

DANGEROUS SEDIMENTS

BY PETER HUHTALA

As I reflect on the Port of Astoria Commission election on May 17, I observe a curious lack of personal disappointment. This was my first run for public office and I campaigned with enthusiasm and confidence. It seems I would have felt some letdown when I lost.

I lost by 500-odd votes to the incumbent President of the Commission, Larry Pfund. I criticized Mr. Pfund aggressively during the race, but never attacked him personally. I congratulated him on his win, and thanked him for being willing to serve our county. But I didn't grieve defeat. Odd.

Certainly I could take pride in running a clean campaign, and in raising awareness of significant issues surrounding the Port. This was all part of an extraordinary group effort involving Rose Priven and Tom Brownson, the two courageous candidates with whom I participated in an electoral coalition. Hundreds of individuals donated money or time to this passionate effort. I am truly thankful for this experience.

The primary issue of the campaign was the manner in which the Port held private meetings with representatives of Calpine Corporation to deliberate the merits of granting a long-term lease for LNG import — outside of the public view.

Certain other issues derive from this Calpine lease. Many contend that this was a consummately bad deal from a financial point of view, considering the outrageous profit potential for the corporation. In addition, granting control of the property for such a controversial purpose was categorically irresponsible because the Port retained no option to withdraw from the lease should the Commission deem the consequences to our area to be unacceptable.

The Port Commissioners rationalized their abdication of local control of the LNG development by saying there would be many opportunities for public process, that Warrenton and the State of Oregon would need to approve use of the property and issue numerous permits. As it turns out, the Port's claims were disingenuous.

When Calpine asked the City of Warrenton for an allowable use determination that would bypass an important part of public involvement in a zoning change, did the Port of Astoria insist on full public process? No, the Port sent comments to Warrenton supporting the contentions of Calpine's attorneys.

As the U. S. Congress considered legislation that would place sole authority for LNG import terminal siting with the Federal Energy Regulatory Commission (the Senate declared states had no rights in LNG matters), did the Port of Astoria Commission stand up for the rights of states? Have they even sent a letter to Congress asking for any state or local authority over LNG terminals? Of course not.

Meanwhile, overshadowed by the Calpine mess, another Port problem emerged. The Port Commission succeeded in keeping their contaminated sediment nightmare pretty much under wraps during the election. However, this is a problem that is not going away.

The Port needs to dredge sediment that accumulates in its mooring basins and docking berths. Much of this material contains toxic chemicals, most of which originated at locations far upstream. Regardless of the source, if the levels of contamination in the sediment exceeded certain levels, then the mud can't be dumped back into deeper areas of the river (the cheapest means of disposal). Most of the stuff from this year's dredging was not acceptable to put back into the river.

This February and March, dredged material was deposited near Pier 3 at the Port of Astoria under permits granted by the U.S. Army Corps of Engineers, the Oregon Department of State Lands, and Oregon Department of Environmental Quality. The Port of is charged with violating all of these permits.

A series of Notice of Non-compliance and Cease and Desist Orders were issued in late March. A fine was assessed in early May and other civil penalties are possible.

It was the concentration of the pesticide DDT and associated chemicals that compelled the agencies to require the Port to dispose of the dredge spoils on land, and to prevent water from the land-based holding pond from returning to the estuary until tests showed that contamination was at a low enough level. The chemicals are associated with the silt suspended in the slurry and, given time, settle and leave the water clearer. The Port didn't wait.

DDT is a human carcinogen which is also linked to developmental deformities and is associated with neurological and immune system disorders. According to the state and federal agencies, the Port of Astoria continuously discharged untested water from their holding pond between February 21 and March 16 (until they were caught).

Oregon's Department of Environmental Quality refers to these as "illicit discharges" and says "it appears these violations were intentional," in an April 11 letter to the Corps of Engineers. The agency also reports that sampled discharges into Young's Bay contained excessive levels of Mercury and Polychlorinated biphenyls (PCBs), additional chemicals that threaten human health and aquatic life.

Why would the Port deliberately dump these dangerous chemicals into our waters? Why would they risk fines, civil penalties and lawsuits? Were Port Commissioners privy to the decision to blatantly violate the permits? If they weren't, why haven't they questioned the decisions of their executive director?

Long-term solutions that protect the environment and human health need to be developed for dealing with this toxic material. The alternative is allowing the cruise ship berths and commercial and recreational moorage to silt in.

Whether or not the delays in working through this challenge was politically motivated, it has been time wasted. The Port Commission should forthrightly get to work on this issue before it costs more than fines.

Perhaps my lack of disappointment in losing election to the Port Commission is something like that of a fly who narrowly missed landing on flypaper.

Peter Huhtala is a member of Salmon For All and works in the field of marine conservation, advocating on the West Coast and nationally in support of sustainable fisheries and healthy coastal economies. He is an Astoria native with family ties to the lower Columbia River that stretch back a century.

The artists on this and the following three pages, Roger Hayes, Tom Burgess, Roger McKay and Kim McCarthy, live in Astoria.



ROGER HAYES

'WHAT THEY DO TO US, THEY WILL DO TO YOU'

BY HARRY BROWNE

While media attention focuses across on arrests in relation to the London bombs, five men from Mayo in the west of Ireland have spent most of the last month in a Dublin jail.

