

Oregon thinning project can proceed, judge rules

By **MATEUSZ PERKOWSKI**
Capital Press

SALEM — A thinning project in Oregon's Mount Hood National Forest can proceed while environmentalists try to convince a federal appeals court that old growth habitat would be logged unlawfully.

Chief U.S. District Judge Michael Mosman has denied a request by environmental groups to block an early phase of the Crystal Clear restoration project while they challenge an earlier ruling before the 9th U.S. Circuit Court of Appeals.

The environmental plaintiffs — Bark, Cascadia Wildlands, Oregon Wild and Wildearth Guardians — claim the U.S. Forest Service approved the 11,700-acre project in violation of the National Environmental Policy Act and National Forest Management Act.

Removing large trees from the forest canopy to improve fire resiliency is "highly controversial" and has "uncertain environmental effects," which means the agency should

have conducted a comprehensive "environmental impact statement" about the project, the plaintiffs claim.

The environmental groups argue the thinning project will remove habitat for the threatened northern spotted owl that will take up to 100 years to recover.

The Forest Service countered that no spotted owls occupy the area that's intended for logging and that thinning is a proven method to reduce fire danger that's not considered scientifically controversial enough to warrant an EIS.

Trees that are left in the remaining canopy after thinning will face less competition for water, light and soil, rendering them healthier and better able to withstand fire and disease, the Forest Service argues.

Last month, the judge ruled against the environmental plaintiffs' arguments that logging and road-building should be stopped while the government conducts a more extensive analysis of the thinning project.

Mosman has entered an order stating that he's

ruling in the favor of the Forest Service and High Cascade Inc., a timber company that's intervened in the lawsuit, but hasn't yet issued a written opinion explaining his reasoning.

The plaintiffs have appealed that decision and, in the meantime, requested that Mosman block a 132-acre portion of the project while their challenge is pending.

The judge has ruled against that motion, finding that multiple factors weigh against an injunction even though the environmentalists would suffer "irreparable harm" by not experiencing that harvest unit in its current state.

The project won't cause irreparable harm to the formation of snags that can be inhabited by wildlife or to the ability to view northern spotted owls in the wild, the judge said.

An injunction against thinning wouldn't be in the public interest and it's also unlikely the environmental plaintiffs will prevail in their claims the Forest Service violated federal laws, the judge said.

Oregon Court of Appeals upholds Tillamook transmission line approval

By **MATEUSZ PERKOWSKI**
Capital Press

TILLAMOOK — The Oregon Court of Appeals has upheld the approval of a 9-mile transmission line across farms and forest land in Tillamook County without explaining its legal reasoning.

Last month, the Tilla-Bay Farms dairy was joined by the Oregon Coast Alliance conservation group in arguing the project didn't comply with land use rules.

The transmission line is controversial because critics fear it will disrupt farm activities, such as aerial spraying, while encouraging trespass and vandalism of private forestland. The Oregon Farm Bureau and Oregon Dairy Farmers Association have opposed the project's approval.

The Tillamook People's Utility District says the transmission line is necessary for reliable service to the community of Oceanside, which faces power outages from vehicle and trees colliding with an existing

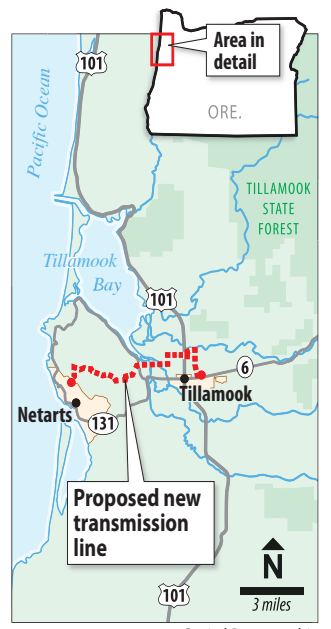
distribution line. Opponents claim the project could be avoided by building a second distribution line along existing road easements, which wouldn't take additional farm and forest land out of commission.

During oral arguments in May, the Court of Appeals mostly focused on whether such a transmission line is permissible within estuary zones in Tillamook County.

Tilla-Bay Farms and Oregon Coast Alliance argued the county government and Oregon's Land Use Board of Appeals improperly determined that transmission lines are allowable as a "similar use" to distribution lines, which can cross such estuary zones.

The utility district countered that conduit lines for transmission lines are identical to distribution lines and no support structures will be constructed within the estuary zones.

