

Halibut poachers sentenced to jail time

Brothers also receive fines, boat ban

By NATALIE ST. JOHN
Chinook Observer

LONG BEACH, Wash. — Robert and David Gudgell, former fishing boat operators for Pacific Salmon Charters, will need to update their resumes.

At a sentencing hearing on Wednesday in South District Court, Judge Nancy McAllister delivered a stinging rebuke to the brothers, who were recently convicted of numerous halibut-poaching charges.

“I really hope your selfish actions do not taint the reputation of the other fishermen in this area,” McAllister said before sentencing the Gudgells to jail time, hefty fees, probation and a one-year ban on being on boats.

At the conclusion of a two-week trial in late February, Robert Gudgell, 57, was found guilty of eight counts of second-degree unlawful recreational fishing, a misdemeanor. David Gud-

gell, 58, was found guilty of nine counts of second-degree unlawful recreational fishing. He was also found guilty of one count of waste of fish and wildlife, a gross misdemeanor.

The charges stem from a Washington Department of Fish and Wildlife investigation opened in spring 2017 after customers on a halibut fishing trip said the crew caught more than the limit, stored extra fish in a “livewell,” then cherry-picked the largest fish at the end of the day. They also alleged the crew dumped the unwanted fish, some of which were dead, overboard. An undercover officer allegedly observed similar behavior on a June 2017 trip. Deputy Prosecutor Ben Haslam asked the court for stiff penalties in part because he did not believe the defendants had shown any contrition or taken responsibility for their actions.

“We understand this is their livelihood,” Haslam said. “They’re gonna have to find something else to do.”

Defense attorney Nate Needham called it “a case



Natalie St. John/Chinook Observer

National Oceanic and Atmospheric Administration Lt. Greg Bush and Washington Department of Fish and Wildlife Sgt. Tony Leonetti reviewed records at Pacific Salmon Charters in the Port of Ilwaco.

about catching fish and releasing fish.” He said his clients were actually conscientious stewards of their industry and the environment who were tripped up by “gray areas” in the law.

“No one wants to see dead fish released,” Needham said. “It’s not the way they were raised, it’s not the way they were brought up and it’s not the way they want to be remembered.”

He argued that the laws did not provide clear enough rules for situations where

multiple passengers are pulling in fish at the same time, and did not specifically mention livewells. Needham said the Gudgells had no previous violations, and were never over limit when they returned to port.

“Everyone who went fishing was licensed,” Needham said. “They fished with the right gear, they fished in the proper place, during the proper time.”

Needham asked Judge McAllister not to impose the boat ban, saying that after

more than 20 years each in the industry, they had few other job prospects. He said the Gudgells would likely have no way to pay their fines and might end up serving additional jail time as a result.

“If the court hands down a sentence that takes away their ability to earn a livelihood, it will be an irreparable, almost unrecoverable circumstance,” Needham said. “For these two gentlemen that’s a huge, huge consequence.”

When it was time to deliver her sentence, McAllister did not mince words.

“You testified that you were concerned about the resources, and I simply do not believe that is true,” she said.

During the trial, both brothers said they came up with the idea of installing livewells to hold fish because they thought it was better for the fish. McAllister said she didn’t think the law had any “gray areas” where livewells were concerned, and didn’t think they would have kept the livewell idea to themselves if it had actually been good for the

fishery. “You knew your tactics were questionable, and you knew those tactics would affect the fisheries that you were fishing in,” McAllister said. “I’m troubled by the 20 years of experience that you have in the industry, and that this is your life, and yet you would do this to your own industry.”

McAllister sentenced David Gudgell to 55 days in jail, a \$15,000 fine, two years of probation and a one-year ban on being on any boat but a ferry. She sentenced Robert Gudgell to 40 days in jail, an \$8,000 fine, two years probation and a boat ban.

The judge agreed to let the brothers serve up to half of their time as community service. However, she said the service would have to involve preservation of natural resources, and would have to be approved by the prosecutor’s office. She also specified that the jail time was not to be served on weekends.

“Jail time is to start May 1,” McAllister said. “To coincide with the halibut season.”

US moves to lift remaining gray wolf protections

By MATTHEW BROWN and JOHN FLESHER
Associated Press

BILLINGS, Mont. — Gray wolves in the U.S. would be stripped of federal protection and subject to hunting and trapping in more states under a proposal released today that declares the predators recovered following a decadeslong restoration effort.

The U.S. Fish and Wildlife Service wants to revoke the wolves’ endangered and threatened species status and put them under authority of state wildlife agencies across the Lower 48 states. The Associated Press reported last week that the proposal was in the works.

Wildlife advocates and some members of Congress said the move is premature because wolves occupy only a fraction of a historical range that once stretched across most of North America.

But Acting Interior Secretary David Bernhardt said it was “indisputable” that wolves had recovered enough to meet recovery goals. He said the agency could now devote more work to species in greater need.

Livestock interests, hunters and officials in some states have wanted the government to make it easier to kill wolves. The predators periodically prey on livestock such as cows and sheep and have been blamed for declining numbers of elk, moose and other big game in some areas.

“We need to take control of these wolves,” said Tony Demboski with the Upper Peninsula Sportsmen’s Alliance in Michigan, where there are an estimated 660 of the animals. “They’re cleaning up our deer herd, we’ve got people scared to go for a walk in the evenings. We’ve just got too many wolves.”

Those who want more



U.S. Forest Service

A female gray wolf and her mate with a pup born in 2017 in the wilds of Lassen National Forest in Northern California.

wolves in more places say such fears are overblown. Wolves very rarely attack people, and far more livestock are killed by other causes, including coyotes and disease.

“It doesn’t have to be either or — we have livestock or we have wolves,” said Kate Dylewsky with the Animal Welfare Institute. “Co-existence with wolves is very possible.”

Trapping, poisoning and hunting campaigns early last

century exterminated wolves across most of the Lower 48 states by the 1930s. More than 6,000 of the animals now live in portions of nine states, officials say.

A final decision on lifting protections will follow a public comment period that begins Friday and runs through May 14.

Government officials said their goal was to protect wolves from extinction, not return them to everywhere they were once found.

The Endangered Species Act is not “a means to keep species from being hunted in perpetuity once they’ve met the threshold of recovery,” said Gavin Shire, spokesman for the Fish and Wildlife Service.

Environmentalists and animal advocacy groups have pledged to challenge in court any action to ease or eliminate protections.

Putting gray wolves under state control would allow Minnesota, Michigan and Wisconsin to resume hunting and trapping blocked by a 2014 court rul-

ing that returned them to the endangered list.

In other areas, such as the Pacific Northwest, wildlife officials say they have no immediate plans for hunting but could consider it in the future.

Aside from Alaska only three states — Montana, Idaho and Wyoming — allow the public to hunt wolves.

More than 600 were killed in the northern Rockies states during the most recent hunting and trapping seasons.

Court rulings delayed

hunting in the northern Rockies for years after wolves reached the government’s benchmark for recovery in the early 2000s. Members of the region’s congressional delegation ultimately inserted a provision into a budget bill that forced the animals off the endangered list.

Protections will be retained under today’s proposal for two small populations of related species — the Mexican gray wolf in New Mexico and Arizona and the red wolf in North Carolina.

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