Oregon joins suit challenging separations

Joins 16 other states

By PARIS ACHEN
Capital Bureau

PORTLAND — Oregon Attorney General Ellen Rosenblum joined a coalition of 17 state attorneys general in a lawsuit Tuesday challenging the Trump administration's policy of forced family separation at the U.S./Mexican border.

The U.S. Department of Justice had no comment on the lawsuit Tuesday night.

The complaint filed, in the U.S. District Court of the Western District of Washington, asserts that the policy violates the constitutional due process and equal protection rights of migrant parents and children, and families are separated without any determination that the parent poses a threat to the children. The practice is discriminatory because it targets only those crossing the southern border, the lawsuit claims.

"This cruel policy has already had a horrendous impact in Oregon, as set forth in our lawsuit. The thousands of children who have been ripped away from their parents at the border arrived in the U.S already traumatized by incidents in their home countries," Rosenblum said in a statement. "That is why their parents have bravely brought them here to seek asylum— not to further traumatize them, as our government is doing. It's essential we reunite these children with their families without further delay."

Out of the 123 immigrant men detained at the federal prison in Sheridan, at least six are fathers from Mexico, Guatemala and Honduras who have been separated from their children, according to the complaint.

One of the detainees has a newborn infant who was taken from him, another was separated from his 18-month-old toddler and a third doesn't know the whereabouts of his 4-year-old child, according the Mexican Consulate.

The Oregon attorney general's office also filed a brief with 17 states supporting litigation to stop the administration's temporary protected status (TPS) terminations for foreign nationals from El Salvador, Haiti and Honduras. The U.S. Department of Homeland Security's termination of TPS would strip recipients of legal authorization to work in this country and could result in their deportation to countries that are unsafe, according to the brief.

The administration's zero-tolerance policy prompted the separation of parents and children crossing the border without authorization. Parents were prosecuted for violating U.S. law, while children were sent to the U.S. Health and Human Services Department for placement with sponsors.

Trump issued an executive order June 20 to stop the separation, but questions still remain about when and how all of the families will be reunified.

At least, 2,054 children were still in HHS custody as of Saturday, according to an agency news release.

PROJECT: City pitched $39 million in projects to legislature

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know I've sat through a couple of cycles (of the traffic signal on Elm) while someone was waiting to turn left."

The sidewalk will also help provide a safer route to school for students who walk along First Place to get to Hermiston High School and Rocky Heights Elementary School.

The city won't get the funds for the project until 2022. Revenue for the transportation package will come in over time, so the state had to spread the earmarks. Morgan said it would be prudent to lay some groundwork now, however, on the off chance Hermiston has a chance to move up the list. The agreement with ODOT puts some "meat on the bones" for what was a single line in the legislative package.

He said he knew some people in town would probably have opinions about where they thought the money should be spent instead, but the city pitched $39 million in projects to the legislature's transportation committee and this is the one the legislature chose to fund.

Drotzmann said he was a little disappointed that the earmark in the legislation specifically said North First Place, when the example he had given the transportation committee was the need to redesign the intersection of South First Place and Orchard Avenue, where cars get backed up and block fire trucks and ambulances from getting through. Since the line in the legislation specifies North, the city can't use any of the money for projects south of Hermiston Avenue, including the Orchard intersection. However, he said the city was still very grateful for the money and it would be helpful in clearing up Highway 395 congestion when complete.

"Any time the state wants to give us $4.5 million, it's a good project," he said.

Hermiston Energy Services

Before its regular meeting Monday, the council participated in a work session with Nate Rivera, general manager of Hermiston Energy Services.

Rivera said HES, the city-owned utility that serves 63 percent of Hermiston, recently completed a full inventory of its infrastructure. They found a few issues — including six miles of outdated concentric neutral distribution cables underground that need replaced with newer technology — and 134 utility poles that need replaced soon.

Eighty-nine of the poles are roadside, but 45 are in back yards, where they are more expensive and time-consuming to replace. That brings up a third issue, which Rivera said was backyard overhead distribution of power that often brings lines through yards with trees and has a "high propensity for outages."

