

Error reignites Oregon rural dwelling debate

By **MATEUSZ PERKOWSKI**
Capital Bureau

SALEM — An unintentional omission from an Oregon land use bill in 2017 has re-opened the debate over “accessory dwelling units” in rural areas this year.

Legislation aimed at easing Oregon’s affordable housing crisis, Senate Bill 1051, was approved by lawmakers during the tail end of the previous legislative session.

Under one provision of that bill, ADUs — sometimes called “granny flats” — can be built in areas zoned for detached single-family dwellings in cities with more than 2,500 residents and counties with more than 15,000 residents.

That provision was only intended to apply within “urban growth boundaries,” but that language was inadvertently dropped from the bill’s text.

Unless the mistake is corrected, the bill would allow such dwellings in rural areas outside of cities.

Critics of ADUs in rural areas argue that increasing such housing would strain existing groundwater sources, septic tanks and rural roads.

Lawmakers are now being urged to pass House Bill 4034, which would correct the earlier “scrivener’s error,” by lobbyists from organizations that don’t often agree on development issues: 1,000 Friends of Oregon, a conservation group, and the Oregon Home Builders Association.

The possibility of legislation aimed specifically at ADUs in rural areas is being discussed as part of a separate work group, said Jon Chandler, CEO of the OHBA, which usually advocates for relaxing land use restrictions.

While the problem would

seem easily fixed, the situation is awkward because two lawmakers on the House Agriculture Committee — Brad Witt, D-Clatskanie, and David Brock Smith, R-Port Orford — said they weren’t aware the “urban growth boundary” provision was omitted accidentally.

During a Feb. 6 hearing before the committee, Witt said he supported the earlier legislation because he wanted to allow more accessory dwellings in rural areas and would be disappointed to see the provision changed.

“If you strike a deal, you ought to let us all know a deal has been struck,” Witt said, referring to the urban growth boundary limitation.

Representatives of the Association of Oregon Counties and the Oregon Association of Realtors urged lawmakers not to restrict ADUs to cities.

Oregon is facing a housing crisis, so additional ADUs in rural areas would increase the housing supply without spending public money, said Mike Eliason, legislative director of AOR.

The law could be changed to allow counties to choose whether to allow ADUs in rural areas or to establish standards for their development, he said.

The committee’s chair, Brian Clem, D-Salem, chastised these lobbyists for “poor judgment,” noting they might someday be disadvantaged by an error in an otherwise “good faith” compromise.

Clem said that he disagrees with exploiting the error though he’s not opposed to negotiating over ADUs in rural areas.

“I think it’s absurd the tactic that you’re using,” he said.



Hunger used to target Rohingya in Myanmar

By **FOSTER KLUG**
Associated Press

NAYAPARA REFUGEE CAMP, Bangladesh — Abdul Goni says the Myanmar government was starving his family one stage at a time.

First, soldiers stopped the Rohingya Muslim from walking three hours to the forest for the firewood he sold to feed his family. Then Buddhist neighbors and seven soldiers took his only cow, which he rented out to fertilize rice fields. Next, he says, they killed his uncle and strung him up on a wire for trying to stop the theft of his buffalos.

By the time Goni saw bodies floating down the local river, of fellow Rohingya killed for illegal fishing, he knew his family would die if they didn’t leave. On bad days, they carved the flesh out of banana plant stalks for food. On the worst days, his children ate nothing.

“I felt so sorry that I couldn’t give them enough food,” the 25-year-old says, tears running down his face, in a refugee camp in Bangladesh, just across the border from Myanmar. “Everything just got worse and worse. ... Day by day, the pressure was increasing all around us. They used to tell us, ‘This isn’t your land. ... We’ll starve you out.’”

First, massacres, rapes and the wholesale destruction of villages by the Myanmar military in western Rakhine state forced nearly 700,000 Rohingya Muslims to flee to Bangladesh, in reprisal for Rohingya militant attacks on Aug. 25. Now, the food supply appears to be another weapon that’s being used against the dwindling numbers of Rohingya in Myanmar.

The accounts of hunger could not be independently confirmed, as Myanmar’s government does not allow reporters into the northern



AP Photo/Dar Yasin

In this Sept. 18, 2017 file photo, Rohingya Muslims, who crossed over from Myanmar into Bangladesh, reach out for food distributed by aid agencies near the Balukhali refugee camp in Cox’s Bazar, Bangladesh.



AP Photo/Manish Swarup

In this Jan. 13 photo, a newly arrived Rohingya refugee mother feeds her daughter at a transit camp in Nayapara refugee camp near Cox’s Bazar, Bangladesh.

part of Rakhine state, where most of the Rohingya lived. However, more than a dozen interviews by The Associated Press with the most recent refugees show growing desperation, as the noose tightens around their communities in what U.N. officials have said may be a genocide. The U.N. and human rights groups such as Amnesty International have also warned of increasing hunger among the Rohingya in areas where conflict and displacement have been most rampant.

