



Edward Stratton/The Daily Astorian

The fishing vessel *Coastwise* has been rusting away for some time at the Port of Astoria's East Mooring Basin.

Boat owner responds to Port suit

By EDWARD STRATTON
The Daily Astorian

A boat owner being sued by the Port of Astoria for abandoning his vessel shot back recently, arguing the agency jacked up his moorage at the East Mooring Basin while conditions at the marina worsened.

The Port sued Nick Mathias, a California resident and owner of the *Coastwise*, claiming he fell behind on moorage before sending a letter in September notifying the agency he would be abandoning the vessel.

Mathias claims the Port in 2014 was charging him \$2,000 annually for moorage fees, raising it to \$3,000 the next year, \$9,600 the third year and finally \$37,000.

The Port has closed all access to the East Mooring Basin causeway because of a rotting substructure, leaving a dwindling group of boat owners to reach their vessels by skiff.

"My contract with them provided access and a reasonable rate to house my boat there so that I could make my repairs, but since they knew I couldn't move

the boat they knew I had no choice but to keep paying," Mathias wrote in his response to the Port's lawsuit. "There was no way I could continue to pay this amount so I had no choice but to abandon the boat along with all of the money I had spent fixing it up."

The Port seeks more than \$112,000 from Mathias in back-due moorage and abandonment fees.

Mathias wrote that he has people ready to take the boat away, eliminating the need for the Port to deal with the abandoned vessel.



Neal Wallace

The North Coast Chamber Orchestra.

Chamber orchestra, high school choir present two concerts

The Daily Astorian

The North Coast Chamber Orchestra and Neah-Kah-Nie High School Choir present two concerts today and Saturday.

The first concert is 7 p.m. today at the North County Recreation District Performing Arts Center, 36155 9th St., Nehalem. It is assisted by a grant from the Tillamook County Cultural Coalition.

The second concert is 3 p.m. Saturday at Astoria Elks Lodge Ballroom, 453 11th St., Astoria.

Admission to the concerts is \$10 adults, \$5 students, free for chil-

dren under 12 (with adult supervision).

The program, titled "Spring Voices," features performances by the Neah-Kah-Nie choir alone and alongside the North Coast Chamber Orchestra. The show — which blends voices, strings, winds and percussion — captures the arrival of spring and evokes the hope and promise of the season.

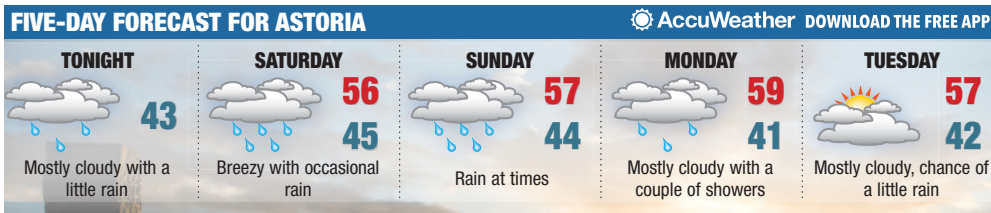
The Neah-Kah-Nie High Choir, directed by Michael Simpson, consists of 25 students who will present several choral selections alone to showcase their spirited arrangements.

The North Coast Cham-

ber Orchestra, under the direction of conductor Cory Pederson, is an all-volunteer ensemble of North Coast musicians dedicated to providing local audiences with the opportunity to hear live classical music.

The Chamber Orchestra will perform two selections separate from the choir: Johannes Brahms' "Serenade No. 1, Op 11 (movement 1)" and Pietro Mascagni's "Selections from Cavalleria Rusticana."

For more information about the orchestra, and to view the full 2019 concert schedule, visit northoregon-coastsymphony.org and the orchestra's Facebook page.



ALMANAC

Astoria through Thursday.

Temperatures

High/low 61°/44°
 Normal high/low 55°/40°
 Record high 78° in 1966
 Record low 30° in 2009

Precipitation

Thursday 0.08"
 Month to date 0.29"
 Normal month to date 0.83"
 Year to date 15.34"
 Normal year to date 25.67"

SUN AND MOON

Sunset tonight 7:49 p.m.
 Sunrise Saturday 6:47 a.m.
 Moonrise today 7:26 a.m.
 Moonset today 8:20 p.m.

New First Full Last
 Apr 5 Apr 12 Apr 19 Apr 26

UNDER THE SKY

Tonight's Sky: Saturday (06:43 a.m. PDT) before sunrise, Mercury will reach its highest point in the sky above east-southeast horizon to the lower left of brilliant Venus.

