

Federal court reinstates water regulation rule

Rule was suspended under Trump

By CAROL RYAN DUMAS
Capital Press

A federal court in South Carolina has reinstated the controversial 2015 Waters of the United States rule that expanded U.S. Environmental Protection Agency and Army Corps of Engineers jurisdiction under the Clean Water Act.

U.S. District Judge David Norton on Thursday ruled the Trump administration failed to comply with rule-making requirements under the Administrative Procedure Act in suspending rule.

Norton ruled that while different administrations may implement different regulatory priorities, they must comply with procedural requirements. Specifically, the government provided no "reasoned analysis" for suspending the rule and no "meaningful opportunity" for public comment, Norton stated.

The judge enjoined the suspension rule nationwide. But two federal courts — one in North Dakota covering 13 states, and one in Georgia covering 11 states — have blocked implementation.

The rule now applies in 26

states, including Washington, Oregon and California.

The court's decision is the result of a motion for summary judgment brought by 10 conservation groups represented by the Southern Environmental Law Center.

"We are thrilled the court rejected this administration's blatant attempts to undermine safeguards that are critical to our nation's welfare without being accountable to the American people," Geoff Gisler, senior attorney with the law center, said in a statement.

Agricultural groups, however, see things differently.

The American Farm Bureau Federation called the ruling "misguided" and maintains the WOTUS rule is overbroad, vague and illegal.

"Today's court ruling creates enormous regulatory uncertainty and risk for farmers, ranchers and others in the 26 states that are not already protected from the unlawful 2015 rule by previous court decisions," Zippy Duvall, the group's president, said in a statement.

The court was wrong to invalidate the administration's decision that had simply delayed the effective date of the WOTUS rule while the administration works to develop a new regulation, he said.

While that work continues, the group is urging the administration to take action

in court to limit the scope of the district court's decision to South Carolina.

The National Cattlemen's Beef Association said the court's ruling underscores the urgent need to finalize the repeal of the 2015 WOTUS rule.

"The South Carolina court has effectively brought WOTUS back from the dead in 26 states, creating a zombie version of the 2015 rule that threatens the rights of farmers and ranchers across the country," Scott Yager, the association's chief environmental counsel, said in a statement.

The Oregon Farm Bureau also issued a statement, saying EPA could now force farmers and ranchers to apply for a costly permit to do even the most basic work, such as plowing, planting and applying pesticides and fertilizers on dry fields.

They could also be hit with enormous fines and frivolous lawsuits, Mary Anne Cooper, the farm bureau's public policy counsel, said.

"The 2015 WOTUS rule goes far beyond congressional intent and the lawful bounds of the Clean Water Act as articulated by previous Supreme Court decisions," she said.

The Oregon Farm Bureau is urging the Trump administration to permanently repeal the rule as quickly as possible.

OBITUARIES

Lori Marie Coy Heaton

St. Helens

Jan. 23, 1966 — Aug. 1, 2018

Lori Marie Coy Heaton, 52, a resident of St. Helens, formerly of Knappa, Oregon, passed away with her sisters present on Wednesday, Aug. 1, 2018, in Portland, Oregon.

Lori was born in Portland, Oregon, to William (Bill) and Patricia (Pat) Heaton on Jan. 23, 1966. She attended grade school, junior high school and high school in Warrenton and graduated from Southern Oregon University in 1988.

Lori married John Thomas Coy in 1996, and lived in Portland, Bend and Seaside, Oregon. In 1998, their son, John Thomas Coy Jr., was born.

Lori is survived by her son; grandson, Carson Riley Coy; her mother; two sisters, Correen R. Bailey, of Puyallup, Washington, and Billie J. Heaton, of Portland, Oregon; and several nieces and a nephew. She was preceded in death by

her father, William Curry Heaton.

In 1982, Lori was a finalist in the Miss Oregon National Teenager Pageant.

Lori worked for numerous banks in the Portland area, for Target in Bend and McDonald's in Seaside. She was very active in the North Coast Family Fellowship Church in Seaside. Lori was also a volunteer in the SMART reading program in Knappa.

Lori had many health problems from the age of 10, but she was a courageous and fun-loving person.

Memorial contributions can be made to the American Cancer Society or to St. Jude Children's Research Hospital.

A memorial service will not be held. She will be buried with her grandparents in Sandy, Oregon, at a later date.



Lori Heaton

Konstantine Tolson

Astoria

Feb. 17, 1958 — Aug. 10, 2018

Konstantine (Cooky) Tolson will always be remembered as a fervent fisherman, a lifelong passion that he pursued both professionally and in his leisure time.

In 1989, Cooky landed the biggest catch of his life when he married Julie McCall. They shared a 29-year adventure together, including many trips to Mexico and Hawaii.