Repeated calls to Myanmar’s military weren’t answered, but the Myanmar government denies ethnic cleansing and says it is battling terrorists. Social Welfare Minister Win Myat Aye says the government has been distributing food aid to as many people as possible.

“There are many ways that we have been reaching out to villagers frequently,” he says. “And that’s why it’s not possible that there are people who are completely cut off from food or facing hunger.”

The Rohingya Muslims, who have been loathed by Myanmar’s Buddhist majority for decades, are locked down in their villages — sometimes even in their homes — and prevented from farming, fishing, foraging, trade and work, the refugees and aid groups say. In other words, they can no longer do what they need to do to eat. While restrictions on freedom of movement and access to food have long been in place, they have tightened dramatically in recent weeks, the AP interviews show.

“It was worse than a jail,” says Goni, who finally left Hpa Yon Chaung village in Buthidaung township on Jan. 5. “People at least get food twice a day in jail. ... We were always surrounded, always under stress, always watched.”

The hunger the Rohingya faced at home is evident when they come to the Bangladesh camps, where new refugees, especially children and women, suffer from “unbelievable” levels of malnutrition, according to Dr. Ismail Mehr.



Staff photo by E.J. Harris

Mug, an Australian shepherd-border collie mix, walks on a pile of debris caught in a fence line as flood waters rush by Wednesday at the Afdahl’s ranch east of Milton-Freewater.

FLOOD: Family does not have flood insurance

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property on North Fork Walla Walla River Road started Sunday. Ginger said she had been with her son and husband outside, then went inside for about an hour before her son poked his head in and said, “Mom, you’d better come out here.” What had been a trickle an hour before was now a flood, and soon her six-foot-tall son was waist-deep in water as they worked to move the animals and whatever else they could to the small portion of the property not flooding.

“We were out there until dark,” Ginger said. “I ended up putting my baby goat in my bathtub in my house because she was going to be under water.”

The water has receded somewhat, but Ginger said on Wednesday afternoon that family members would be working until dark for days to come to try and gather up items washed downstream and repair pasture fences no longer



Staff photo by E.J. Harris

Flood waters more than two feet deep in some places covered this pasture at the Afdahl ranch east of Milton-Freewater.

able to contain their goats, sheep, pigs and horse. A shed full of personal storage is totally water-logged, but she said they don’t have the space yet to pull everything out, spread it out to dry and figure out

what might be salvaged. She said the family doesn’t have flood insurance, because nothing like this has ever happened in 30 years on the property. Their son Chance Afdahl has started a GoFundMe

account online at www.gofundme.com/help-for-brian-and-ginger-afdahl to collect donations.

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DAIRY: Facility began operating April 2017

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last year, which required corrective actions.

Capital Press was unable to reach a representative of Lost Valley Farm as of press time.

The situation is concerning to ODA because the Lost Valley Farm facility is brand new, having just begun operating last April, said Wym Matthews, manager of the agency’s CAFO program.

“It’s like a new car, you don’t expect to have trouble with it,” he said.

In this case, though, the problems don’t stem from equipment malfunctions, but rather from management errors that weren’t remedied quickly enough, Matthews said.

It’s difficult to compare the different circumstances under which dairies receive penalties, he said.

However, fewer than 1 percent of the 880 CAFO inspections conducted by ODA last year resulted in fines, and \$10,000 for a first penalty is “a decent amount

of money,” Matthews said.

“Hopefully, they will get the message and operate according to the permit. That’s our goal,” he said.

Aside from its inspection troubles, the Lost Valley Farm was also recently sued by Daritech, a dairy equipment manufacturer, in federal court for allegedly failing to pay in a timely manner more than \$340,000 for the installation of equipment.

Another lawsuit seeking more than \$390,000 from the dairy was filed last November in state court by IRZ Consulting of Hermiston, which claims the company’s owner, Greg te Velde, hasn’t fully paid for labor, equipment, materials and other services related to the construction and improvement of real estate.

A third complaint, also filed in state court, sought to recover \$1.4 million for labor, materials and other services performed by Laser Land Leveling, Inc., but was dismissed at the plaintiff’s request last November due to a settlement.

JAIL: Treatment court might use a pro-tem judge

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working with the circuit courts of the 6th Judicial District and other stakeholders to resurrect drug court. He said the idea is to launch a more traditional model that is post-conviction but pre-sentencing, so offenders can work through treatment programs to receive less severe sentences or even have the court dismiss charges.

Roy Blaine is the trial court coordinator for the local circuit courts. He said Jillian Viles started Feb. 1 as the new treatment court coordinator, and she is helping write the policies and procedures for the program, which is under the auspices of the local public safety coordinating council.

The treatment court also

might use a pro-tem judge rather than one of the five full-time circuit court judges on the 6th District. Blaine said he advertised for attorneys to serve as the treatment court judge one day a week. Six people applied, he said, and he has to assess if they meet the requirements.

If none do, Blaine said, he was sure one of the circuit court judges would step in.

Primmer also is using Justice Reinvestment funds to seek a treatment provider for the people in treatment court. Having a sole provider cuts down on a lot of oversight, he said. The request for bids should go out in the next day or so.

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