

Washington loses fight, might pay up to \$2B to save salmon

By PHUONG LE
Associated Press

SEATTLE — Washington state lost a major legal battle Friday, which could force it spend nearly \$2 billion to restore salmon habitat by removing barriers that block fish migration.

A panel of the 9th U.S. Circuit Court of Appeals last year affirmed a lower court's 2013 ruling ordering the state to fix or replace hundreds of culverts — large pipes that allow streams to pass beneath roads but block migrating salmon.

Idaho and Montana joined Washington state in asking the appeals court to reconsider the case. The court declined to do so Friday, but several judges dissented from that decision, saying it should be reconsidered because of its significance.

"This is a win for salmon, treaty rights and everyone who lives here," Lorraine Loomis, chair of the Northwest Indian Fisheries Commission, said in a statement. The group represents 21 tribes in western Washington that challenged the state over the culverts in 2001, part of decades-long litigation over tribal fishing rights.

"Fixing fish-blocking culverts under state roads will open up hundreds of miles of habitat and result in more salmon," she said.

Messages left with a spokesman for the state Attorney General's Office were not immediately returned Friday.

Washington had sought a rehearing, arguing in part that the court's decision forces the state to spend billions to replace culverts that in some cases wouldn't have an impact



AP Photo/Ted S. Warren

Melissa Erkel, a fish passage biologist with the Washington Dept. of Fish and Wildlife, looks at a culvert, a large pipe that allows streams to pass beneath roads but block migrating salmon, along the north fork of Newaukum Creek near Enumclaw, Wash.

on salmon because other there were other barriers upstream or downstream that completely block salmon. It also said the decision would have broad implications for other land and

water use management in the Northwest.

"Ordering a State to spend money on something that will make no difference is an abuse of discretion," the state argued

in asking for another hearing.

Culverts, or concrete pipes or steel structures, can be a problem for fish in several ways. Among them, the angle of the structure may be too steep for fish to navigate, or stream flows running through a small pipe can be too fast for fish to swim upstream.

The U.S. government sued Washington in 2001 on behalf of the 21 tribes to force it to replace the culverts with structures that allow fish to pass through.

Seattle U.S. District Judge Ricardo S. Martinez held that fish-blocking culverts contribute to diminished salmon runs by blocking access to miles of suitable streams. In 2013, he ordered the state to replace hundreds of the highest-priority culverts within 17 years.

The state appealed, arguing

that its treaties with the tribes created no obligation to restore salmon habitat.

In declining to reconsider, the panel said Friday that the lower court properly found the state violated the treaty rights of tribes to fish by building and maintaining salmon-blocking pipes under those roads. It said there's ample evidence that fixing the fish-blocking barriers will benefit salmon runs, resulting in more harvestable salmon for the tribes.

But several judges disagreed, said the panel's opinion "sets up precedent that could be used to challenge activities that affect wildlife habitat in other western states." They said the panel's decision upholds an overbroad injunction that requires the state "to spend millions of dollars on repairs that will have no immediate effect on salmon habitat."

Flood: He'd like to work another five years

Continued from Page 1A

also a factor in his applying for the job.

"I think very highly of Lisa Nelson, and I'd always stayed in touch with her," he said, noting that he worked for her as an assistant principal at Ilwaco High School in the early 2000s, and she had also worked for him as a teacher prior to that.

And while some potential applicants may have been scared off by the uncertainty surrounding the future of the facility, Flood saw it as a great opportunity.

"The other thing that was very appealing to me was working with at-risk youth," he said. "Some people might be wary of this. I wasn't. I've always enjoyed working with at-risk youth. I've always tried to help them succeed, educationally and with life skills."

One more job

Flood's hire was approved last May and he began work as the principal at the youth camp late last summer. And while it differs from other jobs in education he has had over the last 39 years, at its core, it's no different than any other principal's job.

"It's interesting, in some ways it's the same. It's high school. It's math, English, social studies, science," he said. "But the reason this is different is because the entire student body is in need of our help, to get it turned around get going the right direction."

Flood said he was not actively looking for a new job when this one came open, but the opportunity to live at home again and work for Nelson was too good to pass up.