To address all of those problems, Rivera said he was looking at a two-year construction plan that would include replacing some lines around town, replacing poles and doing a 67-lot pilot project near Hermiston High School to bring some distribution lines underground.

The work plan Rivera presented would include $536,750 for pole replacement, $615,000 to replace underground cable, $325,000 to "re-conductor" some lines and $335,000 for the pilot project, in addition to the utility's regular yearly maintenance schedule, for a total of $3,321,750 during 2018-2020. He said the city had budgeted about $812,000 for HES for the upcoming fiscal year and he assumed it would be a similar rate for 2019-2020. That, combined with $1.5 million that HES was able to save during recent construction projects such as replacing meters, would leave HES about $200,000 short.

Staff photo by E.J. Harris

The city of Hermiston wants to move more in-town traffic off Highway 395 to streets like North First Place.

The city would likely need to have a conversation about raising rates to cover that, Rivera said. But in return, customers would get increased reliability, which HES has "struggled a little bit with" this year.

Rivera said he had wanted to get feedback from the council before coming back with a completed, official proposal for a vote later.

EOTEC

Monday's city council meeting wrapped up with an update from Eastern Oregon Trade and Event Center general manager Al Davis, who was hired by Venuworks to run the project after the venue-management company began a contract with EOTEC in January.

Davis said booking every weekend for months at a time has not been a problem, but he is always looking for more Monday through Thursday events. He also said while the Umatilla County Fair and Farm-City Pro Rodeo are great anchor tenants he hoped that EOTEC will someday host multiple events of that scale each year. When he worked for American Royal rodeo in Kansas City, they had a massive barbecue competition each year with over 500 contestants and more on the waiting list. Davis said someday EOTEC could host the largest barbecue contest in the Pacific Northwest.

The center still doesn't have a completed marketing plan, but Davis said he is also doing some marketing in hopes of bringing in business conferences.

"People say, 'But Hermiston is in the middle of nowhere,' and we say 'Kind of, but it's also in the middle of everywhere,'" he said. "It's between four major cities, so if you have offices in those four cities it's the perfect place to meet in the middle."

He said finding out what works takes some experimentation — a recent attempt at a flea market there "failed miserably." But Davis said when the group that tried to run the flea market apologized for the lack of vendors showing up, he told them that it was a learning experience for everybody and gave them some pointers for if they wanted to try again in the future.

Davis said he and the rest of the EOTEC staff are looking at ways to save money on operational costs, such as bringing linen service in-house instead of contracting it out.

When asked about preparations for the fair and rodeo, Davis said Venuworks was planning to bring in professionals from the Toyota Center to run the parking, and they had some good ideas that should help considerably.

"With a plan and using paid staff, we think we can get people off the road a lot faster," he said.

Davis has been meeting with the city's new EOTEC committee, which includes representatives from the fair and rodeo boards, and Davis said they were on board with the ideas. They are also planning on switching to using Ticketmaster for ticketing, which with give them more accurate attendance data than in years past.

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FOREST: Timber harvest could double

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ning of 2019 — more than a decade overdue.

"We've learned that you can't rush these processes," Montoya said. "They take time to allow for adequate input, adequate dialogue and opportunities to for our public to engage."

The Forest Service published its draft EIS in February 2014, and received more than 1,100 comments in response, most of which were negative in their feedback. That is when the agency decided to regroup and re-engage with partners representing local communities, cattlemen, loggers, public access and the environment.

Meanwhile, the forests continued to change. The massive Canyon Creek wildfire complex torched more than 110,000 acres on the Malheur National Forest south of John Day, prompting calls for more vigorous and active tree thinning and management.

The revision team itself also experienced turnover. The current team leader, Victoria Anne, took over in December 2016. The Umatilla National Forest also changed supervisors twice, from Kevin Martin to Genevieve Masters, most recently from Masters to Eric Watrud.

Ultimately, the Forest Service developed two new alternatives for the Blue Mountains Forest Plan Revision, based on the agency's original preferred "Alternative E." One of those, dubbed "Alternative E Modified," will be the preferred plan in the final EIS.