Cooky loved the outdoors, and when he was not fishing, crabbing, or digging clams he was hunting chanterelle mushrooms and tending his fruit and vegetable garden — all of which he generously shared with family,



Konstantine (Cooky) Tolson

friends and neighbors.

Anyone fortunate enough to receive some of Cooky's home smoked sturgeon or salmon had a royal feast in store for their taste buds.

Seafood was not the only thing Cooky could prepare like a gourmet chef, as the crew aboard the Coast Guard ship, Responder, can attest.

Konstantine is survived by his wife, Julie; his sisters, Lucy and Nina; and numerous relations and friends, who miss his infectious smile, booming laugh and courageous spirit.

Walk in Glory, Dearest Cooky, Walk in Glory!

County tax appeals board seeks applicants

The Daily Astorian

Applications are being accepted for a volunteer board that hears petitions for decreased real market or assessed value of property.

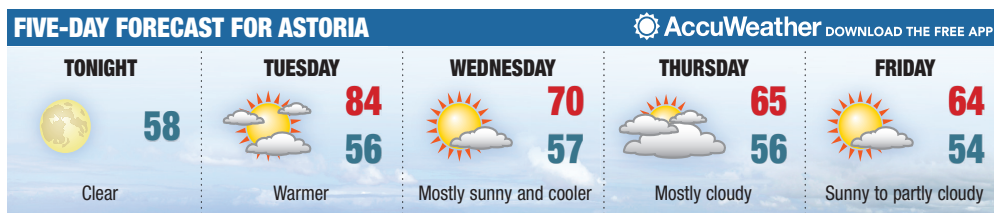
The positions on the Clatsop County Board of Property Tax Appeals would be for the 2019 term. Local government employees are not eligible, but county residents who have

working knowledge of the real estate market and Oregon property tax and can quickly review property documents ahead of public meetings are encouraged to apply.

County commissioners will make appointments into a pool, and the county clerk will select three people. Training will take place in January, and the board will begin holding several daytime meetings

beginning the first Monday in February. Meetings will be held until April 15 at the latest.

Applications are due Sept. 13 at 5 p.m. They can be accessed at www.co.clatsop.or.us, 800 Exchange St., Suite 410 or by calling 503-325-1000. More information about the board can be found by calling the Clatsop County Clerk's Office at 503-325-8511.



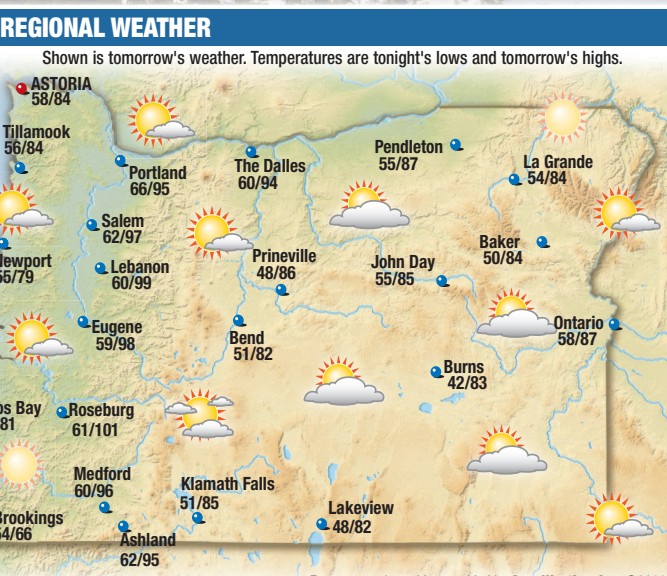
ALMANAC	
Astoria through Sunday.	
Temperatures	
High/low	61°/55°
Normal high/low	69°/53°
Record high	98° in 2016
Record low	39° in 1973
Precipitation	
Sunday	0.00"
Month to date	0.33"
Normal month to date	0.58"
Year to date	36.07"
Normal year to date	37.52"

SUN AND MOON	
Sunset tonight	8:16 p.m.
Sunrise Tuesday	6:22 a.m.
Moonrise today	4:40 p.m.
Moonset today	1:13 a.m.
Full	Aug 26
Last	Sep 2
New	Sep 9
First	Sep 16