"I really like what I do. This is my 31st year as a principal," he said. "I have a great staff here and the students are worth working for 100 percent of the time. And these students have

been totally respectful of me. They're really good kids that need to turn it around and go down a different road. A good road."

He said he'd like to work for another five years before ultimately retiring.

Biggest challenge

In Flood's opinion, there are three things they need to do as educators in the juvenile detention center school environment: Help them educationally toward a high school diploma, help them move toward a GED and teach them life skills. This past year they've had three inmates earn their diploma and 23 more earn their GED. The biggest challenge in this?

"They're not here that long," he explained.

Two hundred seventy students went through the youth camp last school year, and out of those, only 121 were there 90 days or more. The average length of time for students on site is around two months. So when they arrive, Flood and his team have to put together an educational plan for each student based on how long they will be there.

"When we get a student in that is in pretty good shape to graduate and we see we're going to have them a few months, everybody goes to work," he said. "We try to make that happen. We've had so much success with that this year, it's pretty exciting."

Buy-in is everything

"I like to work as a team, and I've got a real good team here," Flood said. "The other thing is I like the youth. I really like them, and I have that empathetic desire to see them succeed, not only in education — though that's huge — but in life. I like to encourage them. These kids are worth it. I believe that with all my heart."

Flood has long been a pro-

ponent of working with students one-on-one, and continues to do that with his current students.

"You'd be surprised. I congratulate them day to day if they do well the day before. If they get A's, I congratulate them one-on-one, shake their hand. I would say a large percentage of them enjoy that congratulation."

He said if the students don't work to their full potential he meets with them to fix it.

"Not in a critical way or negative way," he said. "What do they think the fix is, and try to get them to buy-in."

Flood believes buy-in with students is the same regardless if they are in elementary school or a juvenile detention center high school. He also feels that showing the students he personally believes in them will promote the idea that doing their best is what they should be shooting for.

"Sometimes I tell them that they need to believe in themselves as much as their principal believes in them," he said.

"You should see the response I get on that. You want them to buy-in to the fact that you can get good grades every day.

He also talks to them often about free will.

"I tell them, 'It's your choice. It's up to you, because I know you can do it.' And a lot of them say, 'I'll do better tomorrow Mr. Flood.'"

FUN-damental

Flood was recently featured in a Seattle Times article about a challenge among the juvenile detention centers across the country to promote the reading of novels. Flood said this was incredibly popular at Naselle Youth Camp.

"One of my favorite things about this high school is these students read so much," he said. "And I'm not just talking in a class. No, they're checking out

books and reading on their own back in their lodges. I just think that's so wonderful."

According to the Times article, The Unbound Read-a-thon challenge saw 23 students at Naselle, most of them ninth-grade boys, check out 248 novels during February. And even after the challenge ended they are continuing those habits.

"They were so interested and so wanting to read more, and they keep reading too. I'll often see students holding two or three books. If they are reading at a 12th grade level, that's the level of book they will be reading."

The librarian at the school uses Accelerated Reader — the same program used in lower school grades to track the amount students read — and holds a pizza party every quarter for those students who reach a certain reading goal. And while it may sound silly, outside food is great motivator for students who, in some cases, haven't had anything but facility food for months.

'Inte-GRIT-y'

When Flood was the principal at Hilltop — when it was a fourth- through sixth-grade school in the early 2000s — he was a big proponent of rewarding students of the month. The Bulldog award was given to students who reached certain goals for each month, and he reminded them at each of those assemblies that "Once a Bulldog, always a bulldog." He has recycled that idea at the youth camp with his "Inte-GRIT-y" award.

"We have a quarterly awards assembly and I had started giving what I called the 'Principal's Grit award,' to remind them that they must persevere, no matter what," Flood said. "You need to go down the right road no matter the obstacles or challenges or difficulties you face."

Hillgaertner: His career has taken him to 44 states and 17 countries on five continents

Continued from Page 1A

Army's Civil Air Patrol and in Washington County as a volunteer firefighter.

His career has taken him to 44 states and 17 countries on five continents. He has regular conversations over radio with other enthusiasts around the world and as far away as Antarctica.

'Talk to the world'

"If you talk on ham radio, you can talk to the world," Hillgaertner said. "When you get bored with one particular activity or style, you can try another."

