

## IN BRIEF

## Razor clam dig off in Washington state

OLYMPIA, Wash. — Washington state halted a four-day razor clam dig that was to begin on Friday.

The Department of Fish and Wildlife said the action was in response to Pacific County's health officer advising the closure of beaches to razor clam digging over concerns about the coronavirus.

State shellfish managers had approved a dig after vetting it with county officials and health departments in Grays Harbor and Pacific counties, and after consultation with state health officials.

"WDFW is responsive to the needs of local communities, and we manage razor clams in consultation with our coastal communities to ensure sustainable harvest," said Larry Phillips, the state's coastal region director.

"But, under these circumstances, we need to include more than sustainable harvest in our decision-making and do what is the best for the community. We understand that the county health department is responding to a global pandemic and WDFW is canceling these digs to support that work and keep folks healthy."

Pacific County's order doesn't ban access to public beaches. "However, as a reminder, Pacific County recommends that people at higher risk of serious illness from COVID-19 stay home as much as possible," the county said.

— *Chinook Observer*

## County says only flush toilet paper

The Clatsop County Public Works Department says flushing anything besides toilet paper and bodily waste can clog sewer pipes and create a mess that can cause a public health hazard.

Wipes, paper towels and napkins cannot be flushed. Officials say even wipes coined as "flushable" can cause backups. They advise people to have a wastebasket in their bathroom to dispose those items.

The use of wipes has increased because of concerns about the coronavirus.

## Two local measures qualify for May ballot

Two local measures have qualified for the May ballot.

The Clatsop County Fair Board is asking voters to renew a five-year levy with an increase to fund the growing cost of maintaining the fairgrounds.

The Cannon Beach Rural Fire Protection District is asking voters to approve a levy to hire a second commanding officer and replace equipment.

Despite postponements due to the coronavirus, Oregon Secretary of State Bev Clarno said the May election is moving forward as planned.

— *The Astorian*

## DEATHS

March 18, 2020

LAYTON, Mary Dolores, 87, of Astoria, died in Astoria. Caldwell's Luce-Layton Mortuary of Astoria is in charge of the arrangements.

THOM, Robert Lee, 78, of Cannon Beach, died in Cannon Beach. Caldwell's Funeral & Cremation Arrangement Center of Sea-

side is in charge of the arrangements.

March 9, 2020

REINIKKA, Allen L., 74, of Bellingham, Washington, formerly of Astoria and Seaside, died in Bellingham. Memorial to be held at a later date. Gillies Funeral Home and Cremation Service in Lynden, Washington, is in charge of the arrangements.

## ON THE RECORD

## Theft

• Thomas Kenneth Sullivan, 41, of Ilwaco, Washington, was arrested Wednesday near Safeway in Astoria for theft in the second degree after allegedly stealing a cart

full of groceries.

## Criminal trespass

• Kristian Erik Williams, 60, was arrested Wednesday on W. Bond Street in Astoria for criminal trespass in the second degree.

## PUBLIC MEETINGS

## SATURDAY

**Warrenton City Commission**, 5 p.m., emergency meeting, City Hall, 225 S. Main Ave.

## TUESDAY

**Warrenton City Commission**, 6 p.m., City Hall, 225 S. Main Ave.

**Astoria Planning Commission**, 6:30 p.m., City Hall, 1095 Duane St.

## Federal regulators approve Jordan Cove LNG project

## Terminal planned for Coos Bay

By TED SICKINGER  
*The Oregonian*

Federal regulators on Thursday approved the Jordan Cove liquefied natural gas export terminal in Coos Bay and the 230-mile Pacific Connector Pipeline, presaging a battle with Oregon, whose regulators have declined to issue the three most significant state permits for the facility.

The project's owner, Calgary-based Pembina Pipeline Corp., immediately informed the Oregon Department of Land Conservation and Development that it intends to file a federal appeal to that agency's decision last month that the project is inconsistent with state land use laws. Statute allows the company to appeal the decision to U.S. Secretary of Commerce Wilbur Ross, and the Trump administration is a firm backer of energy exports in general, and the Jordan Cove project in particular.

The notice of appeal the company sent to the agency Thursday may be a declaration of war with the state, however. Backers of the project have been promising locals for 15 years that they would comply with state and local permits, but Pembina is now signaling that it intends to preempt the state.

The federal decision and the notice of appeal immediately drew fire from Gov. Kate Brown and U.S. Sen. Ron Wyden, and Brown vowed the project wouldn't move forward without following state permitting processes.

The Federal Energy Regulatory Commission voted 2-1 to approve the controversial project, effectively agreeing with a staff recommendation that most of the project's impacts could be reduced to less than significant levels, and the public need for the



A rendering of the proposed Jordan Cove LNG terminal in Coos Bay.

facility outweighed any of those impacts.

Commissioner Richard Glick dissented, saying the decision violated the Natural Gas Act and the National Environmental Policy Act because it did not adequately consider the project's greenhouse emissions or its impact on endangered species.

The commission's chair, Neil Chatterjee, said Pembina now needs to obtain all necessary permits from the state.

