



EO Media Group

Gillnetters fish in the Columbia River. A group of commercial and sport fishermen are meeting to advise the Oregon Fish and Wildlife Commission as it works on rules phasing out gillnetting in the Lower Columbia.

Gillnetting: Commission has until April 3 to make revisions

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The state's sporting anglers generally oppose the practice, as have environmental groups. Washington's Fish and Wildlife Commission voted in January to phase out the practice in two years, and Oregon was expected to do the same under a deal worked out by former Gov. John Kitzhaber. But the Oregon Fish and Wildlife Commission narrowly decided last month to continue to allow gillnetting. Brown called those rules "not acceptable," and gave the commission until April 3 to

make revisions. Participants in Tuesday's committee meeting included several commercial fishermen and representatives of the state's recreational fishing community, according to the Department of Fish and Wildlife. They included:

- Tom Wolf, executive director of the Oregon Council of Trout Unlimited;
- Jim Wells, president of Salmon for All and a commercial fisherman;
- Cary Johnson, a commercial fisherman;
- Bruce Polley, vice pres-

ident of the Coastal Conservation Association of Oregon, an advocacy group for salmon and steelhead;

- Bob Rees, executive director of the Association of Northwest Steelheaders and
- Steve Fick, a commercial fisherman, who is also on the board of Salmon for All.

Fish and Wildlife Director Curt Melcher said last week he would reopen the rulemaking process in response to the governor's directive. The Fish and Wildlife Commission is scheduled to meet March 17. Warrenton, meanwhile, has drafted a letter to Gov. Brown

asking her to defer to the judgment of the commission's vote last month. "A healthy commercial salmon fishery, including a well-managed gillnet fishery on the Columbia River, helps to sustain our commercial fishermen who have made Warrenton home by providing them with a supplemental source of income," Mayor Mark Kujala wrote. "Many recreational fishermen also commercially gillnet and vice versa. Both are vital components in an economic mix that supports our city services, marinas and marine-based businesses."

Price: Councilor wants Astoria to continue to be a 'working city'

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In a town where housing is scarce, the councilors worry that these businesses remove housing options from potential long-term renters. These vacancies, they argue, could be filled by Astoria's workers, who cannot compete with tourists willing to pay hundreds of dollars for a weekend stay.

Adding more temporary homestays, Price said in an interview, is something she and Nemlowill "really want to prevent." The two councilors have advocated for restricting homestay lodging rentals to 30 days or longer.

The point of Price's forum post, she said, is to make residents concerned about homestay lodging — particularly in a low-density residential zone — aware of the latest proposal, and to let them "know that there is some support on the council for their point of view, if they are looking to limit homestay lodging below 30 days."

The Planning Commission meeting Feb. 28, she said, is a "good time to make their opinion known."

Public process

But the Planning Commission — whose job is to review land use applications and make policy recommendations to the City Council — cannot reject proposals, including homestay lodging permit applications, wholesale.

"They can't just wave a wand and say, 'Hey, we're not going to look at these anymore,'" Community Development Director Kevin Cronin said. "They just don't have the authority to do that."

Rather, the commission must examine each application individually, weighing the proposal against standards outlined in the development code and comprehensive plan.

Residents who attend Planning Commission meetings may offer comments on a specific proposal, or provide comments on non-agenda items, including the city's policy on homestay lodging, at the end. Also, any Planning Commission decision can be appealed to the City Council.

With Brown's proposal, "we would review it as we would at all of our public hearings and go from there," Planning Commission President Dave Pearson said, adding: "We would certainly welcome the public to the meeting to make comments on all sides of the issue. That's what the public hearing's for."

If attendees, per Price's suggestion, asked the commission not to allow any more homestay lodgings, the requests would not make a difference procedurally. Disallowing homestay lodging permits would likely require a development code amendment, which could take at least a year to achieve, Cronin said.

However, the requests



Kevin Cronin



Dave Pearson

would show that Astorians care passionately about the issue and want something to be done, Cronin said. "It has an impact on the people that are trying to serve us," he said.

"What I do appreciate about Cindy's comment is that she's trying to get more people to come to Planning Commission meetings," Cronin said.

Brown did not offer a response to Price's post.

Only the City Council, Price pointed out, can place broad restrictions. She said in an email that "any requests already in the pipeline should, and I'm sure will, be weighed appropriately by the Planning Commission."

'Affordability problem'

Though homestay lodging operations are lucrative for property owners — who must live on and manage the premises — Price and Nemlowill fear that, over the long run, the city's housing stock will primarily serve the visitor population and crowd out the year-round community.

In her post, Price said that homestays compete with the city's hotels, motels and established bed-and-breakfasts. This, she said, "runs counter to an economic development strategy" and to the City Council's goal of providing housing for permanent residents.

In addition, Price wrote, "it is only larger homes, or homes with two-car garages and larger lots, that are able to take advantage of creating an additional unit for homestay lodging. Most Astorians do not have such homes, or access to the capital required to build out a homestay unit, thus limiting the program to a certain class and creating inequalities."

