

Supreme Court will hear Washington state appeal on tribal treaty rights

By **DON JENKINS**
Capital Press

The U.S. Supreme Court will hear oral arguments April 18 on whether six treaties signed in 1854 and 1855 guaranteed 21 western Washington tribes enough fish to earn a “moderate living.”

The case, *Washington v. United States*, stems from the state’s appeal of an order by the 9th U.S. Circuit Court of Appeals to replace 817 salmon-blocking culverts by 2030. The state attorney general’s office said in written arguments filed last week that the reasoning behind the culvert order could render federal dams illegal.

“This court should decline to recognize this new right 160 years after the treaties were signed,” the state argues.

Farm groups in the West are watching the case closely. The six treaties at issue are among 11 the federal government signed with tribes in what is now Washington, Oregon, Idaho and Montana. Farm bureau chapters in those states last year filed briefs asking the high court to take up the appeal.

The U.S. Department of Justice and tribes have yet to file written arguments. In pre-

vious filings, they argued the appeals court ruling was confined to culverts under state roads in Washington and didn’t raise broader issues for the Supreme Court to resolve.

The hearing will be the latest in litigation initiated in 1970 by the Justice Department on behalf of the tribes.

The tribes gave up land and were promised a share

ing back more than a century the Supreme Court has upheld the rights of tribes to fish in traditional places, to be exempted from certain state fishing regulations and to have a fair share of the available fish. The state claims the appeals court invented a new and “amorphous” right for tribes to make a moderate living.

‘That untenable standard makes it impossible to measure compliance, would likely render illegal many past actions that impacted salmon....’

Washington state’s legal position

of a seemingly inexhaustible supply of fish. With salmon abundance declining, the tribes and Justice Department sued Washington state in 1970. The litigation has never stopped. The federal government and tribes specifically targeted Washington culverts beginning in 2001.

The state acknowledges that in previous rulings dat-

“That untenable standard makes it impossible to measure compliance, would likely render illegal many past actions that impacted salmon (such as federal dams), and would make virtually any significant future land use decision in the Pacific Northwest subject to court oversight to determine treaty compliance,” the state argues.

ON THE RECORD

DUII

• At 7:22 p.m. Thursday, Christopher C. Howitt, 66, of Tillamook, was arrested by Astoria police at Blue Ridge Drive near U.S. Highway 30 and charged with driving under the influence of intoxicants. His blood alcohol content was 0.12 percent.

PUBLIC MEETINGS

MONDAY

Clatsop Care Center Health District Board, noon, Clatsop Care Center, 646 16th St.
Astoria City Council, 7 p.m., City Hall, 1095 Duane St.

LOTTERIES

OREGON

Thursday’s Pick 4:
1 p.m.: 4-7-2-8
4 p.m.: 8-3-4-5
7 p.m.: 7-5-9-4
10 p.m.: 7-5-9-4

Thursday’s Lucky Lines: 03-05-12-13-20-24-26-30
Estimated jackpot: \$11,000

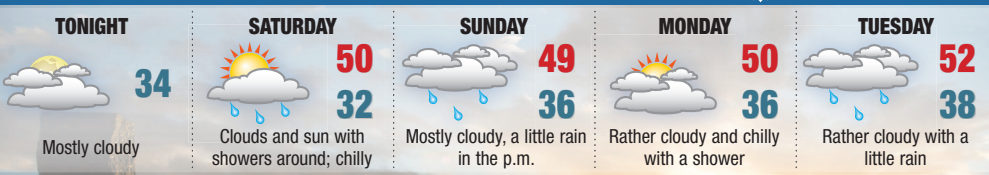
WASHINGTON

Thursday’s Daily Game:

6-5-8

Thursday’s Keno: 07-08-09-12-14-16-18-19-22-26-31-37-38-48-55-67-71-72-73-74
Thursday’s Match 4: 03-16-22-24

FIVE-DAY FORECAST FOR ASTORIA



ALMANAC

Astoria through Thursday.