Oregon's Department of Environmental Quality denied the project's water quality certificate last year. It did so in part for procedural reasons and said Jordan Cove could reapply. But it also said at the time that it had "insufficient information to demonstrate compliance with water quality standards, and because the available information shows that some standards are more likely than not to be violated."

In January, the Department of State Lands rejected an extension request from Pembina for the project's dredging permit, saying it had not received critical information.

And the Department of Land Conservation and Development last month said the project would have significant adverse effects on state lands. The state agency determined the project was not consistent with the state's land use laws and said neither the Federal Energy Regulatory Commission nor the U.S. Army Corps of Engineers "can grant

a license or permit for this project unless the U.S. secretary of commerce overrides this objection on appeal."

Even if the commerce secretary decided to overturn the state's land use decision, it's not clear the project could obtain a water quality and dredging permit if the state is opposed.

Pembina said in a news release Thursday that the decision from FERC represents the most significant step forward for Jordan Cove since Pembina acquired the project in 2017 in a merger with its owner, Veresen Inc.

"We appreciate FERC's science-based approach to their review. The approval emphasizes yet again that Jordan Cove is environmentally responsible and is a project that should be permitted given a prudent regulatory and legal process was undertaken," said Harry Andersen, Pembina's senior vice president and chief legal officer.

The company did not address its difficulties with state permits, but emphasized that it had received approval from 14 local jurisdictions.

The company already has a somewhat fractious relationship with Oregonians. Its previous attempt to build a propane export terminal in Portland ultimately led the city to adopt a moratorium on development of all new fossil fuel infrastructure. Public hearings on its land use permit for the LNG terminal and

pipeline drew tens of thousands of public comments. And the company's chief executive, Mick Dilger, has made disparaging remarks to financial analysts about state regulators inability to handle permitting for a large hydrocarbon project.

Brown issued a statement Thursday saying she had long been clear that her position has been to ensure the neutrality and fairness of the state permitting process. But she said she was stunned by FERC's decision to go forward with a decision at a time of national emergency.

"As the FERC chair stated earlier today, it is now incumbent on the company to secure all state permits. Currently, this project does not have a green light from state agencies," she said. "I want to reiterate that I will not stand for any attempt to ignore Oregon's authority to protect public safety, health and the environment," she said, adding that she had asked state lawyers to consider all appropriate legal action to assure state permitting processes will be followed.

"Let me be clear to the concerned citizens of southwest Oregon: until this project has received every single required permit from state and local agencies, I will use every available tool to prevent the company from taking early action on condemning private property or clearing land."

## Jessie's largest creditors battle

## Receivership plan stalled

By ASHLEY NERBOVIG and LUKE WHITTAKER  
*Chinook Observer*

ILWACO, Wash. — One of the largest creditors of Jessie's Ilwaco Fish Co. is challenging the appointment of a receiver for the troubled seafood processor.

Jessie's filed for receivership in late February, short-changing several fishermen owed money by the company.

Pacific County Superior Court Judge Donald Richter assigned Christopher Wain, owner of the Bellevue firm, Turnford Restructuring Group, as receiver. Wain was recommended by Donald Alber, owner of Alber's Seafood Inc., which bought Jessie's in 2013.

But GemCap Lending I LLC, one of Jessie's largest creditors, opposes Wain's appointment and moved to have him replaced by Revitalization Partners, a firm out of Seattle.

GemCap's motion was supported by Jessie's sec-



Luke Whittaker/Chinook Observer

Attorney Faye Rasch, right, speaks with Florian Mumford, owner of the F/V Dream, following a hearing at Pacific County Courthouse in South Bend.

ond-largest creditor, Craft3.

All creditors are allowed to participate in the vote on whether to appoint a new receiver.

The court was looking at a tentative date next week. But due to concerns about the coronavirus, all civil matters will be postponed through April.

In April 2017, Jessie's borrowed \$5 million from GemCap and pledged all the company's assets as collateral. GemCap was not told Jessie's would be put into

receivership.

An affidavit that Richard Ellis, co-president of GemCap, filed this month gave insight into Jessie's finances. In the 10 days prior to filing for receivership, Jessie's borrowed almost \$500,000 from GemCap, Ellis said. And to get that money, Jessie's may have lied about how much inventory it had, according to the affidavit.

At a scheduling hearing last week to discuss when to hold a creditors' meeting to appoint a new receiver,

Arnold Willig, GemCap's attorney, argued GemCap was the largest creditor of Jessie's and it was GemCap's right to have a choice in the receiver.

Willig referred to GemCap as the "lifeblood" of Jessie's.

The attorney for Turnford, Faye Rasch, argued against the appointment of Revitalization Partners. The firm is large with many lawyers and employees, Rasch said. Wain's operation is streamlined, with just one receiver and one lawyer, she said.

And Wain is already working to sort out the company's finances. She said replacing the receiver would drag out the process.

Florian Mumford, captain of the F/V Dream, Jim Kary, owner of F/V The Beachcomer, and Kary's nephew, Ross Kary, sat in the courtroom while the two attorneys argued.

Referring to GemCap as the lifeblood of Jessie's didn't sit well with Ross Kary, who is working to get his uncle the money he is owed by Jessie's.

"The fishermen are the lifeblood of the company," Ross Kary said.

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