Source: Jim Todd, OMSI

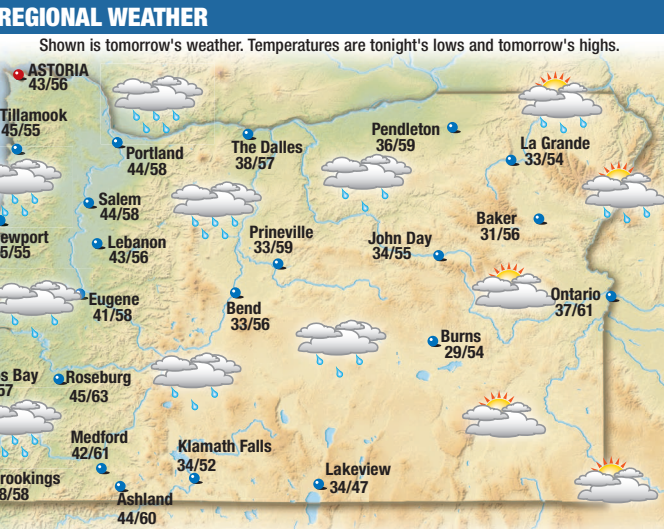
TOMORROW'S TIDES

Astoria / Port Docks

Time	High	Time	Low
2:42 a.m.	8.6 ft.	9:12 a.m.	0.3 ft.
3:15 p.m.	7.8 ft.	9:09 p.m.	1.3 ft.

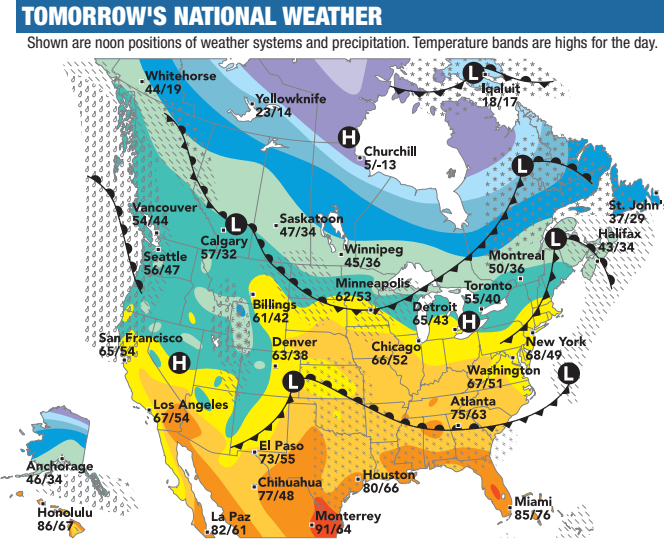
NATIONAL CITIES

City	Today	Sat.
Atlanta	72 59 sh 75 63 pc	75 63 pc
Boston	47 39 pc 65 46 pc	66 52 pc
Chicago	59 44 pc 66 52 pc	66 52 pc
Denver	69 42 pc 63 38 pc	63 38 pc
Des Moines	65 47 pc 72 54 c	72 54 c
Detroit	57 44 sh 65 43 pc	65 43 pc
El Paso	79 54 s 73 55 pc	73 55 pc
Fairbanks	43 22 s 43 24 c	43 24 c
Honolulu	85 66 s 86 67 s	86 67 s
Indianapolis	62 49 c 69 55 pc	69 55 pc
Kansas City	68 51 pc 72 54 t	72 54 t
Las Vegas	75 56 pc 77 59 s	77 59 s
Los Angeles	66 53 c 67 54 c	67 54 c
Memphis	72 56 sh 80 65 t	80 65 t
Miami	84 74 pc 85 76 pc	85 76 pc
Nashville	74 52 c 80 63 c	80 63 c
New Orleans	78 65 t 83 66 c	83 66 c
New York	45 43 r 68 49 r	68 49 r
Oklahoma City	75 56 pc 69 57 t	69 57 t
Philadelphia	49 48 r 70 50 pc	70 50 pc
St. Louis	65 49 c 72 58 r	72 58 r
Salt Lake City	64 45 t 58 44 r	58 44 r
San Francisco	61 54 r 65 54 c	65 54 c
Seattle	57 44 r 56 47 r	56 47 r
Washington, DC	56 52 r 67 51 pc	67 51 pc



