

UMATILLA

City denies zoning change in McNary

9-acres will remain commercial, housing development stalls

By JADE MCDOWELL
East Oregonian

A proposed housing development in McNary won't go forward after the Umatilla City Council denied a request for a zoning change. Pasco-based developer Fastrack, Inc. requested in March that the city re-zone the empty nine-acre parcel across from the Quality Inn

from commercial to single-family residential. The developer planned to build 38 new homes valued at \$130,000 to \$160,000 each. The request sparked a discussion about the future of McNary. Some councilors wanted to stick with the city's vision of attracting neighborhood businesses within walking distance of McNary homes, while others said that

it was time to try something new after the property had failed to attract commercial investment for decades. On Tuesday, after time to think over the issue and discuss it with constituents, the city council unanimously rejected the request for a zoning change. Councilor Mary Dedrick said she agreed that more housing was needed, but

thought that it should be larger houses on larger lots. Since the city doesn't have control over what size of house developers build on a given property, she said she couldn't support the zoning change. "People in the community do want housing there, but they want bigger housing, and higher end, since it's across from the golf course," she said. Councilor David Lougee agreed that even if more

housing was needed the city should proceed with caution. "Empty lots or houses, I'd take houses," he said. "However, I think we need to be careful, and if something doesn't meet the needs then I think we shouldn't open that door." In presenting the issue to the council, city planner Bill Searles explained that the planning commission and planning staff had disagreed over whether the request met the criteria for a zone change

in the first place. Staff felt that there was other property that could accommodate the development and the planning commission felt there wasn't. Councilors voted to accept the staff findings that there was other suitable property available and that the request did not meet the criteria for a zone change. Contact Jade McDowell at jmcdowell@eastoregonian.com or 541-564-4536.

PUC won't shorten length of small renewable contracts

By GEORGE PLAVERN
East Oregonian

The Oregon Public Utility Commission has ruled against Pacific Power's request to shorten the length of federally mandated contracts with small-scale renewable energy projects. Advocates of wind and solar power hailed the decision, arguing that shorter contracts would undercut financing for developers. Pacific Power, however, says the longer fixed-price contracts leave ratepayers on the hook as green energy becomes cheaper to produce. The issue stems from a law enacted in 1978 known as the Public Utility Regulatory Policies Act, or PURPA. The law requires utilities like Pacific Power to purchase renewable energy from qualifying facilities, so long as the price being offered is at or below what it would cost to generate that same power on its own. Qualifying facilities vary from state to state. Oregon regulators previously capped the size of eligible wind and solar projects at 10 megawatts. Developers then enter into standard contracts with utilities for 20 years, including 15 years of fixed pricing. Pacific Power wanted to limit PURPA contracts to two years in Oregon. Spokesman Ry Schwark said the reason has to do with the falling prices of renewables; as it becomes cheaper to produce wind and solar, the long-term fixed contracts prevent customers from being able to capitalize on those savings on their energy bills, Schwark said. "Our position has been that we like renewables just fine. What we don't

like is our customers being overcharged for those renewables," Schwark said. "We need more flexibility in PURPA to reflect continually falling prices of renewables, so customers can benefit from those falling prices and not just Wall Street bankers." The Oregon PUC issued its ruling March 29, denying Pacific Power's request and stating the current setup of 20-year contracts "continues to have merit." A variety of renewable energy and environmental groups intervened in the case with a different view of Pacific Power's intentions. They maintain shortening contracts would have made it much more difficult, if not impossible, to get financing for community-sized wind and solar farms, effectively stifling development. Oregon's two Democratic senators, Ron Wyden and Jeff Merkley, wrote to the PUC in February expressing their concerns of the proposal and asking for the commission to consider "the need for contractual certainty for community-scale energy development." "At the federal level, we are working to maintain PURPA as an effective tool to put clean energy on the grid and create jobs and infrastructure in rural communities," the senators wrote. "PURPA is an important component to our renewable energy strategy for both the state and the nation." Amy Hojnowski, senior representative for the Sierra Club's Beyond Coal campaign, said the PUC decision will help spur more homegrown renewable energy projects — which will be crucial in the coming years, since Oregon lawmakers recently passed

