

Court OKs killing barred owls for spotted owl protection

By MATEUSZ PERKOWSKI
EO Media Group



AP Photo

A barred owl is shown in a wilderness area near Index, Wash.

Killing barred owls to help threatened spotted owls isn't prohibited by an international treaty aimed at protecting migratory birds, according to a federal appeals court.

Since 2013, the U.S. Fish and Wildlife Service has shot barred owls as part of an ongoing study to see if their removal will mitigate the decline of spotted owls, which are smaller and more sensitive to habitat disturbances.

Friends of Animals and Predator Defense, two animal rights groups, filed a lawsuit accusing the government of violating the Migratory Bird Treaty Act, which implements international agreements to prevent the extinction of bird species.

While that statute permits the killing of migratory birds for scientific purposes, the plaintiff argued that provision only applies to studying birds of the same species. Under the law, the Fish and Wildlife Service cannot kill barred owls to study the effects on spotted owls, since they're

different species, according to the plaintiffs.

The 9th U.S. Circuit Court of Appeals has rejected this theory, ruling that the Migratory Bird Treaty Act's language and intent is broad enough to encompass the barred owl removal research.

The plaintiffs' interpreta-

tion of the law would have a "bizarre result" in which the government could kill barred owls "to display them in museums but could not take them to prevent the extermination of spotted owls, even though the effect on the barred owl population would be minimal," the court said.

Spotted owls have long affected the West's timber industry due to restrictions on logging in areas occupied by the bird, which is protected by the Endangered Species Act.

The plaintiffs are disappointed by the ruling, which sets a troubling precedent not only for barred owls and spotted owls but for other interspecies conflicts as well, said Michael Harris, legal director for Friends of Animals.

"We don't really have a structure to deal with this, and it's something we need to figure out," he said.

Private timber companies have already shown that removing barred owls will help spotted owls, so the Fish and Wildlife Service's research is unnecessary, Harris said.

"It's about getting the public to stomach the shooting of the bird," he said.

Also, if the agency were to make killing barred owls an official policy — rather than calling it an experiment — it would have a harder time passing muster under the Migratory Bird Treaty Act, he said.

It's not clear that spotted owls would be declining due to competition from barred

owls if the West hadn't lost so much old growth forest habitat due to logging, Harris said.

The plaintiffs would prefer the government to concentrate on preserving the threatened species' habitat rather than making a scapegoat of the barred owl, he said. "You've got to let nature, at some point, work itself out."

Since the Fish and Wildlife Service's study began, the agency has killed nearly 1,150 barred owls in Oregon's Coast Range and Klamath Basin, as well as Washington's Cle Elum area and California's Hoopa Valley.

Early analysis of the removals hasn't yielded any statistically significant results, said Robin Bown, a biologist with the agency. However, the amount of data collected is still relatively small.

"The more years you have, the more confident you get," Bown said.

Since the removals began, it does appear more spotted owls are "hanging on" in areas without barred owls than in control areas where they're present, she said.

However, this correlation is largely anecdotal at this point, she said.

Studying the effect of barred owl removal is time-consuming because once adults are shot, their children can soon re-invade a site, so opening habitat to spotted owls takes time, Bown said.

Establishing a longer trend line is necessary to isolate the impacts of weather and prey availability on spotted owl survival from the effects of barred owl removal, she said.

The study aims to see if spotted owls not only survive but reproduce, Bown said.

The agency is also studying the "recruitment" of new spotted owl generations to sites where barred owls have been removed, she said. "That's the one that takes the longest."

If the research confirms that killing barred owls meaningfully helps spotted owls, the agency will move on to form a long-term strategy for managing the more aggressive species, Bown said.

It's not currently known how this management plan will look, but the current study will provide a scientific foundation for preserving spotted owls, she said.

"If we don't try, the species will go extinct," Bown said.

Oregon lawmakers, lobbyists get sexual harassment training

By ANDREW SELSKY
Associated Press

SALEM — The intense national focus on sexual misconduct came to Oregon's capital this week, when lawmakers were given a training session on harassment and how to report it.

For the first time, the training was also offered to executive branch employees, lobbyists and others who work in the Capitol, said state Senate President Peter Courtney, a Democrat. Previously, it was required for legislators and legislative employees.

To accommodate the larger crowd, the training was conducted on Tuesday inside the main ballroom of the Salem Convention Center. The training was provided by lawyers for the Legislature and its director of human resources.

Sen. Arnie Roblan, a Democrat from Coos Bay, said through a spokeswoman that "these trainings are critical, especially for new members and/or staff."

Oregon is one of at least 27 states in the U.S. that requires lawmakers from both chambers in legislatures to undergo sexual harassment training. Oregon's policy on sexual harassment is highlighted by the National Con-

ference of State Legislatures as an example of a strong one, along with those of Alabama, Hawaii, Colorado and Maryland. A legislative subcommittee in Alaska is looking at Oregon as a model as it considers how to rewrite that state's guidelines.

