

Groups seek pause in long-running Columbia River salmon dispute

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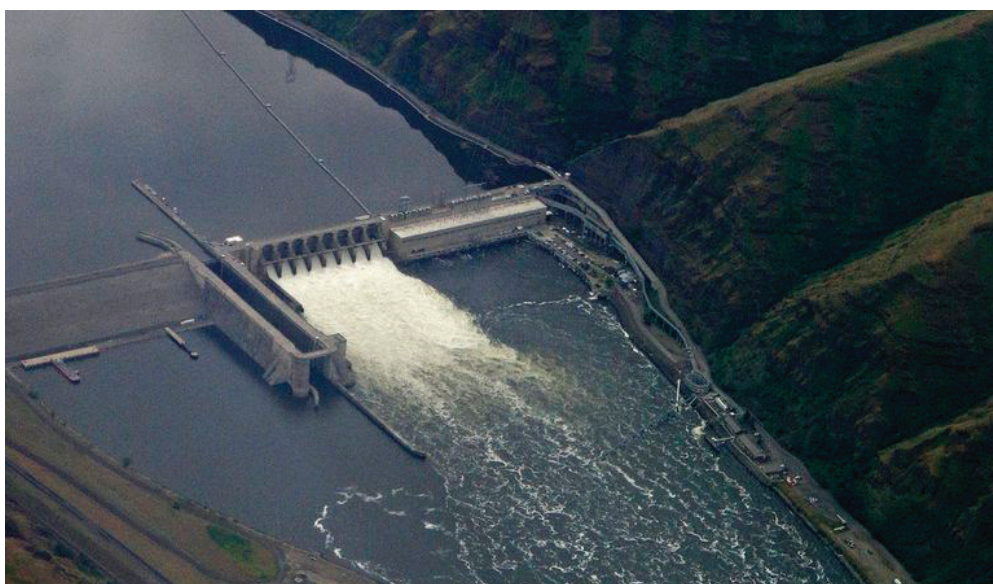
A legal dispute over the impact of hydroelectric dams on salmon runs in the Columbia River basin has been winding its way through federal court for more than 25 years.

It's been on hold for the past year while stakeholders develop a long-term plan that protects fish while safeguarding the region's power system.

On Thursday, a coalition of tribes, environmental groups and the U.S. government asked a federal judge for another year to craft that vision.

Supporters say "business as usual is not an option" as they seek to restore historic runs of salmon and other fish. They say the construction of more than a dozen dams has made it hard — and often impossible — for salmon to swim from Northwest rivers to the ocean and back.

"Salmon are running out of time and barreling toward extinction," Erin Farris-Olsen, regional executive director of the National Wildlife Foundation, said in a statement. "Time is of



Ted S. Warren/AP Photo

The Biden administration has released two reports arguing that removing dams on the lower Snake River may be needed to restore salmon runs to historic levels in the Pacific Northwest.

the essence."

The request follows the release of a federal report that found removing some dams on the lower Snake River — a tributary of the Columbia — might be required to restore salmon runs to historic levels. According to the federal government, anywhere from 7.5 to 16 million adult salmon and steelhead once swam the region's waterways, providing food for over 130 wildlife species, such as orca, bears

and wolves.

Republican lawmakers, including U.S. Rep. Jaime Herrera Beutler, of Washington state, and U.S. Rep. Cliff Bentz, of Oregon, wrote a letter to federal officials in support of keeping dams on the lower Snake.

"The infrastructure on the Columbia River system provides invaluable benefits to the Pacific Northwest, including carbon-free energy, flood control mitigation, irrigation, navigation

and recreation benefits," the lawmakers wrote in a statement. "Balancing these vital interests with species conservation is not an easy task. It is made significantly more difficult when science and collaboration is replaced by politically-motivated intervention."

Federal officials say it would be possible to replace the energy lost by removing hydroelectric dams and it would cost \$11 billion to \$19 billion.

Port: 'We've got to be careful with our resources'

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The Port of Ilwaco left the task force in 2015. In 2016, some Port of Astoria commissioners urged the Port to end membership.

The task force assists in the development, management and implementation of habitat restoration projects in the region.

Denise Löfman, the executive director of the task force, encouraged commissioners at Tuesday's meeting to maintain the Port's membership.

Löfman pointed to the longtime relationship, as well as the continued involvement of Clatsop County and a number of cities, as selling points.

