



Joshua Bessex/The Daily Astorian

Crews from the U.S. Army Corps of Engineers use a crane to remove jetty stones from Trestle Bay in an effort to improve fish habitat.

## AT TRESTLE BAY, BETTER PASSAGE FOR FISH

Restoration project will remove jetty stones to help fish

By KYLE SPURR  
The Daily Astorian

**F**ORT STEVENS STATE PARK — A floating barge and crane are set up in a bay near the South Jetty to remove piles of jetty stones that will open passages for fish habitat.

The \$920,000 restoration project will remove 900 feet of jetty stones at seven locations in Trestle Bay, located on the river side of the South Jetty. Crews have already finished breaching one location.

The U.S. Army Corps of Engineers' project is scheduled to be complete by the end of February. The work will open access to more than 600 acres of fish habitat.

Jetty stones are being removed down to the riverbed giving salmon and trout, mostly juveniles, access to quieter waters and feeding grounds. Nutrients from the river will be able to reach the bay, and visa versa.

"Environmental restoration is one of our big missions," Gail Saldana, the project manager, said. "The whole pur-



Submitted Photo

A jetty stone is removed from Trestle Bay.

pose behind this is to improve fish access into the Trestle Bay estuary."

### Some fish blocked from bay

The Army Corps originally breached the 8,800-foot jetty stone structure in Trestle Bay — known as the South Jetty Root — in 1995, removing 500 feet of jetty stones.

Saldana said the 1995 breach helped partially open access to fish habitat that was previously blocked. It did not, however, remove stones all the way to the riverbed. At low tides, Saldana said, some fish were blocked from the bay.

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A gap in the Trestle Bay jetty will help improve fish habitat in the bay.

Joshua Bessex  
The Daily Astorian



## Defense: Smith suffers from mental disease

She lacks 'rational understanding' of the case

By KYLE SPURR  
The Daily Astorian

A defense lawyer for Jessica Smith says she suffers from a mental disease and is unfit to proceed in her criminal trial.

Smith, 42, is accused of drugging and murdering her toddler and attempting to kill her teenager in Cannon Beach in July 2014.

"I have met with Ms. Smith on a number of occasions since my appointment to this case," Lynne Morgan, Smith's defense lawyer, wrote in a court filing. "It is my opinion Ms. Smith currently suffers from a mental disease or defect and is unable to aid and assist in her own defense."

Morgan and co-counsel William Falls have hinted at plans to use a diminished-capacity defense.

Smith, an inmate in Tillamook County Jail, was evaluated by the state's psychologist Paul Guastadisegni after she refused multiple times.

The prosecution claims Smith also met with Elizabeth Howell, the defense's psychiatrist, on multiple occasions. Results from the mental health examinations have not



Joshua Bessex/The Daily Astorian  
Jessica Smith is led to her seat in the Clatsop County Courthouse for a status hearing in May. A defense lawyer claims Smith has a mental disease and is unfit to proceed with her trial.

been released.

In the defense's motion filed Monday, Morgan asks the court for a competency examination of Smith and then a determination of Smith's fitness to proceed.

Morgan claims Smith does not appear to have a rational understanding of the proceedings against her. Her mental disability prevents her from rationally comprehending the evidence against her and impairs her ability to make a reasoned choice among the possible alternatives presented in the case, she wrote.

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## Gearhart, barn owner seek 'cooling-off period'

Injunction to close party barn delayed

By R.J. MARX  
The Daily Astorian

Neacoxie Barn owner Shannon Smith and the city of Gearhart were no-shows at a Clatsop County Circuit Court hearing on New Year's Eve.

Their absence was explained by new talks in which both sides hope to bring Smith's party barn into compliance with state and local health and building codes.

The barn, at 774 Pacific Way by the Neacoxie Creek, is used for weddings, family reunions and other commercial events, according to city officials. But without a conditional use permit and a building occupancy permit, the owners are putting the health and safety of guests and residents at risk.

So far, Smith has racked up thousands in fines, with more on the table.

In a Gearhart City Council appeal hearing in December, Smith said she's only doing

what other Gearhart property owners are doing by renting her property out on a short-term basis, and claimed the charges "aren't fair."

"The goal is to have another meeting with Shannon Smith, between the attorneys and us," Gearhart City Manager Chad Sweet said Monday.

The parties now seek terms of a temporary agreement in effect through March 1, according to Sweet, allowing Smith to provide additional information to the city.

The agreement would be submitted to Clatsop County Circuit Court and Smith would be subject to a temporary injunction pledging not to use the barn for future events without the necessary permits, Sweet said.

### Fines pile up

The city wants the court to order Smith and barn co-owner Martha Strickland to stop holding events at Neacoxie Barn until they obtain a new conditional use permit and comply with other city laws. Use of the building, zoned

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## State to issue new industrial hemp licenses

Obstacles slow growth of new crop

By ERIC MORTENSON  
Capital Press

The state Department of Agriculture expects to resume issuing licenses to grow industrial hemp by the end of February, but some problems continue to dog the new crop.

The state issued 11 hemp licenses in 2015 before cutting off the process in August. Nine of the licensees planted a crop and three harvested a product, said Lindsay Eng, the department's program manager. But the crops of two other growers, one in Grants Pass and one in Bend, are embargoed because the plants exceeded the THC

limit required under state law, Eng said. The crops will have to be destroyed or remediated in some way, she said, perhaps by using the plant stalks without the flowers or seeds.

Industrial hemp is related to marijuana, but doesn't contain nearly the level of THC, the chemical compound that makes pot users high.

Instead, advocates say industrial hemp fiber and oil can be used to make clothing, food, rope, cosmetics, plastics and other products. They've long said hemp could replace cotton or petroleum in some uses.

Ag researchers say some conventional farmers might eventually be interested in growing hemp as a rotational crop, but for now the market appears to involve small-

scale farmers who want to process hemp themselves to make lotions or other products.

### Details need tweaking

Eng said details in Oregon's hemp law may need tweaking by the Legislature when it meets in February. A section requiring 2.5-acre hemp plots causes some growers problems, as does a requirement that the plants be directly seeded instead of started in greenhouse pots. In addition, it's hard to obtain seed, Eng said. Canada is the most common source.

Oregon State University has asked the federal Drug Enforcement Agency for permission to import hemp seed and conduct basic crop



Mateusz Perkowski/Capital Press File  
Hemp is harvested from a field in Marion County last fall.

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