



THE DAILY ASTORIAN

143rd YEAR, No. 137

★★ FRIDAY, JANUARY 15, 2016 • WEEKEND EDITION ★★

ONE DOLLAR

Oregon LNG refiles case against Army Corps

Company says decision is to 'maintain its legal options'

By ERICK BENGEL
The Daily Astorian

Oregon LNG refiled a legal complaint against the U.S. Army Corps of Engineers on Wednesday to se-

quire property on Warrenton's Skipanon Peninsula, where the energy company wants to build a liquefied natural gas facility but where the Corps holds an easement to deposit dredging spoils.

Oregon LNG said in a release that the move is to "maintain its legal options," and that the company is "confident we can resolve this issue in a constructive manner."

In a modified version of the

complaint Oregon LNG withdrew last week, the company alleges that around 2002, the Army Corps, "expressly and unequivocally" relinquished the easement property and any right or title to, or interest in, the property "as documented by a person with appropriate authority" to abandon it.

The company claims that, from 2004 to 2009, the Army Corps knew of the energy company's intention to develop the facility, participated in the development process, but did not reassert its ownership claim on the property until 2009.

See LNG, Page 8A

VETERANS ON THE MOVE



Joshua Bessex/The Daily Astorian

Kenneth Lehman drives the Disabled American Veterans van along U.S. Highway 26 toward the Veterans Affairs Medical Center in Portland on Wednesday.

Van for veterans with medical appointments needs drivers

By ERICK BENGEL
The Daily Astorian

At 7 a.m. almost every weekday morning, a passenger van streaked with stars and stripes leaves a parking lot west of the Astoria Burger King to take local veterans to hospitals, run by the U.S. Department of Veterans Affairs, for much-needed medical treatment.

Driven by volunteers working for Disabled American Veterans, a veterans advocacy and assistance group, the van picks up anywhere from one to eight veterans at stops along U.S. highways 101, 26 or 30, en route to Portland, Hillsboro or Vancouver, Washington. Once there, the veterans — some with severe physical impairments and psychological issues — receive care for conditions that range from low-risk to life-threatening.

Because many lack transportation options, the veterans depend on the free service to see their physicians.

But van drivers are in short supply.

"The main issue is, most of us that can volunteer to work Monday through Friday are older retired people, and we tend to have our own medical

See VETERANS, Page 8A



Joshua Bessex/The Daily Astorian

Kenneth Lehman, right, a driver of the Disabled American Veterans van, waits in the parking lot across from Burger King for passengers Wednesday morning. The van can fit up to nine passengers.

OK to stand trial?

Judge postpones decision on Smith's mental state in toddler murder trial

By KYLE SPURR
The Daily Astorian

Clatsop County Circuit Court Judge Cindee Matyas will take a week to determine if Jessica Smith is mentally fit 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.

Her defense lawyers say she suffers from a mental disease and is unfit to move forward. The defense is asking the court for a competency examination of Smith and then a determination of Smith's fitness to proceed.

At a court hearing Thursday, Judge Matyas said she was surprised to see the defense's request at such a late stage in the criminal case. The trial is scheduled for late June.

She agreed to set another hearing for Thursday to make her determination.

In the meantime, Matyas requested to review a report from the defense's psychiatrist, Elizabeth Howell, and video of the state's psychologist Paul Guastadisegni meeting with Smith last month.

Matyas must agree that Smith's mental state has deteriorated to the point where she is unable to aid and assist in her own case.

"With all due respect. I don't know if I'm there yet," Matyas said. "I want some examples or details."

Defense lawyer Lynne Morgan and co-counsel William Falls are planning to use a diminished-capacity defense.

See TRIAL, Page 8A



Jessica Smith

Developer plans Miles Crossing apartments

Project could include more than 164 units

By EDWARD STRATTON
The Daily Astorian

Developer Richard Krueger is planning a large apartment complex in the Miles Crossing neighborhood

that could help address a lack of affordable rental housing.

The Astoria School Board voted Wednesday to provide Krueger a letter of support as he seeks county approval for the project between

Lewis and Clark Elementary School and Lewis and Clark Golf & RV Resort.

"I'm in the preliminary process," Krueger said of the project, adding the proposed apartments could include between 164 and 168 units phased in over time.

Krueger is having a community needs and traffic impact analysis performed, and said he plans on going in front of the Clatsop County Planning Commission in the next month or so to seek approval.

See APARTMENTS, Page 8A



Edward Stratton/The Daily Astorian

Developer Richard Krueger is exploring a possible apartment complex on a piece of property in Miles Crossing next to Lewis and Clark Elementary School.

