

Guilty: ‘This is not about cannabis’

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would have meant a mandatory prison sentence, before reaching a deal with the District Attorney's Office.

They were sentenced today in Circuit Court to three years of probation after pleading guilty.

“What makes it unusual is that to my knowledge this is the first time, in at least Oregon, and maybe in the United States, in which a legally permitted or licensed marijuana production facility — the people operating it — have been found guilty of a felony for injuries resulting from it,” Marquis said.

Oei and West would serve 20 months in prison if either violate probation. Both men did not have any criminal history before the explosion. Circuit Court Judge Dawn McIntosh said the district attorney's willingness to not ask for guaranteed prison time, due to the

lack of criminal history and because the fire was started accidentally, was unusual.

West, 41, and Oei, 44, owned and operated Higher Level Concentrates, a marijuana processor located in the basement underneath Sweet Relief Natural Medicine on the corner of Industry and Portway Streets in Uniontown. The October blast left West and Jacob Magley, a worker at the facility, with severe burns and the building in ruins.

The reckless endangerment charges stem from the danger caused to emergency personnel working to contain the fire, Marquis said. Secondary explosions occurred as fire personnel attempted to extinguish the blaze.

“This is not about cannabis. This is about a manufacturing process that is very dangerous,” Marquis said. “Nobody believes they intended to do this but that they acted reck-

lessly with a dangerous weapon, in this case butane.”

West, Oei and Magley, who listened to the proceedings over the phone, declined to make statements to the court.

Magley, who spent several weeks recovering in a Portland burn unit, is suing the two men in Multnomah County Circuit Court for premises liability and violations of the Oregon Safe Employment Act. His attorney claims Oei was “dabbing,” inhaling the marijuana smoke from butane hash oil pressed against a heated surface, while West was using butane to remove tetrahydrocannabinol, or THC, from marijuana leaves.

Butane vapors emitted from a cannister can quickly fill an enclosed space, where even a pilot light can cause a fire. Hundreds of previously punctured cannisters that contained butane were found during the fire investigation.

The heat from Oei's dabbing mixed with vapors emitted from the cannisters caused the explosion, Magley's attorney claims.

The lawsuit is ongoing in Multnomah County after a judge denied a motion to move the case back to Astoria.

Marquis has been critical of the Oregon Health Authority for not inspecting licensed marijuana manufacturers, including Higher Level Concentrates. The state Occupational Safety and Health Administration fined the company \$5,300 in April for workplace safety violations. Had the same incident occurred in a building in downtown Astoria, it could have started a massive fire similar to the inferno that leveled the city in 1922, Marquis said.

“That's, frankly, indefensible,” Marquis said of the state's lack of inspections before the explosion.

Schools: ‘Short of an economic downturn, I see funding increasing’

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teacher since drastic budget cuts several years ago.

The district's answer is to add a part-time, Measure 98-funded counselor to work with eighth- and ninth-graders who will spend the other part of their time as a district-funded foreign language high school teacher. The school district is also adding a math and science instructor out of its own budget to free up another to teach more technology and science classes aided by Measure 98.

Astoria Superintendent Craig Hoppes said the school district is using Measure 98 funding for a smattering of efforts. The district is adding a social worker to interface with families, increasing a middle school counselor from part time to full time, starting a program to help middle-schoolers transition to high school, expanding college course and career-technical offerings, providing more professional development for staff, starting a robotics program and exploring a program to connect employers with students.

Warrenton-Hammond Superintendent Mark Jeffery said that while his school district already does a good job of connecting kids with college courses, he wants to do more on vocational education.

“We're starting pretty much from ground zero with our career tech,” he said. “We have the high-tech in, but it's our intent to develop ... welding and some woods.”

Jeffery said Measure 98 will help the district start a three- to five-year process of building a career-technical center similar to what the Area Vocational Center in

Miles Crossing used to offer students. “My vision for it would be to construct a facility of some sort that would house everything from high-tech and welding to woods and autos,” Jeffery said.

In South County, Superintendent Sheila Roley in Seaside and Superintendent Alice Hunsaker in Jewell said they will invest their Measure 98 funds in freshman advising and career-technical expansion.