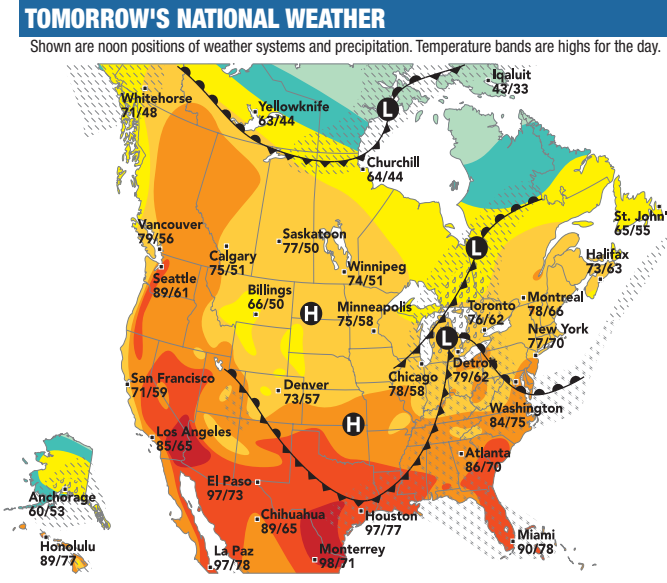
UNDER THE SKY
Tonight's Sky: The Summer Triangle stands high overhead this evening.

TOMORROW'S TIDES			
Astoria / Port Docks			
Time	Port	Time	Low
11:22 a.m.	6.3 ft.	5:00 a.m.	0.3 ft.
10:40 p.m.	7.6 ft.	4:41 p.m.	2.8 ft.

NATIONAL CITIES						
City	Today	Tues.	City	Today	Tues.	
Atlanta	84 73 t	86 70 t	Atlanta	84 73 t	86 70 t	
Boston	74 64 pc	74 66 pc	Boston	74 64 pc	74 66 pc	
Chicago	79 69 t	78 58 c	Chicago	79 69 t	78 58 c	
Denver	80 51 pc	73 57 pc	Denver	80 51 pc	73 57 pc	
Des Moines	76 63 r	75 54 pc	Des Moines	76 63 r	75 54 pc	
Detroit	83 70 pc	79 62 r	Detroit	83 70 pc	79 62 r	
El Paso	97 75 pc	97 73 s	El Paso	97 75 pc	97 73 s	
Fairbanks	71 56 c	65 49 r	Fairbanks	71 56 c	65 49 r	
Honolulu	91 78 pc	89 77 pc	Honolulu	91 78 pc	89 77 pc	
Indianapolis	80 69 t	79 63 t	Indianapolis	80 69 t	79 63 t	
Kansas City	71 63 sh	80 56 pc	Kansas City	71 63 sh	80 56 pc	
Las Vegas	108 86 s	102 81 pc	Las Vegas	108 86 s	102 81 pc	
Los Angeles	86 67 pc	85 65 pc	Los Angeles	86 67 pc	85 65 pc	
Memphis	86 68 t	84 67 pc	Memphis	86 68 t	84 67 pc	
Miami	89 78 sh	90 78 t	Miami	89 78 sh	90 78 t	
Nashville	83 73 t	85 68 pc	Nashville	83 73 t	85 68 pc	
New Orleans	89 75 t	90 76 t	New Orleans	89 75 t	90 76 t	
New York	76 66 c	77 70 c	New York	76 66 c	77 70 c	
Oklahoma City	82 62 s	85 64 s	Oklahoma City	82 62 s	85 64 s	
Philadelphia	81 68 c	82 71 sh	Philadelphia	81 68 c	82 71 sh	
St. Louis	85 67 t	81 65 pc	St. Louis	85 67 t	81 65 pc	
Salt Lake City	92 66 pc	83 67 pc	Salt Lake City	92 66 pc	83 67 pc	
San Francisco	69 57 pc	71 59 pc	San Francisco	69 57 pc	71 59 pc	
Seattle	82 62 pc	89 61 pc	Seattle	82 62 pc	89 61 pc	
Washington, DC	83 73 c	84 75 t	Washington, DC	83 73 c	84 75 t	



REGIONAL CITIES											
City	Hi	Lo	W	Hi	Lo	W	City	Hi	Lo	W	Tues.
Baker City	86	50	s	84	49	pc	Olympia	86	53	pc	91 53 pc
Bend	85	51	s	82	51	pc	Pendleton	89	55	pc	87 57 pc
Brookings	70	54	pc	66	52	pc	Portland	90	66	pc	95 62 s
Eugene	92	59	pc	98	56	s	Roseburg	94	61	pc	101 62 s
Ilwaco	71	60	s	78	58	pc	Salem	91	62	pc	97 59 s
Klamath Falls	86	51	s	85	49	pc	Seaside	74	59	s	83 55 pc
Medford	94	60	pc	96	62	pc	Spokane	77	56	pc	80 58 pc
Newberg	92	62	pc	96	59	s	Springfield	92	60	pc	99 57 s
Newport	65	55	s	79	52	s	Vancouver	90	63	pc	94 60 s
North Bend	67	53	pc	79	54	pc	Yakima	85	57	pc	86 53 pc



DEATHS

Aug. 19, 2018
BULLETSSET, Robert D., 89, of Warrenton, died in Warrenton. Hughes-Ransom Mortuary & Crematory in Astoria is in charge of the arrangements.

