

Timber: Sales amount to \$23.6 million

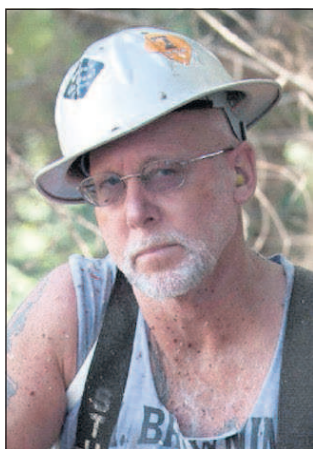
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Logging on the Music Creek sale started in February and finished this week, sending out 7.3 million board feet of timber to local and regional mills. The sale was roughly 10 percent of the 71.6 million board feet and 15,400 loads of timber sent out of the Clatsop State Forest since July 1.

Jay Browning, owner of J.M. Browning, estimates he had up to 20 of his 70 foresters working at a time on Music Creek, where the timber was sold in 2014 to Hampton Affiliates.

"It was over 1,300 loads of logs that came off it," Browning said, adding about half of them went to the Hampton Lumber Mills in Warrenton, a quarter to a mill in Willamina and nearly 15 percent to Tillamook. State and federal lands can only export timber that will be processed into lumber, pulp or other products in the U.S.

Williams said the Astoria District employs about 38 foresters to prepare timber sales and oversee recreation and conservation efforts and commonly works with six to 10 logging operations harvesting timber for



Jay Browning

buyers.

Williams' department walks a fine line, balancing economic, conservation and recreation interests on the Clatsop State Forest.

Homesteader

Chris Smith, director of the conservation group North Coast State Forest Coalition, said he stopped by the recently logged Homesteader timber sale on a ridge above the Nehalem River and found the scene "fairly devastating."

The sale included four modified clearcuts on more than 200 acres, with a 100-foot buf-

fer above the Nehalem, smaller buffers around streams and five to seven trees left per acre for wildlife.

Homesteader was the first timber sale opposed by the coalition in four years, Smith said, because of its old-growth characteristics with trees up to 125 years old, proximity to a major river and ideal habitat for endangered species such as marbled murrelets, red tree voles and northern spotted owls. The group helped organize opposition to the sale, including thousands of comments against logging the stand.

Williams said that while the state forest shoots for 30 percent old-growth stands, Homesteader was not identified as a critical area. His department performs wildlife surveys before sales, and found no presence of endangered species. To increase revenue from the land, he said, the state has started sort sales in places like Homesteader. The state auctions off different types of logs to companies specializing in a certain species, then hires a logging firm to harvest the timber and ship the logs out to various mills.

Smith said state forests in

northwest Oregon have only 0.01 percent old-growth stands, indicative of not only devastating fires like the Tillamook Burns in the mid-20th century, but of aggressive logging.

In the Astoria District's 2017 plan, Smith said, he is most concerned about the increase in clearcutting.

Clearcut increase

Next year's sales call for 1,669 acres of clearcuts — about 0.5 percent of forestland in the district. At the beginning of the Astoria District's implementation plan in 2001, Williams said, it was only clearcutting 600 acres a year.

Since 2001, the Astoria District has rigorously thinned state timberlands to diversify the stand complexity and structure. But there's less of a need for thinning, Williams said, and the Astoria District has had to shift to meet its harvest objective of 73 million board feet a year.

"We have a large portion of our forest that's in that 50- to 75-year-old age class," he said. "Typically, those don't lend themselves to thinning as they get older."

Hoteliers: Orr looking ahead to transform inn

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connected to show a basis for recovery based upon interference with plaintiff's prospective economic relationship with the Port of Astoria," Nelson wrote in his opinion.

Hospitality ventures had sought to remove themselves from the case, arguing their lobbying of the Port Commission is protected under an anti-SLAPP (strategic lawsuit against public participation) statute protecting people who lobby public entities.

Param's lawyer, Colin Hunter, argued Hospitality Ventures was not protected by the statute because of a commercial exception under the Noerr-Pennington legal doctrine. But Nelson decided there is no commercial exception "when government officials make commercial decisions regarding a government entity."

"We are pleased that the claims against us have been dismissed," Orr said in a statement Tuesday. "We look forward to continuing to work to transform the Riverwalk Inn into a destination that makes our community proud."

Trabucco added in the statement, "I am happy to get this distraction behind us so we can focus our resources on developing the Riverwalk Inn into a classy, boutique establishment."

Spurned suitor

Param, represented by Ganesh Sonpatki, had been negotiating since 2014 to take over Smithart's remaining two years and five-year extension option, in exchange for paying the estimated \$300,000 Smithart owes to the Port, and \$100,000 to the city of Astoria. The Port Commission voted in June to have staff finalize a deal with him, which never materialized. The Port's attorney, Luke Reese, claims Param

canceled contract negotiations, while Hunter claims the Port wrongfully walked away from a binding agreement.

About a month after the Port voted to have the lease transferred to Param, the agency was approached by Orr, a native Astorian, president of Signature Seafoods in Seattle and managing owner of Hospitality Ventures; and Trabucco, a local developer formerly behind the Hotel Elliott and the waterfront commercial buildings at Nos. 1 and 10 Sixth St. that burned down in 2010.