Temperatures
High/low 46°/34°
Normal high/low 53°/38°
Record high 67° in 1947
Record low 22° in 1971

Precipitation
Thursday 0.10"
Month to date 0.10"
Normal month to date 0.27"
Year to date 18.71"
Normal year to date 17.66"

SUN AND MOON

Sunset tonight 6:03 p.m.
Sunrise Saturday 6:51 a.m.
Moonrise today 7:10 p.m.
Moonset today 7:30 a.m.



UNDER THE SKY

Tonight’s Sky: After sunset low west, Venus and Mercury within 1.3 degrees of each other.

TOMORROW’S TIDES

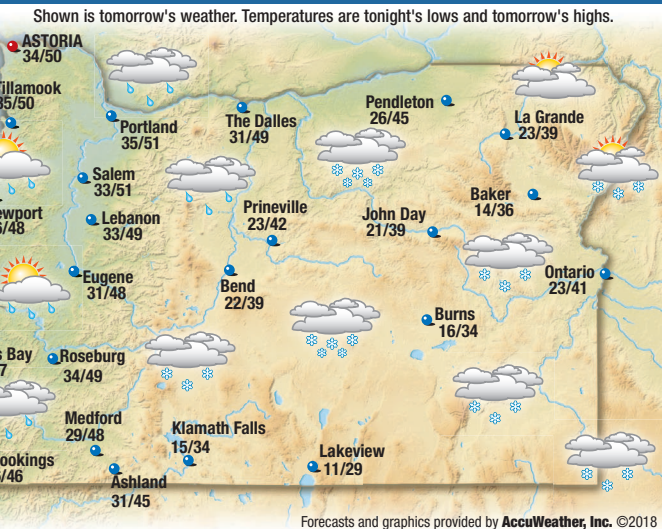
Astoria / Port Docks	High	Low
Time	Time	Time
2:16 a.m.	9.1 ft.	8:21 a.m.
2:15 p.m.	9.2 ft.	8:42 p.m.
		-0.3 ft.

NATIONAL CITIES

City	Today	Hi	Lo	W	Sat.	Hi	Lo	W
Atlanta	60	37	s	63	37	s		
Boston	41	35	r	44	34	c		
Chicago	46	29	s	48	32	c		
Denver	66	32	s	69	34	s		
Des Moines	51	35	pc	54	41	s		
Detroit	41	23	pc	41	22	s		
El Paso	74	43	s	77	44	s		
Fairbanks	16	8	c	18	7	sn		
Honolulu	84	73	pc	81	72	r		
Indianapolis	47	27	s	50	27	s		
Kansas City	55	37	s	59	45	s		
Las Vegas	63	45	c	57	41	pc		
Los Angeles	59	49	r	57	41	pc		
Memphis	58	35	s	62	37	s		
Miami	86	62	sh	79	55	s		
Nashville	55	32	s	58	32	s		
New Orleans	72	50	pc	71	54	s		
New York	42	34	r	45	36	pc		
Oklahoma City	63	40	s	60	47	s		
Philadelphia	44	34	sn	48	34	pc		
St. Louis	55	32	s	59	33	s		
Salt Lake City	52	35	sh	55	43	sf		
San Francisco	54	42	sh	54	42	sh		
Seattle	47	35	r	49	33	sh		
Washington, DC	49	35	c	50	35	s		

Weather (W): s-sunny, pc-partly cloudy, c-cloudy, sh-showers, t-thunderstorms, r-rain, sf-snow flurries, sn-snow, i-ice.