PERDUE, Ronald J., 60, of Astoria, died in Warrenton. Hughes-Ransom Mortuary & Crematory in Astoria is in charge of the arrangements.

Aug. 18, 2018
HORNER, Forrest Alvie, 87, of Astoria and subsequently Seaside, died in Seaside. Caldwell's Luce-Layton Mortuary of Astoria is in charge of the arrangements.

KIENBERGER, Kirsten E., 58, of Astoria, died in Astoria. Caldwell's Luce-Layton Mortuary of Astoria is in charge of the arrangements.

Aug. 17, 2018
DEONIER, Betty Jean, 91, of Astoria, died in Astoria. Caldwell's Luce-Layton Mortuary of Astoria is in charge of the arrangements.

FISHER, Robert Glen, 59, of Seaside, died in Seaside. Caldwell's Funeral & Cremation Arrangement Center of Seaside is in charge of the arrangements.

ON THE RECORD

DUII
• At 1:28 a.m. Sunday, Alexander Kim Rinell, 30, of Knappa, was arrested by the Clatsop County Sheriff's Office on Palmrose Road and charged with driving under the influence of intoxicants.

PUBLIC MEETINGS

MONDAY
Knappa School Board, 5:30 p.m., Knappa High School library, 41535 Old U.S. Highway 30.
Jewell School Board, 6 p.m., Jewell School library, 83874 Oregon Highway 103.
Astoria City Council, 7 p.m., City Hall, 1095 Duane St.

TUESDAY
Cannon Beach Public Works Committee, 9 a.m., City Hall, 163 E. Gower St.
Port of Astoria Commission, 4 p.m., Port offices, 10 Pier 1, Suite 209.
Shoreline Sanitary District Board, 7 p.m., Gearhart Hertig

Station, 33496 West Lake Lane, Warrenton.
Seaside Planning Commission, 7 p.m., work session, City Hall, 989 Broadway.
Gearhart City Council and Firehouse Committee, 7 p.m., joint work session, 698 Pacific Way.

LOTTERIES

OREGON
Sunday's Pick 4:
1 p.m.: 7-3-9-1
4 p.m.: 4-9-9-7
7 p.m.: 4-2-9-8
10 p.m.: 9-7-5-1
Sunday's Lucky Lines: 02-05-09-13-18-24-28-29
Estimated jackpot: \$23,000
Saturday's Pick 4:
1 p.m.: 8-2-6-8
4 p.m.: 5-3-2-2
7 p.m.: 9-8-8-1
10 p.m.: 4-3-1-9
Saturday's Lucky Lines: 03-08-09-16-19-24-27-32
Estimated jackpot: \$21,000
Saturday's Megabucks: 11-15-17-25-29-33
Estimated jackpot: \$5.9 million

Saturday's Powerball: 24-34-52-61-67, Powerball: 16
Estimated jackpot: \$60 million
Friday's Pick 4:
1 p.m.: 8-9-5-8
4 p.m.: 1-1-4-4
7 p.m.: 4-0-2-8
10 p.m.: 7-0-7-8
Friday's Lucky Lines: 02-07-11-15-17-21-26-32
Estimated jackpot: \$20,000
Friday's Mega Millions: 1-31-32-47-56, Mega Ball: 3
Estimated jackpot: \$102 million

38-44-52-59-65-68-72
Sunday's Match 4: 06-13-18-20
Saturday's Daily Game: 6-5-1
Saturday's Hit 5: 04-05-09-36-39
Estimated jackpot: \$130,000
Saturday's Keno: 03-05-06-08-13-19-26-35-36-39-42-43-44-47-49-52-61-71-78-80
Saturday's Lotto: 03-06-10-38-39-46
Estimated jackpot: \$1.7 million
Saturday's Match 4: 05-13-18-20
Friday's Daily Game: 4-5-2
Friday's Keno: 03-09-12-15-17-23-27-31-34-40-42-48-53-55-58-59-60-69-72-73
Friday's Match 4: 09-10-16-19

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The Daily Astorian publishes paid obituaries. The obituary can include a small photo and, for veterans, a flag symbol at no charge. The deadline for all obituaries is 9 a.m. the business day prior. Obituaries may be edited for spelling, proper punctuation and style. Death notices and upcoming services will be published at no charge. Notices must be submitted by 9 a.m. the day of publication. Obituaries and notices may be submitted online at www.dailyastorian.com/forms/obits, by email at ewilson@dailyastorian.com, placed via the funeral home or in person at The Daily Astorian office, 949 Exchange St. in Astoria. For more information, call 503-325-3211, ext. 257.

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