

What's New At The Library

• 2400 Resort St.

FICTION

- "The Enlightenment of Bees," Rachel Linden
- "The Ruin," Dervla McTiernan
- "The Solar War," John French
- "Stray City," Chelsey Johnson
- "Arbuckle," Russell Rowland

NONFICTION

- "The Beautiful Ones," Prince Bryson
- "The Body," Bill Bryson
- "Strange Gods," Susan Jacoby
- "The President is a Sick Man," Matthew Algeo
- "Islam Without Extremes," Mustafa Akyol

DVDS

- "The Art of Racing in the Rain" (Comedy)
- "Hobbes & Shaw" (Action)
- "The Lion King" (Family)
- "Scary Stories to Tell in the Dark" (Horror)
- "Yellowstone, Season 2" (TV series)

HOURS

- Monday through Thursday, 9 a.m.-7 p.m.;
- Friday, 9 a.m.-6 p.m.;
- Saturday, 10 a.m.-4 p.m.;
- Sunday, noon-4 p.m.

Democrats meet Nov. 21

The Baker County Democrats will have their monthly meeting on Thursday, Nov. 21, at Rogers Fellowship Hall, 1995 Fourth St. Refreshments and conversation will start at 5:30 p.m., with the meeting at 6 p.m. They will be discussing the holiday event among other topics. Everyone is welcome.

Delays near Oxbow Nov. 19

Drivers should expect delays of up to two hours Tuesday, Nov. 19, starting at 9 a.m. PST near Idaho Power's operations center at Oxbow due to blasting that's part of road work.

ARREST

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Shelly Demma of Halfway reported that she was driving along Hughes Lane at 12:52 p.m. Tuesday when she saw Heredia walking east on Hughes Lane pointing what appeared to be a silver gun at cars passing by him, according to court documents.

Demma turned onto Kirkway Drive and called 9-1-1 to report the incident. She told the dispatcher that Heredia was wearing a blue bandana over his face.

As she drove back toward Heredia to get a better description of him, she told police he pointed the gun at her vehicle, the vehicle in front of her and at the vehicle behind her.

Demma said she was frightened by the experience and swerved her car when Heredia pointed the gun at her. She said she couldn't get a good look at the gun because she



Heredia

was driving.

Officer Johnathan Parsons of the Baker City Police Department stopped Heredia and discovered that what he had been pointing at passing vehicles was half of a plastic silver toy gun.

Police Chief Ray Duman said the recklessly endangering charge alleges that Heredia created a risk of injury to Demma when he pointed what appeared to be a firearm at her while she was driving, causing her to swerve.

The menacing charge alleges that he placed Demma in fear of being seriously injured, and the disorderly conduct charge accuses him of recklessly creating public alarm by engaging in threatening behavior.

Heredia was arrested and lodged at the Baker County Jail where he is being held on \$10,000 bail. He may be released upon posting \$1,000, corrections deputy Brandon Mastrude said Thursday.

Heredia also is being held on a Baker County warrant charging him with a post-prison supervision violation.

TOWER

Continued from Page 1A

"If that testimony is submitted electronically, I recommend calling to verify that we received it by the deadline," said Holly Kerns, director of the Baker City-County Planning Department.

The Planning Commission will meet next on Wednesday, Dec. 4, at 6 p.m. at City Hall, 1655 First St. The Commission will not take public testimony at that meeting, but it could make a decision on Verizon's application for a conditional-use permit. The company had to apply for the permit because its proposed tower, at 70 feet, is 20 feet higher than the city's zoning ordinance allows in the industrial zone without a permit.

The proposed site is just north of D Street near its intersection with East Street, north of the Baker County Fairgrounds and Leo Adler Field.

As was the case during the Commission's Oct. 16 meeting, several residents attended Wednesday's meeting to urge commissioners to reject Verizon's application.

Mike Malone submitted a petition he circulated that included signatures of 142 residents opposed to the tower.

Several people told commissioners Wednesday that the proposed tower would mar their views. Although the 2.2-acre parcel where the tower would be built is zoned industrial, there are residential neighborhoods nearby.

Although Eva Henes, senior planner for the Baker City-County Planning Department, reminded the audience that federal law prohibits local governments from making decisions on cell towers based on health concerns, several residents cited such concerns in their comments and written testimony.

In a letter, Gretchen Stadler wrote that "I use and support wireless technology, but I am concerned about its related and increasing health effects."