Orr and Trabucco offered the Port a similar deal to Param's. The Port Commission eventually heard proposals from several interests, before voting in September to install Hospitality Ventures as the short-term operators while the agency created a request for proposals for a long-term operator. The request has been put on hold until the litigation with Param is finished.

Param claimed that Hospitality Ventures took advantage of Orr's relationships as brother-in-law to Port Commissioner Stephen Fulton and friend to Commissioner Bill Hunsinger. Fulton recused himself on multiple occasions when the Port Commission discussed the hotel.

"There is no indication from any of the documents presented by (Param) that Commissioner Fulton participated as a public official in any discussion or debate about the operation or lease of the hotel property after the June 2, 2015, meeting," Nelson wrote.

Even if Fulton had acted wrongfully in promoting Hospitality Ventures' interests, Nelson wrote, there is nothing to establish whether the alleged wrongful means employed by the company resulted in the Port allegedly breaching a contract with Param.

Grocery: Residents were divided on brew pub

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Lowenberg said the brew pub would be limited to retail sales only. "We're not looking to put in a Fort George or Buoy Beer."

Planning approval

In March, planning commissioners voted 4-3 to OK the transition of the grocery to a 1,300-square-foot brew pub. The 40-seat pub — defined as a cafe under city zoning code — would include nine tables seating four people each, with four seats at a bar area. Brewing operations would be separated from diners by a glass partition.

Opponents said the brew pub is contrary to Gearhart's comprehensive plan, citing 1994 goals to limit commercial activity in the city and to prevent the city from becoming a tourist destination.

They said septic facilities are inadequate and the city needs to retain its only grocery store.

After the Planning Commission granted conditional approval, the decision was

appealed to the City Council by five Gearhart residents.

Decision upheld

At Tuesday night's hearing, residents were divided into "pro-brew pub" speakers and those who spoke against the plan.

Gearhart's Jeff Roberts said he was "severely disappointed" by opposition to the brew pub.

"Our well wishes cannot keep a business afloat, only our dollars can, and to date we are not helping the owners keep a viable business," Roberts said.

Roberts said many arguments against the brew pub were "patently ridiculous."

Grocery employee Cathryn Roe, an Astoria resident, said she had worked at the market for more than two years.

"We really do support the growth and change of Gearhart," Roe said. "Keep in mind growth and change is not a bad thing, but a good thing."

Alyssa Logan of Astoria, a five-year grocery employee, said grocery earnings had "plummeted."

"While I love a lot of our frequent shoppers, they just don't

shop with us enough," Logan said.

In opposition

Availability of other suitable sites owned by the Lowenbergs on U.S. Highway 101 should be considered, said Gearhart resident Jeanne Mark, one of those who filed the appeal to the Planning Commission decision.

Former Gearhart mayor Kent Smith said it was "hard to imagine" Gearhart without a grocery.

"A brewery is very close to being an industrial activity in a commercial zone," Smith said.

Gearhart's Rick Sabol said the Planning Commission decision was based on "inconclusive investigation of the facts," without diagrams, a business or parking plan and no public need discussed or established.

"It is abundantly clear due diligence was lacking before a vote was called," Sabol said. "There's no need for another bar in Gearhart. Let's keep Gearhart Gearhart."

Councilor Dan Jesse asked Lowenberg if he intended to keep and run the establishment

himself, or to have someone else run the business.

"Am I building it to sell?" Lowenberg said. "No. I'm building it for myself."

Councilors Jesse, Sue Lorain and Paulina Cockrum voted for the brew pub's conditional approval.

Councilor Kerry Smith was the lone vote in opposition. Mayor Dianne Widdop was not present.

Requirements for the business include a 10 p.m. closing, retail sales only and Department of Environmental Quality permits, among other conditions.

Tuesday's decision could be appealed to the state's Land Use Board of Appeals.

"We'll process this, but it's something we'll definitely consider challenging, because we have enough material to have LUBA consider our position," Mark said after the meeting.

Clamming: It's recommended to arrive an hour or two before low tide for best results

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peninsula, but 25 ppm just north of the mouth of Willapa Bay on the stretch of beach called Twin Harbors. Harvests aren't allowed if the level is more than 19 ppm.

Ayres said domoic levels also still remain too high to permit commercial harvest of clams from the tidal islands called the Willapa Spits, a season that normally starts April 1. The closures this year and in 2015 result in a loss of about \$300,000 a year to commercial harvesters, Fish and Wildlife estimates.

Ayres said persistence of domoic acid in clams north of the mouth of Willapa is a consequence of how high toxin levels spiked there last spring.

This weekend's opener

The upcoming dig is scheduled on the following dates and low tides:

Friday, 6:51 a.m.; -1.5 feet; Long Beach

Saturday, 7:39 a.m.; -2.0 feet; Long Beach

Sunday, 8:26 a.m.; -2.1 feet; Long Beach

Ayres recommends that diggers arrive at the beaches

an hour or two before low tide for best results. However, digging is not allowed on any beach after noon with the exception of Mocrocks on May 12, when digging will be allowed for an extra hour, until 1 p.m., due to the later low tide, Ayres said.

Under state law, diggers are required to keep the first 15 clams they dig. Each digger's clams must be kept in a separate container.

All diggers age 15 or older must have a current fishing license to harvest razor clams on any beach.

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