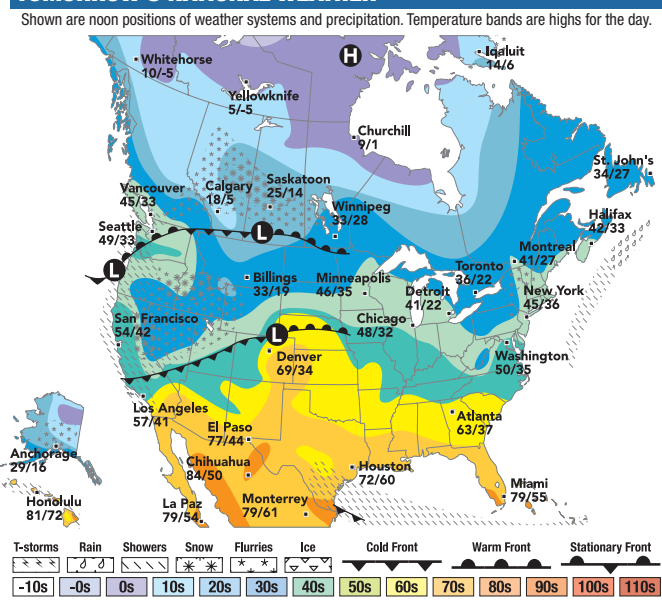
REGIONAL WEATHER



REGIONAL CITIES

City	Today	Hi	Lo	W	Sat.	Hi	Lo	W
Baker City	39	14	sf	36	11	sf		
Bend	40	22	sf	39	21	sf		
Brookings	44	37	r	45	37	sh		
Eugene	50	31	r	48	32	sh		
Ilwaco	46	36	r	48	36	sh		
Klamath Falls	33	15	sn	34	12	sf		
Medford	48	29	r	48	31	sh		
Newberg	49	33	r	49	31	sh		
Newport	47	36	r	48	34	sh		
North Bend	49	37	r	49	36	sh		
Olympia	46	31	r	50	29	sh		
Pendleton	47	26	c	45	28	c		
Portland	50	35	r	51	31	sh		
Roseburg	50	34	r	49	35	sh		
Salem	51	33	r	51	30	sh		
Seaside	47	33	r	50	34	sh		
Spokane	39	23	sn	41	24	c		
Springfield	49	33	r	48	34	sh		
Vancouver	48	34	r	50	32	sh		
Yakima	50	24	c	50	24	sn		

TOMORROW’S NATIONAL WEATHER



Marquis headlines Columbia Forum

The Daily Astorian

A lecture from Clatsop County District Attorney Josh Marquis will headline the Columbia Forum on Tuesday at the Columbia Memorial Hospi-

tal Community Center.

Appetizers will be served at 6 p.m., with dinner at 6:30 p.m. Marquis will begin his talk after dinner.

Members can buy dinner and admission to the lecture for

\$25, while nonmembers will be charged \$35. Lecture-only admission is free for members and \$15 for nonmembers.

Originally scheduled for Feb. 20, the forum was postponed due to icy roads.

Ride the electric bus for free on Monday

The Daily Astorian

The Sunset Empire Transportation District will hold a demonstration of an all-electric bus Monday.

“Technology is rapidly evolving with electric buses and (Sunset Empire) wants to make sure that we continue to

look into and evaluate if electric propulsion will work for us going forward,” Jeff Hazen, the district’s executive director, said in a release.

The transportation district will run an electric bus from Complete Coach Works on Route 10 between the Emerald Heights housing com-

plex, Astoria, Warrenton and Hammond.

The public can ride for free starting at 8:51 a.m. and hourly thereafter from the Astoria Transit Center until 3:37 p.m.

“We chose the Route 10 to test performance as there are several hills on that route” Hazen said.

Astoria fire hydrant flushing starts Monday

The Daily Astorian

Astoria on Monday will begin the annual flushing and flow testing of 452 fire

hydrants.

The testing takes place from 7:30 a.m. to 3:30 p.m. and continues for approximately five weeks.

Customers may experience temporary low pressure or water discoloration. If these conditions continue after 3:30 p.m., call 503-325-3524.

OBITUARIES

James Dean Hamar

Astoria

Sept. 6, 1957 — Feb. 19, 2018

Pastor James Dean Hamar of Astoria, Oregon, was called home unexpectedly to his Lord and savior on Feb. 19, 2018. Jim was born in Longview, Washington, to Fred “Dean” Hamar and Florence (Weller) Hamar. He grew up in Rainier, Oregon, and attended Rainier Assembly of God with his family.

Jim’s love for music began at a very young age. Jim was part of the Hamar family singing group, touring the U.S. in the 1970s. He attended Rainier High School, participated in sports and choir, and graduated in 1975. Jim went to Lower Columbia Community College, as well as Berean Bible School.

Jim worked at Longbell Inc., and owned and operated Hamar Heating and Air Conditioning. In 1989, he established Jim Hamar and Victory Praise Evangelist Ministries. Jim pastored in Lyons, Oregon, at Santiam Chapel from 1989 until 1994. He moved to the Astoria area in 1995 and began pastoring Astoria First Assembly of God, and lovingly continued until his death.

