

LNG: Columbia Riverkeeper filed a shorter appeal

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Oregon LNG

In Oregon LNG's appeal, Mike Connors, the attorney representing the company, said that Kearns wrongly determined the project doesn't comply with, among other city provisions, the Warrenton development code's shoreland and aquatic area development standards.

He also argued that Kearns failed to properly weigh the City Commission's comprehensive plan amendments from 2006 that rezoned the East Skipanon Peninsula to allow for Oregon LNG-type marine industrial development. The City Commission decided a decade ago that the area where the company's dredging would occur has minimal biological significance, and that the area is uniquely suited for an LNG terminal, Connors said.

"The hearings officer erred in concluding that he was not bound by these City Commission findings and conclusions, and his conclusion renders the 2006 amendments meaningless by making any marine industrial development virtually impossible," the appeal stated.

In addition, Connors argued



Oregon LNG and Columbia Riverkeeper have appealed a city ruling against a terminal on the Skipanon Peninsula. The City Commission will hear the appeals in early May.

Joshua Bessex
The Daily Astorian

that the hearings officer gave unreasonable weight to the Oregon Department of Fish and Wildlife's comments and Columbia Riverkeeper's two consultant reports while ignoring the company's "substantial expert testimony and reports demonstrating that the terminal impacts have been adequately analyzed and will be mitigated to acceptable levels."

"Oregon LNG specifically responded to and refuted ODFW's letters and Riverkeeper's consultant reports, which the hearings officer ignored in his decision," Connors wrote.

He points out that Urling and the city's own expert consultants reviewed the company's reports and agreed with Oregon LNG's conclusions.

What's more, he said, the Federal Energy Regulatory Commission's draft environmental review of the project supports the company's conclusions.

Connors also said Kearns misconstrued the city's development code and mistakenly determined that the terminal will "unreasonably interfere" with the public's abil-

ity to access traditional fishing grounds.

"The hearings officer's interpretation of these code provisions is erroneous," Connors said, "and would impose significant restrictions on future marine development along the Lower Columbia River."

Columbia Riverkeeper
Meanwhile, Columbia Riv-

erkeeper has filed an appeal, albeit a much shorter one.

Though the appeal requests that the City Commission affirm Kearns' rejection of the terminal, Lauren Goldberg, the staff attorney representing the Hood River-based environmental group, asked that the commission amend the decision to read that Oregon LNG has not demonstrated a "substantial public benefit" to the LNG terminal as required by the Warrenton development code.

She also argued, contrary to Kearns, that Oregon LNG's development on the shoreline would exclude the public from shoreline access to areas traditionally used for fishing, hunting and other activities, in violation of the city code.

Finally, Goldberg said that Oregon LNG's gas flare, as designed, will not be enclosed in a building as required by the comprehensive plan. In his decision, Kearns said that this problem could be solved by making the enclosure of the gas flare a condition of approving the terminal; Goldberg said that Kearns was wrong to suggest that compliance could be achieved by imposing this condition.

Theater: It hopes to sponsor an indie-folk concert series

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Baker-Monaghan and Steve Forrester, the editor and publisher of The Daily Astorian, who serves on the theater's board, outlined the Liberty's financial challenges for the Astoria City Council in December.

The city, which put up an early \$1.3 million toward the Liberty's restoration through the Astor East Urban Renewal District, could take ownership of the Liberty if the theater were to fail financially.

Baker-Monaghan told the City Council that the estimated shortfall is about \$60,000 a year, a gap driven by maintenance demands that eat into the ability of the theater to invest in programming.

New board members, including Jennifer Canessa, a retail relationship manager at Columbia Bank, Israel Nebeker, a musician in Blind Pilot, and Darren Orange, an artist, have brought some fresh ideas.

The Liberty Theater wants to sponsor an indie-folk concert series aimed at attracting younger people, including millennials from Portland and Seattle.

The theater applied for a \$20,000 grant from the city's arts and cultural fund, which is meant to help promote tourism.

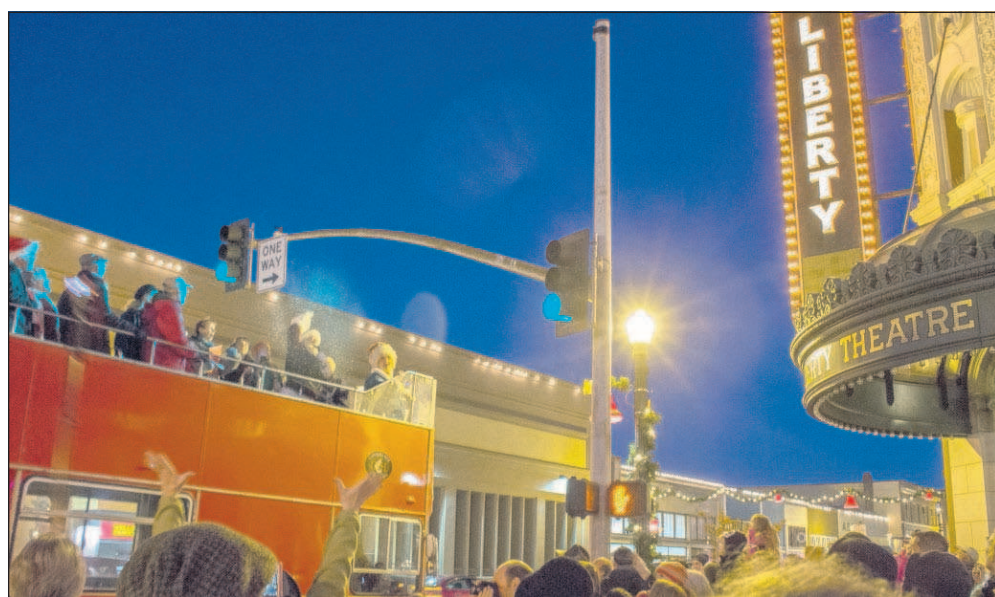
On Monday, an Astoria Budget Committee panel reviewing the grant applications recommended \$8,000 for the concert series. The subcommittee — made up of City Councilors Cindy Price and Drew

Herzig and Richard Hurley, a licensed tax consultant — praised the idea, but raised concern about the Liberty's management and whether it was appropriate for the theater to get such a large share of the \$50,000 in grant money available citywide.

"We just feel like we don't have enough data," Price said about the Liberty's overall financial picture, and "there's a certain amount of skepticism."

The historic Liberty Theater celebrated its 90th anniversary last year and the 10th year since a grand reopening after renovation.

Edward Stratton
The Daily Astorian



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