He's even communicated through Morse code using World War II equipment, and astronauts at the International Space Station have heard Hillgaertner's voice. Hillgaertner knows some operators, with whom he's communicated with for decades, only by their call signs rather than their actual names.

The far-reaching connections also serve a strategic purpose in Clatsop County. When a major disaster hits, internet access, and the boatloads of vital communication that come with it, often halts. Having a quick form of communication with the outside world is important in these cases, Hillgaertner said.

"Local internet will be down, but someone in the world will have access to it," he said.

Real-life rehearsal

Though internet was still working, Hillgaertner and crew responded to what turned out to be a real-life rehearsal for potential disasters.

Earlier this year, someone hacked in to the fiber optic

cables that support 911 communications in the county, attempting to steal parts of them. The hack damaged cables and rendered 911 telephone lines connected to the Astoria Regional Dispatch center useless for a couple hours.

Those wishing to report emergencies were directed to call the main numbers of law enforcement agencies. Hillgaertner and his team spread out to various fire and police stations, the Clatsop County Sheriff's Office and the dispatch center. As calls trickled in, the radio operators helped dispatchers continue communication between law enforcement agencies.

"On a moment's notice, he went there, he got it going. When I went there, it was already in operation." Clatsop County Emergency Services Coordinator Tom Manning said at a recent Board of Commissioners meeting. "He does a fantastic job and we really do appreciate the good work that he and all of our volunteers do in Clatsop County. Manning nominated Hillgaertner for a county volunteer award, which he received at the April meeting.

Hillgaertner vacated his current position twice before, but subsequent departures by his successors brought him back. He currently is training other volunteers to take over his position some time in the next few years.

But he ultimately says he will continue to operate ham radios until it is no longer fun. More than half a century and dozens of experiences and connections after he started, it's not clear when that day may come.