On June 19, the Oregon Court of Appeals affirmed LUBA's decision that Tillamook County had adequately followed land use



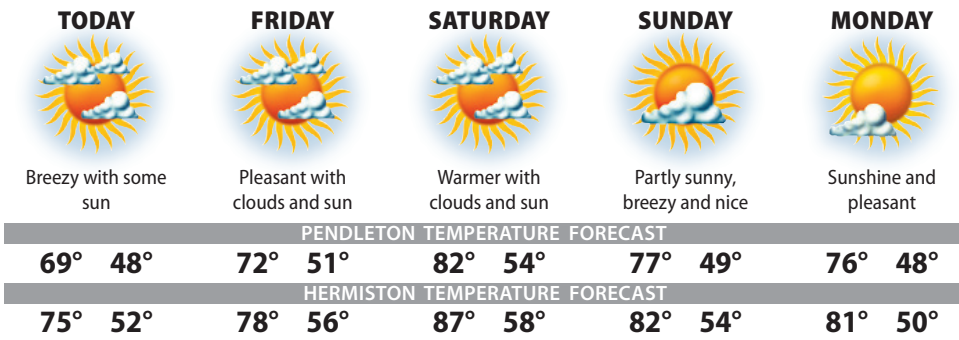
rules in approving the project but did not issue a written opinion.

The Tillamook People's Utility District is also trying to obtain the power of eminent domain to foreclose on portions of 37 properties in the path of the planned transmission line.

Critics of the project argue eminent domain power isn't justified because demand for electricity in Oceanside isn't growing as rapidly as the utility district expects.

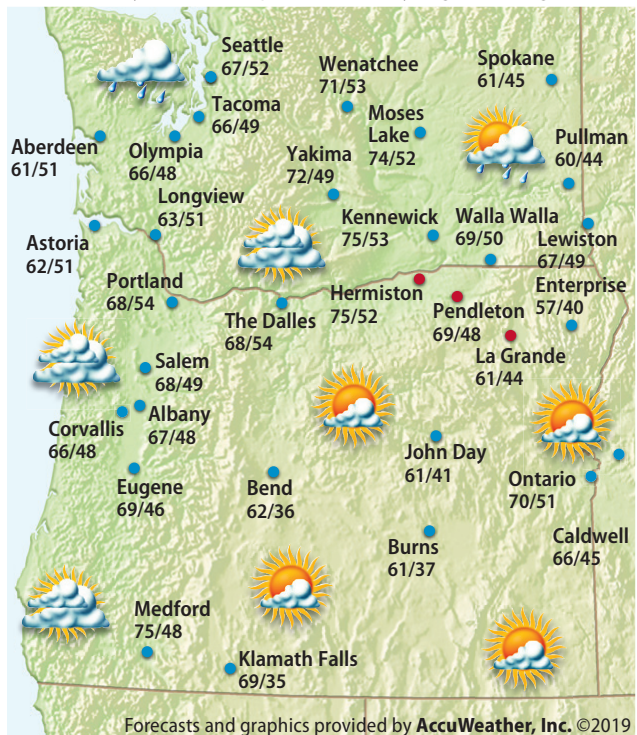
The eminent domain decision will be made by the Oregon Public Utility Commission, which is still deliberating on the matter.

Forecast for Pendleton Area



OREGON FORECAST

Shown is today's weather. Temperatures are today's highs and tonight's lows.