a bill that commits Pacific Power and Portland General Electric to provide half its energy generation in the state from renewable sources by 2040. Existing hydroelectric power doesn't qualify as a renewable source under state rules. "We will continue to work to ensure that clean energy solutions are protected for all Oregonians to enjoy," Hojnowski said in a prepared statement. The PUC did grant one concession to Pacific Power in its ruling, lowering the cap on qualifying solar facilities under PURPA to 3 megawatts, instead of 10. That determination came on the heels of "unprecedented growth" in qualifying facilities within PacifiCorp's service territory. Last year, one developer entered into five contracts for 36.5 megawatts of solar energy in a single day. "Although the vast majority of the projects were for 5 megawatts and above, and most were 10 megawatts, there were three that were 3 megawatts or less. This indicates that (qualifying) projects located in PacifiCorp's service area as small as 3 megawatts can be viable," the ruling states. The Oregon Department of Energy supported the use of 3 megawatts as a breakpoint for solar contracts under PURPA. The cap on wind farms remains 10 megawatts. Schwark said Pacific Power will continue to advocate for fair pricing for customers, but there are no immediate plans following the PUC's ruling. Contact George Plaven at gplaven@eastoregonian.com or 541-966-0825.

Circuit court revamps judges' work

By PHIL WRIGHT
East Oregonian

The five judges of Oregon's 6th Judicial District are reworking their case loads. Judge Ron Pahl has been on the local circuit court for Umatilla and Morrow counties since 1998. He decided not to seek another four-year term. Two attorneys, Jon Lieuallan of Pendleton and John Ballard of Hermiston, are running for the open seat. The winner, though, will not inherit the family and juvenile docket Pahl has had for almost 20 years. Instead, the new judge will have a more typical mix of criminal and civil cases. Trial court administrator Roy Blaine said the district's judges have been planning changes since late 2015 after attending a conference and finding out what other courts are doing. The work is ongoing and stems not from the upcoming election, he said, but rather from Oregon Supreme Court Chief Justice Thomas Balmer's order for courts to find ways to improve. Blaine said Courtroom 2, Pahl's court, will switch its docket with Courtroom 3, where Judge Lynn Hampton works. Hampton will take on drug court as well. The change in dockets goes into effect at the start of 2017, while other changes are happening along the way. Presiding Judge Dan Hill

in Hermiston is taking on all cases coming out of the two state prisons in the county. Blaine said Eastern Oregon Correctional Institution in Pendleton and Two Rivers Correctional Institution in Umatilla generate their share of criminal and civil matters. The court also is revamping how it distributes cases, Blaine said. One defendant, for example, could have multiple cases and different judges overseeing each. The court is shifting to have one judge preside over multiple cases involving the same party. Blaine said that allows judges and attorneys to be more familiar with

a situation as a whole and could produce better legal outcomes. Probate matters and mental health cases are staying with Judge Christopher Brauer in Pendleton, and Judge Eva Temple in Hermiston continues over most small claims and tenant/landlord issues. Blaine said the court aims to become more efficient, and whether Lieuallan or Ballard wins does not change his role of representing them to the public and bringing public concerns to them. "I look forward to having a new judge come on," he said, "and learn the ropes."

BRIEFLY

Main Street Cowboys wrangle in carnival fun

PENDLETON — With spring in the air, it's time to kick up your heels in the outdoors — and the Main Street Cowboys have the perfect activity with their annual Spring Carnival. Davis Shows Northwest will be in town, offering everyone's favorite rides and "fair food" treats. The fun gets underway Wednesday, April 13, at 5 p.m. in the parking lot at the Pendleton Chamber of Commerce on South Main Street and Frazer Avenue. The carnival continues daily at noon through Sunday, April 17. It runs into the evening with closing dependent on how many people are still out enjoying the rides and food. The cost is \$3.75 per ride, \$32 for a book of 10 ride tickets or an individual all-day ride pass for \$25. For more information, visit www.mainstreetcowboys.org or call 541-276-3901.