— Jack Heffernan

TV LISTINGS

Evening listings
MONDAY

MONDAY EVENING													MAY 22	
A	L	6 PM	6:30	7 PM	7:30	8 PM	8:30	9 PM	9:30	10 PM	10:30	11 PM	11:30	
2	KATU	(2) KATU News at 6		Jeopardy!	Wheel of Fortune	Dancing With the Stars (N)		The Bachelorette Rachel discusses her hope and dreams. (SP) (N)				KATU News at 11	(35) Jimmy Kimmel	
3	KOMO	(4) KOMO 4 News		Wheel of Fortune	Jeopardy!	Dancing With the Stars (N)		The Bachelorette Rachel discusses her hope and dreams. (SP) (N)				KOMO 4 News	(35) Jimmy Kimmel	
4	KING	(5) NBC Nightly News	KING 5 News	KING 5 News	Evening	The Voice "Live Finale" The final four perform for the last time. (N)		Run Wild "Sterling K. Brown" (SP) (N)				KING 5 News	(35) Tonight Show	
6	KOIN	(7) KOIN Local 6 at 6	CBS Evening News	Extra	Ent. Tonight	Princess Diana Journey through the night Princess Diana died. (N)		Carpool Karaoke (N)				KOIN 6 News @ 11	(35) Colbert	
7	KIRO	(7) KIRO 7 News	CBS Evening News	The Insider	Ent. Tonight	Princess Diana Journey through the night Princess Diana died. (N)		Carpool Karaoke (N)				KIRO News	(35) Colbert	
9	KGW	(3) KGW News at 6:00 p.m.	Live at 7	Inside Edition	The Voice "Live Finale" The final four perform for the last time. (N)			Run Wild "Sterling K. Brown" (SP) (N)				KGW News at 11	(35) Tonight Show	
10	KOPB	(10) This Old House	Last Man Standing	Business (N)	Modern Family	Modern Family	Modern Family	SGirl "Nevertheless, She Persisted" (N)	JaneVirgin "Chapter Sixty-Four" (SF) (N)	KGW News at 10	Two and a Half	Two and a Half	Met Your Mother	
12	KPTV	(12) 6 O'Clock News	Family Feud	Family Feud	Antiques Rd. "Orlando (Hour Two)" (N)	Ore. Experience	Ore. Experience	Antiques Rd. "Boston (Hour One)"	Ind. Lens "They Call Us Monsters" (N)			11 O'Clock News	2 Broke Girls	
13	KPDJ	(13) Mike & Molly	Mike & Molly	Big Bang Theory	Big Bang Theory	FOX 12's 8 O'Clock News on PDX-TV	FOX 12's 9 O'Clock News on PDX-TV	Family Guy	Family Guy	Family Guy	Family Guy	American Dad	Cleveland Show	
14	KCPQ	(14) Modern Family	Modern Family	Big Bang Theory	Big Bang Theory	Gotham "All Will Be Judged" (N)	Lucifer "Sympathy for the Goddess" (N)	Q13 News at 10	Q13 News	The Simpsons		Q13 News	The Simpsons	
20	TBS	(20) Family Guy	Family Guy	Family Guy	Family Guy	Family Guy	Family Guy	American Dad	Angie Tribeca (N)	Conan (N)		Conan (N)		
22	EZPN	(22) Two and a Half	Two and a Half	Last Man Standing	Last Man Standing	Modern Family	Modern Family	Q13 News at 9	Big Bang Theory	Big Bang Theory	Friends	Friends	Friends	
29	KSNJ	(29) NBA Basketball Playoffs (L)				SportsCenter With Scott Van Pelt	Scott Van Pelt Scott Van Pelt presents the day in sports.					SportsCenter	SportsCenter	
30	ESPN2	(30) (5:00) Kickboxing Glory 41	E:60			SportsCenter	30 for 30 Shorts	NFL Live	Jalen & Jacoby (N)	SportsCenter	SportsCenter	SportsCenter	SportsCenter	
31	NICK	(31) Henry Danger	Henry Danger	The Thundermans	The Thundermans	NickyRickyDicky	Game Shakers	Full House	Full House	Full House	Friends	Friends	Friends	
32	DISN	(32) Andi Mack	Bizaardvark	K.C. Undercover	Good Luck Charlie	Good Luck Charlie	K.C. Undercover	K.C. Undercover	Liv Maddie Cali	Bunk'd	Jessie	Jessie	Jessie	
34	FAM	(34) (5:30) *** Dirty Dancing '87, Dance	Jennifer Grey, Jerry Orbach, Patrick Swayze.	YoungHungry (N)	Baby Daddy (N)	*** Mean Girls '04, Comedy/Drama	Rachel McAdams, Tina Fey, Lindsay Lohan.	The 700 Club						
35	FMC	(35) (5:00) Dumb and Dumber To Jim Carrey.	(13) Armie Hammer, William Fichtner, Johnny Depp.	(15) Anchorman 2: The Legend Continues	'13, Comedy Steve Carell, Christina Applegate, Will Ferrell.	(35) FXM Presents		About Time (2013, Romance) Rachel McAdams, Bill Nighy, Domhnall Gleeson.						
36	LIFE	(36) Grey's Anatomy "The Face of Change"	Grey's Anatomy "Hard Bargain"	Grey's Anatomy "This Is Why We Fight"	Grey's Anatomy "Sari, Not Sari..." (N)	Transplant Wasteland"	Suite Française (15, Dra) Kristin Scott Thomas, Margot Robbie, Michelle Williams.							
38	ROOT	(38) UEFA Soccer Champions League	Baseball	Mariners Access	UFCFN Count (N)	UFC UFC 195 Site: MGM Grand Garden Arena								
