

THE DAILY ASTORIAN

146TH YEAR, NO. 24

DailyAstorian.com // THURSDAY, AUGUST 2, 2018

ONE DOLLAR

Log fight ends at Port

Lawsuits after a partnership soured

By EDWARD STRATTON
The Daily Astorian

A multiyear legal battle between Astoria Forest Products and Westerlund Log Handlers over log exports at the Port of Astoria has been settled.

The U.S. District Court in Portland posted a notice online that lawyers for the two sides had reached a settlement, giving the parties 60 days to reinstate the lawsuit before the dismissal becomes final. Lawyers for the companies could not immediately be reached for comment.

Westerlund, owned by David Westerlund and Roger Nance, began exporting logs to Asia from the Port in 2010. State-owned China National Building Materials Corp. bought much of the timber and loaned Westerlund money for equipment. By 2014, the two sides were embroiled in lawsuits, with China National putting liens on Westerlund Log Handlers' equipment.

Dennis Murphy, the former co-owner of Eugene-based Murphy Timber Co., stepped in, allegedly paying more than \$2.5 million to settle the case and release the liens on the equipment. His company, Astoria Forest Products, signed a contract for Westerlund Log Handlers to handle logs procured by Murphy for export.

But the partnership soured and the two companies filed dueling lawsuits against each other.

Westerlund and Nance, who was later removed from the lawsuit, claimed they were unfairly pushed out of the partnership and a profit-sharing agreement. The Murphy parties claimed they had covered the expenses of Westerlund Log Handlers, whose lease was later terminated and transferred to Astoria Forest Products in exchange for past-due bills being paid off.

Astoria Forest Products has since developed Pier 3 into a log-processing yard, with exports done from Pier 1. The company was recently awarded Clatsop Economic Development Resources' economic impact award, five years after Westerlund Log Handlers received the group's job creation award.

The details of the settlement, and of Nance's earlier removal from the suit, have been kept confidential.

Westerlund and Nance had originally sought at least \$30 million each for lost business assets, opportunities, compensation and profits; \$1 million each for emotional distress; and \$10 million for Westerlund Log Handlers from the log-handling agreement.

Murphy had sought \$1.5 million in mitigation damages from Westerlund, claiming David Westerlund was also personally liable for the damages as a guarantor of the log-handling contract.



Photos by Colin Murphey/The Daily Astorian

ABOVE: Kerry Lyons and Marc Ward sift sand at Cannon Beach to remove plastic debris. BELOW: Marc Ward, of Sea Turtles Forever, lets freshly cleaned sand fall through his fingers at Cannon Beach.

'IT'S NOT GETTING BETTER'

Environmental group to use North Coast microplastics data to push for water quality standards

By BRENNA VISSER
The Daily Astorian

After years of surveys and beach cleanups, microplastics data collected at Fort Stevens State Park and Crescent Beach near Ecola State Park will be at the forefront of an environmental group's push to influence state policy.

The Center for Biological Diversity, a West Coast nonprofit, is submitting data from several Oregon beaches to the state Department of Environmental Quality in an attempt to list the nearby water as contaminated.

"If the beach is contaminated, there's good reason to believe the water nearby is, too," said Blake Kopcho, the center's oceans campaigner.

Doing so would empower the U.S. Environmental Protection Agency to require the state to find ways to keep the water cleaner. The center ultimately hopes this will lead to reduction efforts to keep plastics out of the ocean.

"The goal is to get action to get to the source," Kopcho said. "Beach cleanups are great, but ultimately we have to figure out how to stop (plastic) before it gets into the waterway."

No states on the West Coast have water quality standards that directly address microplastics, which studies show bioaccumulate carcinogenic compounds that can be released into the water and air.

Microplastics are detrimental because they can transfer into the marine food chain and eventually into people.

"There isn't a narrative for microplastics. States set limits on other contaminants, like mercury, for example. If levels are exceeded, the state has to find a way to mitigate," Kopcho said. "There are no water quality standards that say 'there can't be this level of microplastics in the water.'"

Finding solutions

For better or worse, the North Coast has gained a reputation for a microplastics problem, as well as solutions to address it.

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'BEACH CLEANUPS ARE GREAT, BUT ULTIMATELY WE HAVE TO FIGURE OUT HOW TO STOP (PLASTIC) BEFORE IT GETS INTO THE WATERWAY.'

Blake Kopcho | oceans campaigner for the Center for Biological Diversity, a West Coast nonprofit

Tobacco sales to underage smokers still widespread

New state law raised smoking age to 21

By CLAIRE WITHCOMBE
Capital Bureau

SALEM — State public health officials say the rate of tobacco sales to underage consumers has increased slightly since the state raised the minimum age to buy tobacco from 18 to 21.

The Oregon Legislature passed the new minimum age law, known as Tobacco 21, last year. It went into effect in

January, making Oregon the fifth state in the nation to do so.

The Oregon Health Authority says that in the first six months of the year, 18 percent of attempts to buy tobacco products by minors — coordinated by the agency as inspections — were successful.

The rate of underage sales during similar inspections last year was 16 percent, when the minimum age was still 18, the agency's public health division says.

"Selling tobacco to people under 21 years old is illegal, but these data show that nearly 1 out of every 5 tobacco retailers in Oregon still sells to peo-

ple under the legal age," Tom Jeanne, deputy state health officer, said in a prepared statement. "Tobacco remains the No. 1 preventable cause of death and disability and kills nearly 8,000 people in Oregon each year."

Tobacco use costs the state \$2.5 billion in medical costs and lost productivity, state health officials say.

Retailers that sell tobacco to customers younger than 21 face a fine of up to \$500 for the first and second violations of the law, and a fine of up to \$1,000 for the third and subsequent violations.

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EO Media Group

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