

THE DAILY ASTORIAN

145TH YEAR, NO. 49

DailyAstorian.com // THURSDAY, SEPTEMBER 7, 2017

ONE DOLLAR



Submitted Photos

James Smejkal wants to develop an RV park across from Arcadia Beach.

Warming center gets city blessing

Board worked with neighbors, merchants

By KATIE FRANKOWICZ
The Daily Astorian

When Dan Parkison, president of the Astoria Warming Center board, realized the Astoria Planning Commission had just approved the center's permit in a 4-2 vote Wednesday night, his shoulders dipped forward slightly and he took a short, visible breath of relief.

Commissioner Jan Mitchell, who is traveling overseas, and Commissioner Jennifer Cameron-Lattek, who is in Canada, used a video chat service to participate in the meeting and voted with Commissioner Brookley Henri and Commission President Dave Pearson to approve the one-year conditional use permit.

They said the key to their approval was a good-neighbor agreement hammered out last week between the warming center board, people who live in the neighborhood near the

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Oregon's jury law under scrutiny

By PARIS ACHEN
Capital Bureau

Oregon's longtime law allowing felony convictions by non-unanimous juries could be tested if the U.S. Supreme Court accepts a case challenging a similar law in Louisiana.

Only in Oregon and Louisiana can a defendant be convicted of a felony with a 10-2 jury vote. All other states and the federal government require a unanimous verdict.

Lawyers for defendant Dale Lambert argue that the court should overturn its previous rulings that Louisiana's and Oregon's non-unanimous jury laws are constitutional.

The statutes deprive certain defendants of equal protection under the law and deny them the right to have accusations confirmed by a jury of 12 of their peers, according to Lambert's petition.

"This law essentially eviscerates the idea that you are entitled to a jury of your peers when you are a black person who resides in Oregon, because statistically speaking, you are lucky if you get even one juror who is black, and that juror's voice may just not count at all," said Mat dos Santos, legal director of the ACLU of Oregon.

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Environmental concerns raised over project

By BRENNNA VISSER
The Daily Astorian

ARCADE BEACH — A proposed RV park across the highway from Arcadia Beach is facing criticism from environmental groups for encroaching on the threatened marbled murrelet and disregard for forestry practices.

A land use compatibility statement was submitted earlier this year by James Smejkal, the owner of the 17.6-acre parcel of forested land, requesting temporary access from U.S. Highway 101 from the Oregon Department of Transportation to conduct surveys on the property.

Smejkal thinks the property would be well-suited for an RV park, mostly because it is one of the only types of development allowed with the land's zoning, he said.

"Because of the high volume of campers that visit the coast in the summer, I don't think there will be a problem," Smejkal said. "Planners designated it for park use because they saw it as a need."

This early on in the project, significant details — such as a site plan and geohazard surveys — will need to be completed before any site development or road construction can begin, Clatsop County Planning Manager Will Caplinger said.

The land was owned by the Oregon Parks and Recreation Department before it was traded to Smejkal in 2002 in exchange for land he owned in Columbia County. In 2009, Smejkal attempted to develop the property as housing, which was ultimately denied by the county Planning Commission.

Cameron La Follette, director of the environmental advocacy group Oregon Coast Alliance, said urbanization — whether it be houses or RVs — is not the best use for the property.

La Follette argues the development



Environmentalists are concerned about the project.



The marbled murrelet, a threatened species that halted plans for development in 2009.

lacks the infrastructure to support an urban project in a rural area, and that ultimately, the land should be back in public hands.

"Just because the parks system didn't have a plan for this plot didn't mean it was valueless to the public," La Follette said. "Put in a trail loop, install other interpretive uses. There are lots of things you can do there. But an RV park in this area is something we don't feel comfortable with."

Smejkal said he intends the project to be executed like another RV park he developed in Wallowa County, which he described as "upscale."

Cease-and-desist order

Four parcels of Smejkal's land are zoned for recreation management and one

parcel for agriculture-forestry.

It is legal for Smejkal to log the parcel zoned for forestry, but the county issued a cease-and-desist order in July after the Department of Forestry reported he was planning a logging operation on the other four parcels without county approval, Caplinger said.

For now, Smejkal is only permitted to clear brush in the right of way granted by the Department of Transportation for a temporary service road. Smejkal said he is brushing his property under the state Forest Practices Act to provide a firebreak, a gap in vegetation that acts as a barrier to slow the progress of a brushfire or wildfire.

"We're brushing it according to firebreak standards so engineers and geologists can wade through it for surveys," he said.

Caplinger said this does not apply the same way on land zoned for recreation management — the majority of Smejkal's property. He said he is working with Smejkal to find a way to temporarily allow legal brushing on the land to accommodate the geohazard surveys the county requires to move forward in the process.

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Port, Life Flight seek deal on new hangar

Port doesn't have money for improvements

By EDWARD STRATTON
The Daily Astorian

Since the failure of a bond measure in May to pay for infrastructure improvements at the Astoria Regional Airport, a schism has formed between the Port of Astoria and Life Flight Network on how to move forward.

Life Flight Regional Director Jacob Dalstra and Base Manager Dan Travers

appealed to the Port Commission on Tuesday for a final direction on where to place the service's new hangar and crew quarters, funded by a \$665,000 ConnectOregon state infrastructure grant and \$285,000 of internal investment.

The Port wants Life Flight to build the new hangar at the south end of the airport, past several rows of hangars and away from other airport traffic, but doesn't have the money, according to an estimated \$500,000 worth of infrastructure.

Since the bond's failure, Life Flight has moved to build the hangar at its current location near the 12th Place

entrance to the airport, which would cost drastically less, but which Port staff and the Airport Advisory Committee have deemed unsuitable because of operational conflicts with nearby aviators.

"We have not been able to get a straight answer and have got the runaround and been misled several times, in respect to finalizing a site for our hangar," Travers told the Port Commission Tuesday. "We've done everything possible to be good partners, to be patient, to be supportive, but we don't feel like we're

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The Daily Astorian/File Photo

Life Flight Network has been operating out of a temporary trailer since arriving two years ago. The medevac service is trying to build a new hangar at the Astoria Regional Airport.