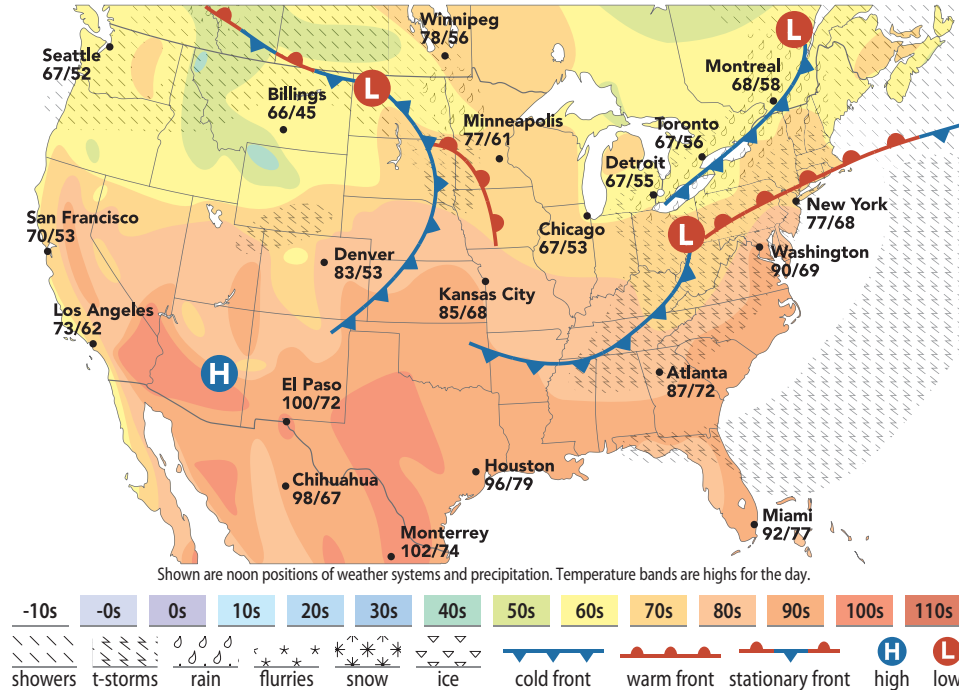
ALMANAC

PENDLETON through 3 p.m. yest.		
TEMP.	HIGH	LOW
Yesterday	73°	53°
Normals	80°	53°
Records	98° (1967)	35° (1893)
PRECIPITATION		
24 hours ending 3 p.m.	0.00"	
Month to date	0.05"	
Normal month to date	0.89"	
Year to date	9.33"	
Last year to date	6.40"	
Normal year to date	7.40"	
HERMISTON through 3 p.m. yest.		
TEMP.	HIGH	LOW
Yesterday	76°	55°
Normals	81°	54°
Records	102° (1961)	39° (2016)
PRECIPITATION		
24 hours ending 3 p.m.	0.00"	
Month to date	Trace	
Normal month to date	0.43"	
Year to date	4.42"	
Last year to date	5.10"	
Normal year to date	5.54"	
WINDS (in mph)		
Today	Fri.	
Boardman	WSW 10-20	W 4-8
Pendleton	W 10-20	WNW 6-12
SUN AND MOON		
Sunrise today	5:05 a.m.	
Sunset tonight	8:48 p.m.	
Moonrise today	11:31 p.m.	
Moonset today	8:10 a.m.	

NATIONAL EXTREMES

Yesterday's National Extremes: (for the 48 contiguous states)
High 109° in Cotulla, Texas Low 31° in Climax, Colo.

NATIONAL WEATHER TODAY



Sumpter employees placed on leave

By **JAYSON JACOBY**
Baker City Herald

SUMPTER — Sumpter's assistant city recorder said she and two of the city's three other employees are on paid administrative leave.

LeAnne Woolf, a former city councilor in the town of 210 about 28 miles west of Baker City, said Sumpter Mayor Greg Lucas told her on May 14 that she was on leave due to "overcommunicating."

Woolf said Lucas cited as an example a note she allegedly wrote on a Sumpter resident's water bill, but he didn't provide a copy.

Woolf said she wrote "Happy 2019!" on customers' bills in January, but she's not aware of anything she might have written that would have prompted her to be disciplined.

Woolf said Sumpter City Recorder Julie McKinney, and Public Works Director Jeff McKinney, Julie McKinney's husband, were both placed on paid leave Friday.

Lucas could not be reached for comment. He was elected as mayor in November 2018 as a write-in candidate.

The Sumpter City Council met on Tuesday night.

Woolf, who attended the meeting, said Lucas mentioned multiple investigations regarding city operations, but he did not elaborate.

She said Lucas told a standing room only audience at City Hall that attorneys have been advising city officials.

Woolf said the city has hired temporary employees to replace her and the McKinneys.

A company from John

Day is handling city recorder and bookkeeping duties, Woolf said.

Although Woolf said no city official has given her other reasons for her being put on leave, she has heard rumors that her "accounting practices are under investigation."

According to a written transcript of a May 16 Sumpter city budget hearing that Woolf provided, City Councilor Charlie Briscoe said Jeff McKinney had told him he had heard he would be fired.

Briscoe said he told McKinney that wasn't true, according to the hearing transcript.

Briscoe did say, according to the transcript, that he told McKinney that things need to change in the city, and that the city needs accountability.

OREGON IN BRIEF

Oregon's hate crime laws see first update since 1980s

SALEM — Oregon lawmakers unanimously sent the governor an overhaul of the state's hate crime laws on Wednesday, adding changes such as including "gender identity" as a protected class.

The proposal is the first significant update to the state's hate crime laws since the 1980s, and the move is meant to reflect a more modern-day Oregon by acknowledging the increase in crimes against transgender individuals and by encouraging more victim-focused responses to allegations of bias crimes.

"We know that hate crimes are increasing both locally and nationally," said House Majority Leader

Jennifer Williamson, a Democrat from Portland who carried the measure on the floor.

Hate crimes increased by 40% in Oregon from 2016 to 2017, according to FBI statistics, while convictions and arrests for those crimes have gone down. The number of hateful incidents is likely much higher than what the data suggests, as many local jurisdictions either didn't submit data to the FBI or reported that zero hate crimes occurred.

Port of Astoria director resigns amid criticism

ASTORIA — The Port of Astoria's executive director has resigned.

Jim Knight's resignation comes a week after a major-

ity of the Port Commission publicly lost confidence in his leadership and indicated he could be fired, *The Astorian* reported.

The Port Commission on Tuesday accepted his resignation and both sides agreed to release all claims against each other, assuring Knight will not sue the agency.

The Port will pay Knight \$221,000, including \$145,400 for alleged emotional distress, \$33,600 for economic damages and \$42,000 for his attorney fees.

The agency will also cover six months of health benefits for Knight, who is additionally eligible for the Oregon Public Employees Retirement System.

Knight left the Port's offices with his lawyer before the meeting and couldn't be reached for comment by the newspaper.

CORRECTIONS: The *East Oregonian* works hard to be accurate and sincerely regrets any errors. If you notice a mistake in the paper, please call 541-966-0818.

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