Hockaday, a spokesman in Brown's office. "It is critical to Gov. Brown that leadership of the agency ensures DEQ achieves this mission." The commission selected Brown's natural resources adviser, Richard Whitman, as DEQ director Feb. 15, following a national search. Whitman, who had been adviser to Gov. John Kitzhaber, then Brown, had served as interim director since October. That month, former Director Dick Pedersen resigned amid scandal over the agency's response to heavy metal emissions in the Portland area. The governor asserted that the process for hiring the

director "did not signal a collaborative approach that will lead to significant improvements in the operations at DEQ," Hockaday said. "Gov. Brown is confident in Richard Whitman's ability to guide DEQ, and by appointing new members to the EQC to support his leadership, she looks forward to a more collaborative and transparent approach to DEQ's policy and rule making process." Johnson defended the commission's process for selecting the director. "We take extreme pride in the way those searches were conducted — open, impartial, and always informed by our judgment of what was best for the state and DEQ," Johnson wrote. "After considerable time, effort, and deliberation, including a self-imposed two-week delay to thoroughly and carefully consider the comments from the Governor's Office, the commission unanimously decided to hire Richard Whitman. Unfortunately, Governor Brown seems to feel that despite the clear language of (Oregon statute), the decision about the new director was really hers to make." She said the governor "is now trying to distance herself from the idea that our firing has anything to do with the decisions about whom to hire as a director, rather saying it was the process that concerned her." Yet Commissioners Sam Baraso and Ed Armstrong will remain on the commission, Johnson noted. Brown has nominated Kathleen George, a member of the Grande Ronde Tribal Council; Wade Mosby, a founding member of the Forest Stewardship Council; and Molly Kile, an associate professor at Oregon State University, to replace them. If confirmed by the Senate April 26, they will start their new positions May 3. The governor believes her new picks will bring news perspectives to the commission and work more collaboratively with her office, Hockaday said.

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