EO file photo
Lights from the Octopus blur in a circular pattern in this 8-second exposure at the Davis Shows Northwest last year in Pendleton. The Main Street Cowboys Spring Carnival will be in town April 13-17 in the Pendleton Chamber of Commerce parking lot at Main Street and Frazer Avenue.

Council approves convention center rate hike

PENDLETON — After the Pendleton City Council passed a 25 percent rate hike for Pendleton Convention Center, Councilor Neil Brown quipped that it was one of the few times a staff member got more than they asked for. Under advisement of the convention center commission, center employee Kathy Marshall originally asked for a 20 percent raise in fees, the first raise in 10 years. Marshall said the hike shouldn't affect the center's ability to attract business and was a necessary measure to stay competitive with other event centers. Councilor Al Plute said the gap between rate hikes was another example of a city fee not meeting the value of the service and urged the council to raise the rate increase to 25 percent.

The council agreed and unanimously approved the increase.

EOT expanding fiber network

HERMISTON — Hermiston residents have a chance to bring ultra-fast fiber optic Internet to their neighborhood, but they have to make their voices heard. And doing so will cost them \$4.99. Eastern Oregon Telecom has identified 10 possible zones in the city to expand its fiber optic network to more homes and businesses, but the company wants to invest where people are most interested in connecting to the network. As a result, EOT has set up an online voting system and will build in the zones where enough residents and business owners express interest in connecting to the network. Interested residents can enter their address at join.eotfiber.com to see if they live in one of the 10 zones. If they do, they can pay \$4.99 to fill out a survey adding their names to the list of backers for expanding the project into their neighborhood. EOT brought fiber optic Internet to Hermiston a year ago, and so far 475 homes and businesses have been hooked up to the network. Franel said fiber-optic networks help make communities and homes attractive just as good water, power, transportation

and schools do. One study shows a connection to Internet speeds of 1,000 megabits per second increases a home's value by more than \$4,000.

NRCS seeks proposals for innovation grants

The Natural Resources Conservation Service is offering Oregon up to \$250,000 through its Conservation Innovation Grant program, supporting projects that bolster conservation while also boosting agricultural production. Individuals, tribes, local governments, businesses and organizations are all eligible to apply for funding. The deadline to submit applications is 4 p.m. May 23. Proposals must be located within Oregon and may be county-based or statewide in scope. Successful applications must involve farmers and ranchers who meet eligibility for the NRCS Environmental Quality Incentive Program. Grants do not pay for research, but rather on-the-ground work addressing resources such as energy, air quality, water quality, plant health and wildlife habitat. Applicants can ask for up to \$75,000 in federal funds, which must be matched through non-federal sources. For more information, contact Program Manager Todd Peplin at 503-414-3292 or todd.peplin@or.usda.gov.

PUBLIC NOTICE
Notice of Availability of the Naval Weapons Systems Training Facility (NWSTF) Boardman Environmental Impact Statement (EIS) Record of Decision

The U.S. Navy, in cooperation with the National Guard Bureau and Oregon National Guard, has announced its decision to implement its Preferred Alternative (Alternative 2) to increase the types and number of certain training activities at NWSTF Boardman; develop and enhance training facilities at NWSTF Boardman; and create additional special use airspace to support existing aircraft training. The Navy made its decision after carefully considering the potential impacts training and testing activities may have on the human, natural and cultural environment and comments from the public on the proposal and environmental analysis. The Proposed Action is needed to provide a training environment at NWSTF Boardman — including ranges, training areas and instrumentation — to better support current and future unit and personnel training requirements.

The Navy's Record of Decision and Final EIS are available online at www.NWSTFBoardmanEIS.com, and at the following public libraries: Multnomah County Central, Salem Central, West Salem, Oregon Trail Heppner, Oregon Trail Boardman and the Stafford Hansell Government Center.

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