

Justice Kennedy retiring, giving Trump major high court pick

Associated Press

WASHINGTON (AP) — Justice Anthony Kennedy, the Supreme Court's decisive man in the middle on abortion, gay rights and other contentious issues, announced his retirement Wednesday, giving President Donald Trump a golden chance to cement conservative control of the nation's highest court.

The 81-year-old Kennedy, often a voice of moderation over three decades on the court, provided the key vote on such closely divided issues as affirmative action, guns, campaign finance and voting rights in addition to same-

sex marriage and the right to abortion.

Kennedy informed his colleagues of his plans, then went to the White House to meet with Trump, where the president said they talked for half an hour about a potential successor and other topics. The retirement will take effect at the end of July.

Trump praised Kennedy as a man of "tremendous vision" and said his search for a new justice would begin "immediately."

Without Kennedy, the court will be split between four liberal justices who were appointed by Democratic presidents and four conser-

vatives who were named by Republicans. Trump's nominee, likely to give the conservatives a solid majority, will face a Senate confirmation process in which Republicans hold the slimmest majority but Democrats can't prevent a vote.

The other two older justices, Ruth Bader Ginsburg, 85, and Stephen Breyer, 79, are Democratic appointees who would not appear to be going anywhere during a Trump administration if they can help it.

Trump's first high court



Kennedy

nominee, Neil Gorsuch, was confirmed in April 2017. If past practice is any indication, the president will name a nominee within weeks, setting in motion a process that could allow confirmation by the time the court reconvenes in early October.

Trump already has a list of 25 candidates — 24 judges and Utah Sen. Mike Lee — and has said he would choose a nominee from that list.

Abortion is likely to be one of the flash points in the

nomination fight. Kennedy has mainly supported abortion rights in his time on the court, and Trump has made clear he would try to choose justices who want to overturn the landmark Roe v. Wade decision. Such a dramatic ruling may not be immediately likely, but a more conservative court might be more willing to sustain abortion restrictions.

"If Donald Trump, who has promised to overturn Roe v. Wade, picks someone who is anti-choice, the future of Roe v. Wade is very much in question," said David Cole, national legal director for the American Civil Liberties

Union.

Interest groups across the political spectrum are expected to mobilize to support and fight the nomination because it is so likely to push the court to the right.

Republicans currently hold a bare 51-49 majority in the Senate, although that includes the ailing Sen. John McCain of Arizona. If Democrats stand united in opposition to Trump's choice, Senate Majority Leader Mitch McConnell of Kentucky can lose no more than one vote. If the Senate divides 50-50, Vice President Mike Pence could break a tie to confirm the nominee.

TRAIN: Using existing rail reduces cost

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the I-5 corridor, Nuxoll said additional rail options are a much more effective way of relieving traffic than adding lanes to a highway.

Eastern Oregon might be a world away from the Willamette Valley, but Nuxoll said he often travels to Boise to visit family. If he had the option, he'd prefer a train to the eight-hour drive.

As a La Grande resident, association Vice President David Arnold is familiar with transportation challenges of the east side of the state.

Tucked between Ladd Canyon and Cabbage Hill, Arnold said La Grande residents often find themselves trapped in town during the winter, when the Oregon Department of Transportation closes down Interstate 84. A train would help local residents bypass the roads on a preferred alternative mode of transportation.

Perhaps the biggest hurdle to overcome for the association is finding a way to fund the new train route.

When federal funding dried up for the Pioneer line in 1997, Amtrak

tried to appeal to the Oregon Legislature to keep it running, but lawmakers passed on Amtrak's funding proposals.

In 2009, Amtrak put out a report that looked at reviving the Pioneer line and some possible routes it could take.

Although each route was more expensive than the association's proposal, Amtrak found it would take between \$379 million and \$493 million in implementation and capital costs.

Arnold said the association has not yet done a cost study for its proposal, but admitted it would take "millions of dollars" to get done.

While a new rail line would have a significant price tag, Nuxoll said all transportation is publicly subsidized. Whether it's a gas tax for road repairs for vehicular travel or the federal Essential Air Service subsidy for Pendleton passenger flight, taxpayers bear part of the cost.

The association is trying to keep the project feasible by using existing rail used by Union Pacific Railroad, although there will probably be a need for additional rail

capacity and signage.