"I know that CREST has not provided any support or real assistance to the Port in the last few years — as the Port has staffed up, you haven't really needed our help," she said. "... The county (and) all of the cities remain members of CREST and we would really, really like to continue to have the Port be a partner and be able to assist where we can."



Joshua Bessex/The Astorian

The Port is doing a study on a tide gate at Vera Slough near the Astoria Regional Airport in Warrenton.

Löfman also mentioned previous work the task force did with sediment management at the West Mooring Basin.

Dirk Rohne, the commission's president, noted that the organization has done important and beneficial work, but was skeptical if their work was still of value to the Port.

"We've got to be careful with our resources," he said.

Löfman noted that in the mid-2000s, the task force had a staff member working "more than part time for the

Port."

Will Isom, the Port's executive director, said the Port has an environmental specialist who fills the day-to-day tasks that may have been previously done by outside contractors. Isom did not give an opinion about the agency's membership in the task force.

Commissioner James Campbell was the most vocal critic.

"Can you point out to me, in the last 10 years, what they've done for us, for the Port? It's another layer of

government I don't think we need," he said.

In recommending the Port end membership, Campbell cited the aftermath of a tide gate project at the Astoria Regional Airport in Warrenton.

Nearly two decades ago, the task force worked with the Port to make improvements to the Vera Slough tide gate, which included raising the water levels to add acres of wetlands. However, Port staff have indicated that the water table is too high, causing flooding and erosion to some of the airport's infrastructure.

"I really got a bitter taste in my mouth about that," Campbell said.

A grant obtained from Business Oregon will allow the Port to perform a study on the tide gate.

Commissioner Robert Stevens and Commissioner Scott McClaine agreed with Campbell and Rohne's concerns.

"I don't see anything coming our way at all," Campbell said.

"If it does, we can go back in," Stevens replied.

Ballot title: 'There's a lot of facets to this industry, but we're well entrenched in the area'

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Cities on the North Coast have taken steps to restrict vacation rentals. At the county level, the debate has mostly been dominated by the concerns of people in wealthy enclaves where part-time residents and second homes are common.

Impartiality

The referendum's chief petitioner, Charles Dice, of Cove Beach, is challenging the way District Attorney Ron Brown prepared the ballot title.

Dice's Portland land use attorney, Daniel Kearns, argues that the ballot title, as worded, is not impartial, fails to describe the purpose of the measure and contains emotionally loaded language designed to persuade voters to reject the measure, according to the petition for judicial review in Circuit Court.

Kearns asks the court to invalidate the proposed ballot title and certify an alternative one that he believes more clearly spells out the primary effect of the measure, which would be to "reinstate the prior land use regulations," he wrote.

The county's development code has specifically allowed vacation rentals in Arch Cape



Lydia Ely/The Astorian

A house displays a sign advertising vacation rentals in Arch Cape.

since 2003. In a letter to the county counsel last year, Kearns wrote that a "fundamental (tenet) of land use law that is important here is the notion that uses expressly listed as allowed in one zone but not in another implies that ... those uses are prohibited in all zones where they are not specifically listed."

Dice lives in an area zoned Coastal Residential. He and Cove Beach residents aligned with him have retained Kearns, who wrote to the community development director in 2020: "Because STRs are not listed as being allowed in the (Coastal Residential zone), they are presumptively not allowed."

Kearns argues that short-term rentals, never an explicitly mentioned use in the

county code except in Arch Cape, were permitted in violation of that code.

Owners of vacation rentals have pointed out that people have rented their beach homes for decades. Adding them to the 16 zones, they argue, aligns the code with a long-established practice and precedent.

After county commissioners passed the ordinance, they directed county staff to create a plan to impose a limitation on the number of vacation rentals allowed in specific zones — a fact mentioned in the ballot summary — in response to worries that vacation rentals would continue to multiply unchecked. In Cove Beach, rentals make up about 30% of housing stock.

In the petition, Kearns

writes that the county's mentioning these pending caps is "irrelevant, manipulative, emotionally charged, and merely an attempt to calm the concerns county voters have about the proliferation of unlawful STRs," as well as "an attempt to sway voters to defeat the measure."

In addition, Kearns takes issue with the county's claim in the ballot summary that the ordinance would lead to "revoking the authorization of all unincorporated STRs outside of Arch Cape" and the loss of about \$700,000 in lodging taxes — a figure based on fiscal year 2021-22 data — as vacation rental owners can't renew their permits.