Funding floor

Measure 98 passed last year with a nearly two-thirds majority. The measure was to provide \$800 per student to help with expanding college courses, career-technical programs and dropout prevention, but did not identify a funding source. The state Legislature, facing a budget gap, was left to decide how much would be funded.

“Initially, we thought we were only going to get \$100 per student,” Johnson said.

But by early June, she said, educators learned the funding would be set at \$400 per student. The county's five districts will receive about \$726,000 in the coming school year, and around \$755,000 in the 2018-19 school year, after which the Legislature must decide again on the funding level. Hoppes said he doesn't see the money slipping for a measure with such clear support from the public.

“Short of an economic downturn, I see funding increasing,” Jeffery said. “Even in hard times, they found at least half the funding. I think as the economy continues to improve and they find revenue streams, they'll continue to increase funding.”

Eclipse: Begins shortly after 9 a.m. Monday

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expect there to be any outages due to overcapacity. “Full hotel rooms and campgrounds are something the company plans for,” the utility company said in a statement, “and there is no reason to believe power supply or equipment issues will surface.”

For government agencies countywide, with the exception of police departments, Monday will be “business as usual.”

But law enforcement and transportation officials say traffic snarls could occur as people traveling toward central Oregon for the eclipse turn to the coast's back routes to avoid traffic jams on major highways inland.

Clatsop County Circuit Court is shutting down on Monday from 9:45 a.m. to 10:45 a.m. due to “the expected high volume of traffic for the eclipse,” while Sunset Empire Transportation District has warned customers that some bus routes could be significantly delayed or canceled if traffic is bad. The Oregon State Police office in Warrenton plans to conduct extra patrols starting today and, on Monday, will have all hands on deck — patrol troopers as well as fish and wildlife enforcement.

“Again, we don't know exactly what's going to occur,” Lt. Andrew Merila said, “or how bad it's going to be.”

‘A major winter storm’

“We're treating this like a major winter storm,” said Lou Torres, a Department of Transportation spokesman, and they are maneuvering resources into place. The big difference between the eclipse and a winter storm is that they have been anticipating this eclipse for almost a year, he explained.

The department announced it is halting construction around the state over the weekend, and there will be no lane closures during the eclipse weekend on roads and bridges undergoing maintenance work. This includes the Astoria Bridge, where crews are recoating the steel below the span.

Merila thinks the big issues in Clatsop County will be the traffic before and after the event. U.S. Highway 30, for instance, could become an issue. It runs in a direct line from Portland to coastal highways and arteries that can take people south toward the path of totality. Similar scenarios



Colin Murphey/The Daily Astorian
Specialized glasses to protect the eyes of those who choose to observe the total solar eclipse are in short supply on the North Coast. Experts are urging those who wish to observe the phenomenon to properly protect their eyes as the event can cause permanent damage.

will likely play out on U.S. Highways 26 and 101, too. The Astoria Bridge is expected to be another pinch point because of people traveling from Washington state.

Fire is the other big worry. Dry, hot conditions and concerns about the sheer number of people expected in the state prompted Oregon State Parks to ban all campfires, beach bonfires and open flames on property it owns or manages since Wednesday. The ban includes Clatsop County and is in effect until after the eclipse.

The local Oregon Department of Forestry office in Astoria has staged wildfire fighting crews at key points across the county so they can quickly respond to any threat of fire over the weekend. On Wednesday, in conjunction with other majority landowners in Clatsop County, the office announced it was closing a gate on the east end of Pipeline Road to lessen the risk of fire.

Dramatic

Unlike people in Salem or Lincoln City, North Coast residents won't witness a total solar eclipse or see that famous image: The moon, a black disc, outlined by the sun's fiery corona hanging in a darkened sky.

But what they could see from their viewing place of choice — whether that's the Astoria Column, a boat on the Columbia River, or Haystack Rock in Cannon Beach — will still be dramatic.

Beginning at about 9:06

a.m., the moon will start to move in front of the sun, whittling it down to a crescent and making the sky go dark at 10:18 a.m. The moon will completely block the sun for about two minutes and 40 seconds.