Under the knowledge that the group will eventually approach the Legislature for funding, the rail passenger summit at EOU is meant to galvanize public and political support for the association's plans. Arnold said the association is looking to attract politicians who have previously supported passenger rail like Sen. Ron Wyden of Oregon and Sen. Mike Crapo of Idaho, as well as state legislators and local politicians from both sides of the border.

While rail service for Eastern Oregon hasn't been a priority in Salem, it has been on their radar.

Published in 2014, the Oregon State Rail Plan states that due to strong growth projections for Umatilla and Morrow counties, restoring the Pioneer line "would provide direct access to eastern Oregon and reconnect Portland with the major cities of the mountain west."

Arnold added that between bus services from Kayak Public Transit and Northeast Oregon Public Transit, there would be additional connectivity between buses and trains.

DAIRY: Poised to become 2nd largest

Continued from 1A

able including civil penalties to gain compliance," said ODA Director Alexis Taylor in a statement. "We believe the owner is not willing or unable to meet the conditions of his permit that helps protect human health and the environment."

Te Velde did not immediately return calls for comment. He may appeal the revocation within 60 days and request a contested case hearing before an administrative judge.

Lost Valley was poised to become the second-largest dairy in Oregon, behind neighboring Threemile Canyon Farms. In 2002, te Velde established Willow Creek Dairy on land leased from Threemile Canyon, selling milk to Columbia River Processing, a subsidiary of Tillamook County Creamery Association at the Port of Morrow.

By 2015, te Velde was ready to strike out on his own, purchasing 7,288 acres of the former Boardman Tree Farm to start his new business. After a lengthy and contentious hearing process that gar-

nered more than 4,200 public comments, ODA and DEQ granted Lost Valley a permit to handle roughly 187 million gallons of liquid manure each year.

Almost immediately, the dairy began racking up permit violations related to discharging liquid and solid waste. Lost Valley is within the Lower Umatilla Basin Groundwater Management Area, established in 1990 by DEQ due to elevated groundwater nitrates.

ODA sued to shut down Lost Valley in March, and while that case was ultimately settled, the state claims the dairy continued to defy its permit. The notice of revocation notes that the facility violated specific conditions related to waste storage at least 32 times from June 28, 2017, to May 9, 2018, along with a laundry list of other infractions related to maintenance and record-keeping.

"(Lost Valley's) numerous, repeated and serious permit violations have allowed wastewater and manure to be placed directly on the soil and land surfaces where they are likely to leach into groundwater," the

document states. "The ODA has information that leads it to conclude that violation of the permit's terms, even absent an indication that nitrate levels in the groundwater have increased, pose a threat to human health or welfare."

Wym Matthews, who manages the Oregon CAFO program, said revocation is an extremely rare step for the agency to take. Of 509 facilities and 880 inspections in 2017, less than 1 percent resulted in violations that led to civil penalties or injunctive relief.

"It's an extremely low percentage of activities for us to get to this point," Matthews said.

Lauren Goldberg, staff attorney with the environmental group Columbia Riverkeeper, said the decision was a common-sense move to protect Oregonians' right to clean water.

"This facility never should have had the green light to operate in Oregon," Goldberg said. "Now is the time to step back and learn lessons to make sure this public health and environmental disaster never happens again."

THURSDAY AFTERNOON & EVENING

JUNE 28, 2018

Table with columns for time slots (12 PM, 12:30, 1 PM, 1:30, 2 PM, 2:30, 3 PM, 3:30, 4 PM, 4:30, 5 PM, 5:30, 6 PM, 6:30, 7 PM, 7:30, 8 PM, 8:30, 9 PM, 9:30, 10 PM, 10:30, 11 PM, 11:30) and rows for various TV channels (FOX, KPTV, CBS, KOIN, NBC, KNDU, KGW, ABC, KVEU, KATU, PBS, KTNW, OPB) listing programs and their descriptions.

THURSDAY LATE NIGHT & FRIDAY MORNING

Table with columns for time slots (12 AM, 12:30, 1 AM, 1:30, 2 AM, 2:30, 3 AM, 3:30, 4 AM, 4:30, 5 AM, 5:30, 6 AM, 6:30, 7 AM, 7:30, 8 AM, 8:30, 9 AM, 9:30, 10 AM, 10:30, 11 AM, 11:30) and rows for various TV channels (FOX, KPTV, CBS, KEPR, KOIN, NBC, KNDU, KGW, ABC, KVEU, KATU, PBS, KTNW, OPB) listing programs and their descriptions.