"None of this is true; all of it is emotionally charged language by referring to speculative tax and revenue implications that could theoretically happen if the county takes (or fails to take) future actions unrelated to the measure," Kearns wrote, adding that the claim is intended to "mislead voters and prejudice them against the measure with inaccurate statements about tax revenue."

'Social disruption'

A separate challenge to the ballot title criticizes it from the opposite direction.

Marie Gwydir-Moore,

Hearing: 'Very impressed with the collaborations on climate solutions happening in Oregon'

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quasi-extinction thresholds, she said. That will likely increase to 77% by 2025.

DeCoteau asked the committee to consider developing federal flood policies and guidelines to ensure properly functioning flood plains and to protect and restore cold water refuge areas to shelter fish populations from warming water.

"Tribes are disproportionately impacted by climate change due to our high dependence on the First Foods and relative vulnerability of our infrastructure. Yet tribes have been inequitably funded in natural resource and wildlife conservation," she said. "Stable, long-term funding streams are the greatest tool available to allow tribes to engage in direct climate impact decision-making and allow us to bring our traditional ecological knowledge and contemporary science capacities to the management and policy tables for the shared benefit of everyone."

Tyler Bell, the director of the Rocky Mountain region for Westervelt Ecological Services, stressed the importance of conservation within private industries. The company owns over 600,000 acres of working forests around the world and over 30,000 acres of conserved lands.

Bell asked Congress to support the private restoration industry through public restoration funding and to develop streamlined regulations and guidance. She also asked that grant language for restoration and conservation projects include the private sector.

Francis Chan, who researches ocean chemistry and ecology at Oregon State University, said the Oregon Coast is in a unique position to address climate change.

"We're ground zero, which is a bad place to be. But I think we're also ground zero for investigation," he said.

Chan added that he wants to expand the university's collaboration with local fishermen, who can deploy sensors and provide observations.

In addition to oceanic heat waves, he said climate change has increased

zones of water with low oxygen levels. "Dungeness crabs, the most valuable fishery on the West Coast, can suffocate in the pots of fishermen before they're brought to market," he said.

Chan asked for continual investment in ocean research, innovation and workforce development.

Elaine Placido, the executive director of the Lower Columbia Estuary Partnership, said the program plans to expand research, mapping and monitoring efforts using funding from the federal infrastructure law. Their projects include flood plain restoration near Clatskanie and monitoring the mouth of the Columbia.

Placido said adapting to climate change will require new infrastructure, integrating resilient native plant species on shorelines and identifying pockets of cold water that could serve as refuge for fish.

Bonamici highlighted her Coastal and Ocean Acidification Research and Innovation Act, which Congress passed as part of the \$280 billion CHIPS and Science Act in late July. It aims to increase investments in coastal research and monitoring and study the socioeconomic impacts of climate change.

"We need to do more," the congresswoman said. "Important actions we could and should take include investing in ocean-based climate solutions like blue carbon, building a stronger blue economy and bolstering the health of our ecosystems to protect our coastal communities and marine industries."

After the hearing, Bonamici said there's more to do, and more to learn.

"I hope we can take some good lessons back, that addressing these ocean health issues and addressing issues of healthy estuaries and healthy coastlines, it's good for the community, it's good for the economy and it's good for the planet," she said.

Castor said she was "very impressed with the collaborations on climate solutions happening in Oregon. And you've got to get out of Washington. You really do. It's impossible to have your finger on the pulse of what's happening across the country unless you get out."

who works in the vacation rental industry and owns a rental in the unincorporated Surf Pines neighborhood, wrote in a petition that the projected \$700,000 loss, far from irrelevant, understates the "substantial economic and social disruption that will be caused to the entirety of Clatsop County" if voters approve the measure.

Gwydir-Moore, who lives on the North Coast part time, elaborated in an interview: "This is more than \$700,000 that's just going to the county. Short-term rentals bring in millions of dollars that trickle (down) to the business owners, the retail shops, the con-

tractors, the housekeepers. These are real people that are living in the community, and if they're struggling now, what the hell's going to happen to them when they lose their jobs?"

The impact on the people whose jobs depend on the continuation of vacation rentals in unincorporated areas has largely been lost in the conversation, she said.

"There's a lot of facets to this industry, but we're well entrenched in the area," she said, "and if so many people are involved in hospitality, and you just wipe out all these vacation rentals, what happens to the economy?"

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