As the moon passes, that crescent of sunlight will appear to swing to one side and then flip upside down, like a Cheshire Cat grin. Then, as the moon continues on its journey, the sun will begin to reappear. The entire event will be over by 11:37 a.m.

The North Coast last experienced a total solar eclipse on Feb. 26, 1979 — also a Monday — and Astoria was in the path of totality then. But an article in The Daily Astorian before the event warned residents not to get too excited. The writer noted that since 1953, the date of Feb 26 in Astoria had been rain-free five times and cloud-free only four times.

“And if the weather pattern of the last quarter-century holds true,” the writer concluded, “North Coast residents may get their best view of the event sitting in front of a television set.”

On the day of the 1979 eclipse, Clatsop County was covered in clouds. Residents experienced the sudden plunge into darkness, but otherwise went about their lives as usual. A reporter noted children waiting, unimpressed, for their school bus.

So far, people this time around are in luck. The forecast for Monday is partly cloudy skies, no rain and a high of 69 degrees.

And those reports of animals panicking because of the sudden plunge into nighttime darkness in the middle of the morning? Domestic animals and pets probably won't notice a thing, scientists say. Birds are another story.

“Stimulated by the darkness which set in about 8:13 a.m. to think that sunset was returning only minutes after dawn, sea gulls, crows and other feathered creatures circled nervously in flocks and cawed noisily,” a Daily Astorian reporter wrote on Feb. 26, 1979.

Where you'll see it

Crowds are expected on Clatsop County's beaches and peaks. In Astoria, a number of locals shrugged when asked where they would go. “The Column?” they said.

The Column was Astoria

Parks and Recreation Director Angela Cosby's first thought, too, and it is a spot particularly ripe for traffic jams, she said.

“I would encourage people to walk up,” she said. “Use the Cathedral Tree trail!” The trailhead is located on Irving Avenue, east of 26th Street.

Cosby also recommended the Astoria Riverwalk, which is specifically set up for pedestrian traffic and which is able to provide many views of the early morning sun over the Columbia River.

Local, state and national parks will hold viewings. At Lewis and Clark National Historical Park, Superintendent Jon Burpee plans to be at the south Netul Landing, past the park's main entrance, and invites visitors who want a good view of the sky to join him there between 9:05 and 11:36 a.m. At Fort Stevens State Park, a ranger and volunteer will be posted on the beach at the Peter Iredale shipwreck with a few glasses. On Sunday night, the park will hold a “Fort Stevens Family Trivia: Eclipse Edition” in the campground amphitheater at 7 p.m.

What not to worry about

NASA addresses a number of misconceptions on webpages dedicated entirely to the upcoming event, including the belief that if you are pregnant, watching the eclipse will harm your unborn baby. It won't, but observatories report that this is a frequently asked question.

Then there is the worry that eclipses produce some kind of extra radiation that will poison any food prepared during the event. Again, no.

Are eclipses harbingers of some kind of doom? Nope, that's just confirmation bias, NASA says, meaning “we tend to remember all the occasions on which two things happened together, but forget all of the other times when they did not. ... Total solar eclipses are not often recorded in the historical record, but they do tend to be recorded when they coincide with other historical events.”

Port: Candidate will be appointed after interviews

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Pamela Wev, a land use planner and economic development consultant who moved to Astoria in 2014, wrote in her application that she was motivated to apply by a concern over negative publicity for the Port, a commitment to bring strategic thinking, the need for a fresh perspective and support for the staff.

Russ Earl, a land developer and former Clatsop County commissioner and

Seaside planning commissioner, had applied to fill one of the vacancies left by Jack Bland and Ric Gertula when the two resigned within weeks of one another in 2014. The positions were eventually filled by Mushen and former Port Commissioner John Raichl.

Ronald Meyer, 87, a retired machinist, inventor and designer of lighting and hospital equipment, said he has closely followed the financial difficulties of the county and the United States.



The Daily Astorian
Seven candidates have applied for a vacancy on the Port of Astoria Commission.

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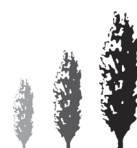
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