Montoya said the latest update sought to address concerns about overall forest health, timber harvest, grazing and access.

"It really tries to strike at what we heard from our public," he said.

The Forest Plan does not make any site-specific decisions — such as closing roads — though it does identify goals and desired conditions for future projects. Goals identified in the latest plan revision include healthier forests that are more resilient to fire and disease, provide clean water and long-term economic value, Montoya said.

Details remain sparse until the documents are officially published Friday, but the Forest Service is already touting a number of potential benefits, including:

- Thinning up to 33 percent of dry upland forests over the life of the plan to improve health and resiliency.
- Up to 1,173 new jobs in forest products, livestock and recreation, and $59.5 million in added income.
- Doubling timber harvest across the three forests, from a recent average of 101 million board feet to 205 million board feet.
- Approximately 242,800 animal unit months, or AUMs, of livestock grazing, consistent with the current output in the Blue Mountains forests. AUMs are defined as the amount of forage animals need to graze for one month.

The plans will also recommend Congress authorize an additional 70,500 acres of new wilderness, or about 1.3 percent of the total area.

In a statement, Peña, the regional forester, said the Blue Mountains Forest Revision honors the many years of input provided by local governments, states, tribes, federal agencies and other groups.

"We have been listening to diverse perspectives," Peña said. "Together, we are working to make our forests more resilient to change while also supporting rural prosperity."

The final EIS for the Blue Mountains Forest Plan Revision can be accessed online at www.fs.usda.gov/goto/BlueMountainsPlanRevision. Hard copies are also available at local libraries.

FIRE: Restrictions cover 2 million acres

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prevention regulations, she said. Employees must have firefighting tools and water on hand, and use fire watch services. The forestry department also advised state campers that "campfires must be dead out!"

The restrictions cover 2 million acres, according to the forestry department, and apply to private, state, county, city and tribal lands in Union, Baker, Wallowa, and Umatilla counties along with small portions of Malheur, Morrow and Grant counties within the Northeast Oregon Forest Protection District.

Knight said it looks like Oregon faces another tough fire season, but so far the northeast portion of the state has only had a few small fies from lighting strikes. The state's largest wildfire remains the Boxcar Fire near Maupin. The Incident Information System shows the blaze covers 99,500 acres, and it is currently 60 percent contained.

You can find information on public-use restrictions on the Oregon Department of Forestry, Umatilla National Forest and Wallowa Whitman National Forest online at bmidc.org/index.shtml at "Fire Restrictions" under "Current Information." And bluemountainfireinfo.blogspot.com/ is your spot for fire information in the Blue Mountains. You also can call local offices of the Oregon Department of Forestry.

LOAN: About $60,000 from general fund

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tem, and as a result, the city had more than $2.7 million in expenses from various water projects this year.

Hoping the water fund's cash flow would be enough to cover the water fund's expenses, Public Works Director Bob Patterson said the city drew only $1 million from the loan to avoid hitting a threshold that activates interest payments. But a lack of end-of-the-year cash means the water fund needs the loan.

Sewer

The sewer fund will pull another $750,000 out of the sewer reserve fund.

Patterson said the city applied for a $9.8 million loan from the Oregon Department of Environmental Quality and expected to execute it in April or May.

That has since been delayed, and the city is now looking at executing the loan in July or August. And with the city accumulating consultant fees on sewer projects, the loan is needed to cover expenses already incurred.

Pendleton Convention Center

The general fund, the city's discretionary fund derived from property tax revenue, would supply a $60,000 loan to the Pendleton Convention Center Tourism Promotion Assessment Charge Fund.

One of the convention center's main sources of revenue is the Tourism Promotion Assessment Charge, a $1.50 per day lodging tax.

The city collects the tax once every quarter, but each hotelier doesn't have to make the payment until 30 days after the quarter ends. That means hotels don't have to pay their share of the charge revenue for the second quarter until the end of July, after the fiscal year ends.

With the fund covering $185,000 for roof replacement and the beginning fund balance lower than expected, the fund needs the $60,000 loan until the next batch of tax revenue comes in.

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