Their crime is that they tried to block the Shell Oil Company from building a natural gas pipeline across their land — and kept trying even after Shell got a court injunction against them. That put them in contempt of court, and in prison until they "purge their contempt."

While the President of Ireland's High Court heaps some of his own verbal contempt on them, and responsible opinion tsks-tsks about their tactics, the men have caught the imaginations of much of the public, and an increasingly spirited campaign has grown in support of them — with hundreds of people picketing Shell stations and a "solidarity camp" set up in Mayo on the pipeline route. As the IRA fine-tunes its "war-is-over" commitment, its political wing, Sinn Fein, has come to the aid of the men and their campaign. More "respectable" politicians have been forced to follow.

The negative publicity has begun to get to Shell, which has started to back down in the latest court appearances, and the Irish Government has been keen to find a compromise. But the men and their supporters are in no mood for compromise, because the story of Shell Oil in Mayo is a disgraceful history of suspected corruption and indifference to local safety concerns. The campaign has the potential to highlight corporate greed and rapacity in a country where neoliberal precepts have taken on Biblical status after a decade of "Celtic Tiger" prosperity. Needless to say, Tom Friedman didn't appear to notice it when he was in Ireland in June to write idiotic paeans of praise in *The New York Times* for Ireland's economic performance.

The story has obvious international dimensions. The rape of Ogoni lands in Nigeria by the self-same petro-giant has already been highlighted by campaigners (it's just 10 years since the execution of Ken Saro-Wiwa and eight others in Nigeria), and eyebrows have at last begun to be raised about the sweetheart deal that brought the company to the Mayo coast.

"I lecture to my students about the way Exxon Mobil rips off Equatorial Guinea, with the country getting only 12% of the revenue from its own oil," a development-studies academic in Dublin told *CounterPunch*. "But here's Shell in Ireland getting a deal to extract Irish gas and the Irish State and people get

absolutely nothing." Campaigners wonder if some relevant funds might be sitting in a politician's offshore account.

The gas in question comes from under the sea, the Corrib field, off the Mayo coast. Instead of processing it offshore, Shell has gone for the cheaper option of pumping it at high pressure across part of the Erris peninsula to a terminal at Bellanaboy, in this boggy beautiful corner of Ireland. It's that cost-saving decision, never fully subjected to local scrutiny and safety assessment, that brought Shell into conflict with some residents.

From a PR perspective they certainly messed with the wrong people. The 'Rosspoint Five' can't possibly be portrayed as hippie blow-ins or tree-huggers; they're not outside agitators. Most are landowners of long standing, and most attention has focused on 65 year old Micheál Ó Seighin, a retired teacher and local historian. As journalist Lorna Siggins notes, his "most serious offense to date has been a £2 fine for not having a parking light on his car outside Healy's Hall in Glenamoy in 1965."

He recently had a heart-bypass operation, but was upbeat when he got a brief chance to speak to the media in his last court appearance: "As a cousin of my wife's said — who's a doctor — 'at least he had his bypass before he came in so he won't get a heart attack.'"

According to *The Irish Times*: "Asked if he had met any 'notorious' prisoners, Mr. Ó Seighin replied: 'Only ourselves.'" Despite placatory talk from their opponents, the men (Brendan Philbin, Vincent and Philip McGrath and Willie Corduff are the others) appear ready to stay in jail until a full hearing of the injunction in October, and with contempt at stake the High Court is unlikely to give them an easy way out. Meanwhile, continuing protests back in Mayo have insured that Shell isn't getting any work done on its terminal or its pipeline.

While the terminal has passed through the planning process, the pipeline itself is in a regulatory black hole where, it seems, all that is required is consent directly from the Minister of Marine & Natural Resources. It has already got "rolling consents" for preparatory work, and the rest would have sailed through except for the protests — indeed Shell has already gone beyond what was authorized. But now the Government is under pressure to carry out a credible safety assessment.

Even the Minister admits this sort of pipeline is unprecedented, and it passes close to people's homes. At its maximum design pressure it would have a "burn radius" of more than half a mile. There is a school and a pub near the terminal.

The five men said in a statement: "Pipelines rupture. No pipeline engineer intends this to happen but it does with sickening frequency. The outlandish pipeline proposed to be forced in close proximity past our houses is the stuff of nightmares. What they do to us, they will do to you."

The campaign has exposed the hazards of "business as usual" in the relations between companies and governments. As the *Irish Times* reports: "The first review commissioned by the Minister was carried out by BPA, a company half-owned by Shell, and a second review, published in the Minister's website, was written by AEA Technology, a company that does business with Shell." With more gas and oil exploration in Irish waters still to come, the outcome of this dispute will set an important precedent.

The message is getting across to the public, as the Rosspoint Five draw on a long Irish tradition of jailed resisters to imperial power. Ó Seighin tapped straight into that tradition and threw in some class consciousness when he cited support they are getting from their "ordinary" fellow prisoners in Cloverhill Jail: "They have a tremendous, very accurate sense of right and wrong that is slightly missing in more exalted society."

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