Jim is survived by his loving wife of 37 years, Linda Hamar; son and daughter-in-law, Kyle and Cody Hamar, and granddaughter, Ava, of Kirkland, Washington; son and daughter-in-law, Kirk and Claire Hamar, of Redding,

California; son and daughter-in-law, Kory and Katherine Hamar; and son and daughter-in-law, Kraig and Ashley Hamar, and grandchildren, Lexi, Ember and Evangeline, and daughter, Jamie Hamar, all of Astoria.

Also surviving are sister and brother-in-law, Rev. Waldon and Charleen Ratkie; sister, Debra Hamar; sister and brother-in-law, Rev. Terrance and Susan Luttrell; brother and sister-in-law, Mark and Cynthia Hamar; sister-in-law, Gail Freeman; and aunts, uncles, cousins, nieces, nephews and his church family.

He was preceded in death by his parents, Dean and Florence Hamar.

There will be a memorial homecoming service for Pastor Jim at Astoria First Assembly of God on March 17, 2018, at 2 p.m. The music he recorded and produced will be available for a donation at the service. If you have photos or notes you would like included in the service, please send them to hamarpictures18@gmail.com before March 8.

If you would like to send condolences to the family, please send them to Astoria First Assembly of God. If possible, RSVP to 503-325-7331 by March 10.

In lieu of flowers, please make a donation to Astoria First Assembly of God, which Jim loved with all of his heart.



James Hamar

Shelley Elizabeth (Barnett) Ahola

Astoria

March 21, 1950 — Feb. 28, 2018

Born the second of seven children on March 21, 1950, in Oceanside, California, to Percy (Barney) and Bonnie Barnett, Shelley Ahola would spend the majority of her life in Olney.

She grew up in a military family, living in Texas and Japan, before settling on a small farm in Olney in 1955. She attended Olney Elementary School, where on occasion, was permitted to ride her horse to school. Shelley graduated from Astoria High School in 1968, and in 1969 married Michael Ness. They would have two children, Michael and Matthew.

In the early summer of 1978, she returned to the family farm with her two sons to start a new journey. Back home she would reunite with her old friend Curt Ahola, who was throwing hay bales in the neighbor’s field. They later married. During their 40-year marriage they had two children, Jeremy and Kai.

Shelley would go back to work in the canneries, as she had done in high school, where she and others were known as a cannery “Tuna Queen.” After her children were of school age, she worked as the office manager for Kenneth Nanson Orthodontics, and later for Morrisse Logging.

Shelley was an active member of 4-H for over 25 years, either as a participant or leader. At First

Lutheran Church, she served as a Sunday school superintendent, and as a member of the church council; she remained an active member until her passing. She often could be found taking the boys

trout fishing, riding horses, coaching, leading memorable youth trips and dancing with Curt.

She is survived by her husband, Curt; her four sons and their spouses, Mike and Tobi Ness, Matt Ness, Jeremy and Kristie Ahola, and Kai and Katherine Ahola; her mother, Bonnie; brothers Mark and Lance; and sister, Joyce. In addition, there are eight grandchildren, one great-grandchild and numerous nephews and nieces.

Preceding her in death were her father Barney (2013); sister Karen (2001); and brothers Alan (Vietnam, 1965) and Michael (2013).

A graveside service will be held at noon on Saturday, March 10, at Greenwood Cemetery. A potluck luncheon immediately follows at the Olney Grange.

Memorial contributions may be made to First Lutheran Church, 725 33rd St., Astoria, OR 97103; Olney Grange Kitchen Renovation, 90029 Highway 202, Astoria, OR 97103; or Lower Columbia Hospice, 2111 Exchange St., Astoria, OR 97103.



Shelley Ahola

DEATHS

March 1, 2018

HEROLD, Mabel, 101, of Astoria, died in Yelm, Washington. Hughes-Ransom Mortuary & Crematory in Astoria/Seaside is in charge of the arrangements.

Feb. 28, 2018

BAKER, Frank Elic, 55, of Astoria, died in Astoria. Caldwell’s Luce-Layton Mortuary in Astoria is in charge of the arrangements.

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