"And, when the home is sold, the value of the homestay unit raises the price of the home, thus contributing to the affordability problem."

Price said she wants the road Astoria is on — a road that favors the short-term housing industry — "to be shut down" so the city can remain a "working city" where long-term housing is available and affordable.

Dam: Flooding risk has been sensitive topic

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Denise Lofman, CREST's director, said the conditions where there is a possibility for extreme tides and higher water elevations only happen once every 60 years or more, longer than the 50-year design life of the dam. She said the dam was built to protect upstream property from a modest two-year flood during normal tide conditions.

Lofman said that during most of the scenarios that were modeled, removing the dam improved flood conditions by allowing water to leave more quickly out of the river. The water district has repeatedly said that removing the dam will not significantly increase flooding risk.

Lofman said that one of the main concerns during the project was to not make flood conditions worse by inundating new areas. The project, she said, would not have changed the flood pattern for property along the river that already gets inundated.

Potential flooding risk has been a sensitive topic throughout the debate between the city and the water district, so the disclosure of the engineering firm's findings about extreme tides is certain to aggravate.

Mayor Mark Kujala

believes any information about the potential flooding risk from removing the dam should have been publicly disclosed. "That's my feeling," the mayor said. "This should have been upfront when these questions were asked several years ago. When information came to light that this might impact, and we might not be able to achieve the things that we promised, that should have been said instead of saying there is no problem and we're moving forward."

Dam records

The Daily Astorian asked the water district and CREST last year for any documents on the dam that might address the city's concerns about flooding. The newspaper renewed the request this month. CREST shared the engineering firm's findings with the newspaper on Tuesday.

Lofman said the findings were not discussed with the city because the project was not moving forward. A \$1.2 million agreement between the city, the water district and CREST to remove the dam and provide a single-lane bridge over the river for the city expired at the end of 2015. The City Commission voted 2-2 in May against renewing the agreement, and CREST later withdrew from the partnership with the

water district. The Nygaard family — and some at the city — have sought to draw CREST back into the controversy, claiming the task force misled the city and the community.

Lofman said the engineering firm's findings would have been disclosed had the project moved forward. The Planning Commission would have assessed the engineering plan by the water district during hearings on the city permit needed to remove the dam. The Planning Commission would also have examined a city consultant's technical review of the engineering plan. If the permit decision was appealed — a likely prospect given the debate at the time — the City Commission would also have reviewed the engineering reports.

City technical review

Some on the City Commission blamed former City Manager Kurt Fritsch for not disclosing the city consultant's review of the engineering plan. But Fritsch said it would have been premature for commissioners to view the material before it reached the Planning Commission, since the City Commission might have had to hear the dam removal project on appeal. Fritsch, who warned the City Commission about

tainting the permitting process, resigned last June under criticism over his handling of the dam.

Records viewed by The Daily Astorian suggest that the city's decision to hire a consultant to weigh the engineering firm's work was one of the factors that unraveled the project.

The consultant's initial assessment, in spring 2015, contributed to CREST and the water district pulling their city permit application. The consultant, after exchanging information with the engineering firm over the next several months, concluded that the engineering plan did not accurately model the flood plain. The consultant also cautioned about the potential impact of even small increases in water elevation on the city's levees. CREST was billed by the city for the consultant's work.

The water district approved the engineering plan for removing the dam last year, noting the city consultant's concerns, but ultimately finding that the plan was sound.

Had the dam removal project gone forward, it is likely that the city, or private property owners, would have asked for some type of flood mitigation unless the water district was able to satisfy all doubts about increased flooding risk.

College: Breitmeyer will draft a letter and send it to the court

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later invalidated after a community member contacted Burke with concerns the board hadn't followed procedure. Moberg did not comment Tuesday.

"I do want this to get to the courts, beyond window dressing, that this is what we want," Scheller said.

College President Christopher Breitmeyer said they have not received a "yes" or "no" regarding an inquiry into whether the college could still be removed from the lawsuit. He and Baker-Monaghan cautioned against spending any



Anne Teaford-Cantor



Esther Moberg



Tessa James Scheller



Patrick Wingard



Rosemary Baker-Monaghan



Karen Burke



Robert Duehmg



Christopher Breitmeyer

money on attorneys. Wingard said the college should put its position into writing and send a letter to the court.

"This should not be an expensive process to get an

error corrected," Cantor said. "I've been a part of typos in pleading papers on a number of occasions, and it's no big deal."

Breitmeyer said he will draft a letter and run it by the college

board before sending it to the court.

Most counties and districts, which all stand to gain a significant settlement if the lawsuit is successful, took no action

and remained plaintiffs. Clatsop County was the only county to opt out, taking along four of its controlled taxing districts. Sunset Empire Parks and Recreation District also opted out,

along with the Port of Portland, Benton Soil and Water Conservation District, Clackamas Soil and Water Conservation District and Washington County Rural Fire Protection District No. 2.