REGIONAL CITIES

City	Today	Sat.	Sun.
Baker City	60 31 r 56 41 pc	56 41 pc	56 41 pc
Bend	51 33 r 56 44 sh	56 44 sh	56 44 sh
Brookings	56 47 r 56 50 r	56 50 r	56 50 r
Eugene	58 41 r 55 51 r	55 51 r	55 51 r
Ilwaco	54 46 r 55 47 r	55 47 r	55 47 r
Klamath Falls	50 34 r 52 43 r	52 43 r	52 43 r
Medford	58 42 r 61 50 sh	61 50 sh	61 50 sh
Newberg	54 41 r 56 49 r	56 49 r	56 49 r
Newport	55 45 r 55 48 r	55 48 r	55 48 r
North Bend	57 47 r 57 51 r	57 51 r	57 51 r
Olympia	56 39 r 56 39 r	56 39 r	56 39 r
Pendleton	61 36 r 59 46 sh	59 46 sh	59 46 sh
Portland	58 44 r 58 49 r	58 49 r	58 49 r
Roseburg	61 45 r 63 54 r	63 54 r	63 54 r
Salem	57 44 r 58 51 r	58 51 r	58 51 r
Seaside	55 45 r 56 47 r	56 47 r	56 47 r
Spokane	56 36 r 51 42 sh	51 42 sh	51 42 sh
Springfield	57 43 r 58 51 r	58 51 r	58 51 r
Vancouver	55 43 r 57 49 r	57 49 r	57 49 r
Yakima	60 33 r 56 41 c	56 41 c	56 41 c



Rockaway Beach must pay \$213K in fight with beachfront owner

By AIMEE GREEN
The Oregonian

In a stunning loss for Rockaway Beach, a judge has ruled that the Oregon Coast town must pay \$213,000 to a beachfront property owner who has fought for years to stop his vacation home from getting washed away by winter storms.

In an order Wednesday, Tillamook County Circuit Judge Jonathan Hill cited a state law that allows him to award legal costs to homeowner Tai Dang if the city acted in ways that were "reckless, willful, malicious, in bad faith or illegal."

The judge found that the city wasn't "objectively reasonable" in its prolonged fight against Dang. He awarded Dang about \$201,000 in fees for his attorneys and \$12,000 in other litigation costs.

The judge cited glaring problems with the way Rockaway Beach handled Dang's case — first by granting Dang permits to build the house on that precise spot of beachfront

property in 2008, then years later flipping its position and saying Dang couldn't repair damage to the home from winter storms because the city now believed he built too close to the ocean.

The judge noted the city brushed off the impassioned warnings of then-City Council member Mardi Wing, who in 2016 emailed the city manager at the time, Lars Gare, that the continuing battle was wrong.

"(F)rankly I am shocked that it has even gotten as far as it did," Wing wrote. "... The real issue is that the city issued a permit and then refused to stand behind it."

By then, Dang had already been trying for a year to install a permanent wall of riprap to form a protective buffer between the ocean and his home. But because the city wouldn't sign off on the barrier, the state — which has the final word on riprap installation — said "no."

Wing wrote: "If he loses his home, no one is going to want to invest in RB. There will be a negative impact on the surrounding property owners' value and any-

one in this city that has ever received a permit should run. Buyer beware. You can't trust the city."

Wing then shared a prediction that has, at least in light of the rulings so far, turned out to be true.

"If this goes to court, the city will lose. I guarantee it," Wing said. "And the public needs to be made aware that we are the ones that are going to pay for it."

Attorneys representing Rockaway Beach, John Putman and Gerald Warren, didn't respond Thursday to a request for comment or a question about whether the city would appeal the judge's award.

Dang still has a pending federal lawsuit against the city for the cost of damages to his home and lost rental income. His suit, which seeks at least \$1.8 million, claims that the city discriminated against him based on his race. Dang immigrated from Vietnam when he was 14.

The judge's order that Rockaway Beach pay \$213,000 doesn't include what Dang has spent so far on his federal lawsuit.

DEATH

April 3, 2019

KAN, Irene Tanaka, 83, of Seaside, died in Seaside. Caldwell's Funeral & Cremation Arrangement Center of Seaside is in charge of the arrangements.

PUBLIC MEETINGS

MONDAY

Cannon Beach Rural Fire Protection District Board, 6 p.m., Fire-Rescue Main Station, 188 Sunset Ave.

Seaside City Council, 7 p.m., City Hall, 989 Broadway.

LOTTERIES

OREGON
 Thursday's Pick 4:
 1 p.m.: 2-7-1-6
 4 p.m.: 9-5-5-6
 7 p.m.: 6-1-2-7
 10 p.m.: 8-1-4-8

Thursday's Lucky Lines: 4-6-0-4-9
 11-16-18-21-28-29
 Estimated jackpot: \$31,000

WASHINGTON
 Thursday's Daily Game:

Thursday's Keno: 02-03-13-23-34-35-36-41-44-45-49-53-54-55-59-61-62-64-76-78
 Thursday's Match 4: 13-14-17-21

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