"Oregon has a lot of elements that we consider a strong policy should have," said Jonathan Griffin, a policy analyst with the National Conference of State Legislatures.

The Oregon Legislature is considering making it even stronger.

Oregon's policy describes an informal reporting process, and a formal one. Retaliation for making complaints is prohibited.

"An appointing authority or supervisor shall take appropriate action to prevent, promptly correct and report harassment about which the appointing authority or supervisor knew or, with the exercise of reasonable care, should have known," the policy says.

An independent third party will review the policies and may suggest changes, said Aaron Fiedler, communications director for the House Majority Office. That review is awaiting the outcome of

'As I said in my opening remarks ... practice and repetition help athletes perform at a higher level on game day.'

Peter Courtney
state Senate president

an investigation of Sen. Jeff Kruse, a Republican from the logging town of Roseburg, who has been accused by two female senators of hugging too closely, and of other inappropriate touching.

"We anticipate we will learn a lot from what happens with that process," Fiedler said.

Kruse, the only Oregon lawmaker to be accused, has denied inappropriate conduct. Courtney removed the sen-

ator from the committees he sits on due to the accusations.

Courtney said it's important for the training to be held regularly. In Oregon, it is annual.

"As I said in my opening remarks ... practice and repetition help athletes perform at a higher level on game day. The best teams don't take days off," Courtney said in an email. "In the same way, we provide this training every year. It helps members of the

Capitol community treat each other and the public with respect."

Rep. Julie Parrish, a Republican representing a district near Portland, said the session this year had a bigger focus on how to report harassment.

"I think most of what they provide is common sense," Parrish said.

Tuesday's session also discussed how to avoid harassment situations and provided several examples of types of behavior that should be avoided, said Sen. Ginny Burdick, a Democrat from Portland.

Some lawmakers, though,

believe the sessions are too repetitive.

"I've talked to others who complained that we get the same thing year after year and they never change the PowerPoint slides. So I wasn't alone in that assessment," said Rep. Jeff Barker, a Democrat from Aloha, a community near Portland.

The PowerPoint presentation addresses identifying workplace harassment and discrimination, how to report incidents, and the illegality of retaliating against someone who complains.

Courtney said he wants feedback so the training sessions can be improved.

WANTED
Alder and Maple Saw Logs & Standing Timber
Northwest Hardwoods • Longview, WA
Contact: John Anderson • 360-269-2500

GAME MEAT PROCESSING
Debbie D's will be at
Cash & Carry in Warrenton
at 10:00 a.m. every Saturday
to pick up and deliver
meat for processing.
20 lb. min • Each batch individual
Please call or leave message by
Friday so we know to expect you!
DEBBIE D'S Jerky & Sausage Factory
2210 Main Avenue N. • Tillamook, OR • 503-842-2622

What's Fresh
Oysters (Willapa Bay) Razor Clams (Seaside - Local)
Steamer Clams (Willapa Bay) Salmon (Washington)
Petrale Sole (Oregon Coast - Local)
\$6 DAILY SOUP & LUNCH SPECIALS
MONDAY - FRIDAY • OPEN DAILY AT 11AM
NORMA'S
Est. 1976 Seaside, Oregon
SEAFOOD & STEAK
1 BLOCK OFF BROADWAY • 1 BLOCK FROM BEACH
20 N. COLUMBIA, SEASIDE • 503-738-4331
NormasSeaside.com

Happy 90th Birthday
Ruth Koch
Love, Connie

Reel in a new or used
Boat/RV loan for
4.5% APR*
Fibre Family Member
Kelly Short, Hammond, OR
www.tlcfcu.org • 866.901.3521
85 W. Marine Dr. Astoria • 2315 N. Roosevelt Dr. Seaside
*Annual Percentage Rate effective 1/1/18 and subject to change. Ten year old vehicle or newer, 120 month term at this rate.
TLC Fibre Federal CREDIT UNION

PLEASE ADOPT A PET!
ISAAC
One year old Australian Cattle Dog/Blue Heeler Blend
A dynamic mix of vitality, camaraderie, comedy & genius - Cattle Dog traits to the nth degree.
See more on Petfinder.com
CLATSOP COUNTY ANIMAL SHELTER • 861-PETS
1315 SE 19th St. • Warrenton | Tues-Sat 12-4pm
www.dogsncats.org
THIS SPACE SPONSORED BY BAY BREEZE BOARDING

EMERALD HEIGHTS APARTMENTS
503-325-8221
2 & 3 BEDROOM APARTMENTS
All Rents Include: Electricity • Garbage • Water
ASK ABOUT NEWLY REMODELED APARTMENTS

annual January Sale
Sale on the almost ENTIRE STORE!
Hurry in for Best Selection
Sale continues through Jan. 31st
January 12-21
25% OFF
Finnware
Excludes food, consignments, layaway. Limited to stock on hand.
(503)325-5720 • 1-800-851-FINN • 1116 Commercial • Astoria