39	FST	(39) (4:00) UFC UFC 172	UFCFN Count	UFC Great Fights	MLB Whiparound (L)	Speak for Yourself		Skip and Shannon: Undisputed Opinions on the biggest sports topics of the day.						
43	SPK	(43) Cops	Cops	Cops	Cops	Cops	Cops	Adam Carolla Builds (N)						
44	COI	(44) Futurama	Futurama	South Park	South Park	South Park	South Park	Tosh.0	Tosh.0	Tosh.0	Tosh.0	The Daily Show	@midnight	
45	HIST	(45) American Pickers "Bucking Bronco"	American Pickers "A Colonel of Truth"	Amer. Pickers "Tunnels and Treasures"	A. Pickers "Something Weird Here" (N)	(05) Pawn Stars "La La Land" (N)	(05) Pawn Stars "Kiss the Baby" (N)	(05) Pawn Stars	(35) Pawn Stars					
46	A&E	(46) (4:30) ** The Lone Ranger '13	Armie Hammer, William Fichtner, Johnny Depp.	** Pirates of the Caribbean: On Stranger Tides (2011, Action) Penelope Cruz, Ian McShane, Johnny Depp.	Little People "Navigating Pregnant Life"	Little People "Twinning Through Life"	Little People "Just Take it As it Comes"	Little People "Navigating Pregnant Life"	Street Outlaws					
47	TLC	(47) Say Yes to the Dress "The Shay Way"	Say Yes-Dress	Say Yes-Dress	Street Outlaws: Full Throttle (N)	Street Outlaws (N)	Street Outlaws (N)	Vegas Rat Rods "Shredding Metal" (N)	Street Outlaws					
48	DISC	(48) (5:00) Street Outlaws "Brand New Car"			Year Million "Homo Sapien 2.0"	Year Million "Never Say Die" (N)	National Geographic "S10 Ep12"	Year Million "Never Say Die"						
49	NGEO	(49) Cosmos: A Spacetime Odyssey	Cosmos: Odyssey "The World Set Free"	*** 300: Rise of an Empire "14	Eva Green, Rodrigo Santoro, Sullivan Stapleton.	(55) Better Call Saul "Off Brand"	(12) Christoph Waltz, Jamie Foxx.							
50	TNT	(50) (5:30) *** The Chronicles of Riddick '04	Judi Dench, Colm Feore, Vin Diesel.	Postlethwaite, Jeff Goldblum.	WWE Monday Night Raw									
51	AMT	(51) (5:55) *** The Lost World: Jurassic Park	1997, Adventure Julianne Moore, Pete Postlethwaite, Jeff Goldblum.		Diners...Dives "Meaty Masterpieces" (N)	Diners, Drive-Ins "Pork Hall of Fame"	Diners, Drive-Ins "Legends of Texas"							
52	USA	(52) Modern Family	Modern Family	Modern Family	Modern Family	House Hunters	House Hunters	House Hunters	House Hunters	House Hunters	House Hunters	House Hunters	House Hunters	
53	FOOD	(53) Chopped "Grill Masters: Episode Four"	Chopped "Grill Masters: Grand Finale"	Tiny House, Big	Tiny House, Big	House Hunters (N)	House Hunters (N)	House Hunters (N)	House Hunters (N)	House Hunters (N)	House Hunters (N)	House Hunters (N)	House Hunters (N)	
54	HGTV	(54) House Hunters	House Hunters	House Hunters	House Hunters	House Hunters	House Hunters	House Hunters	House Hunters	House Hunters	House Hunters	House Hunters	House Hunters	
55	FX	(55) (5:30) ** 2 Guns (2013, Action) Mark Wahlberg, Paula Patton, Denzel Washington.	*** The Wolverine (2013, Action) Will Yun Lee, Tao Okamoto, Hugh Jackman.											
57	CNN	(57) Anderson Cooper 360	CNN Tonight With Don Lemon	Hannity	Tucker Carlson Tonight	Greed "Fouled Out: Rumeal Robinson"	Greed "Medical Gloves With Holes"	American Greed "The Bar Girls Trap"	Paid Program	Paid Program				
58	FNC	(58) The Five				Southern Charm "Fowl Play"	Southern Charm "Sari, Not Sari..." (N)	WatchWhat (N)	Southern Charm	Southern Charm				
61	CNBC	(61) Shark Tank	American Greed: Scam											
63	BRVA	(63) Southern Charm	Southern Charm											
64	TCM	(64) (5:00) *** What Ever Happened to Baby Jane?	*** Die! Die! My Darling! '65	Stefanie Powers, Donald Sutherland.	*** Strait-Jacket '64	Horror Diane Baker, Joan Crawford.	(15) What's the Matter With Helen?							
65	SYFY	(65) (4:50) Carrie '13	Chloë Grace Moretz.	** Resident Evil: Extinction (2007, Horror) Oded Fehr, Ali Larter, Milla Jovovich.	The November Man (2014, Action) Olga Kurylenko, Eliza Taylor, Pierce Brosnan.									
162	RFD	(162) Rancher (N)	Red Steagall	Horse Master	Inside Reining	Craig Cameron	Rural Eve. News	Rural America "Henry Repeating Arms"	American Rancher	Red Steagall	Product Showcase			