In a letter, Joan and Randolph Tracy wrote that "Industrial activities, like cell

towers, should be limited and confined to planned industrial sites or best of all, where other arrays currently exist."

Cynthia Roberts wrote that although the proposed site is zoned industrial, "it is also surrounded on 3 sides by residential."

Roberts contends that allowing the cell tower would reduce property values, affect residents' views and force them "to endure the noise of the tower's generator."

Although no residents testified in favor of the tower, attorney Michael Connors of Hathaway Larson LLP in Portland attended, representing Verizon.

Connors, who read a written statement, said Verizon is willing to camouflage the single-pole tower with green material intended to make the tower resemble a tree.

"Although the (Baker City) code doesn't require it, our client agreed to do it in this case," Connors said. "They heard the testimony, they understand concerns about visual impact and in this case, agreed to propose a monopine stealth facility."

The "branches" would add 5 feet to the tower, making it 75 feet tall.

Connors told commissioners that engineers picked the 2.2-acre parcel because a tower there would meet Verizon's goal of improving cell coverage in Baker City.

"I think if you look at the evidence, understand that we've got expert evidence from our RF (radio frequency) engineer, that is explaining and showing through some of our data that there really is coverage and capacity need," Connors said.

He noted the city hired an independent RF consultant to review Verizon's material, and the consultant agreed with that analysis.

In response to concerns raised by citizens, Connors said existing Verizon facilities in this area are at maximum capacity.

"As each wireless facility has a fixed amount of system capacity, the only way to add capacity is to provide a new facility," Connors said.

LAWSUIT

Continued from Page 1A

The B2H project is undergoing a multi-year review through the Oregon Department of Energy. Idaho Power, which is partnering with PacifiCorp and the Bonneville Power Administration, hopes to start building the line in 2023.

Jim Kreider of La Grande, co-chairperson of the Stop B2H Coalition, said Thursday that the group filed the lawsuit because of a pending legal deadline to challenge the BLM's authorization of the proposed route.

The BLM's Record of Decision for B2H was signed on Nov. 17, 2017. Kreider said legal challenges to that decision must be filed within two years.

"We had until this Friday to do something," Kreider said. "The clock was running out."

He said the Stop B2H Coalition had sought to avoid litigation by sending a letter to the BLM on Oct. 2 asking the agency to write a supplemental environmental impact statement that takes into account information about the possible effects of the power line that

the Coalition has gathered since 2017.

That letter reads, in part, "New information available since the (environmental impact statement) and (Record of Decision) were issued shows that the IPC (Idaho Power) cannot justify its 'need' for the B2H Project, and therefore it is unreasonable that BLM allow the project to proceed."

Kreider said the Coalition didn't receive a response from the BLM.

"The only thing we could do was file litigation to keep this alive," he said, referring to the Coalition's challenge to the BLM's 2017 decision.

A lawsuit was not the group's preferred option, Kreider said.

"Going to court's going to cost us a lot of money," he said.

The plaintiffs, who include Kreider and his wife, Fuji Kreider, who live less than half a mile from the proposed power line route, and Gail Carbiener of Bend, a member of the Oregon-California Trails Association, are represented by Portland attorneys David H. Becker, Oliver J. H. Stiefel and Maura C. Fahey.

Idaho Power is not a defendant in the lawsuit.

The defendants are the BLM, Theresa Hanley, the agency's acting state director for Oregon and Washington, the Forest Service and Tom Montoya, supervisor of the Wallowa-Whitman National Forest.

Jordan Rodriguez, a communications specialist for Idaho Power, said the company does not have a specific response to the lawsuit since the company is not a defendant.

"B2H remains an important priority for Idaho Power as we continue toward our goal of providing 100% clean, renewable energy by 2045," Rodriguez said. "We are continuing to work through the permitting process."

In the lawsuit, the plaintiffs contend that Idaho Power's current proposed route near La Grande is different from the route listed during the BLM's review prior to the agency's decision.

"There has been a lot of new information about the project's likely destructive impacts on Eastern Oregon," Kreider said. "We are trying to prevent catastrophic damage to our public and private lands by an out-of-state corporation which prioritizes profits for its shareholders."

east of Baker City.

Other issues cited in the lawsuit include:

- Wildfire danger: The lawsuit reads: "The (environmental impact statement) also did not take a 'hard look' at the risk of wildfire damage from the B2H transmission line. Significant new information, including the November 2018 Camp Fire in Paradise, California, that resulted in 85 fatalities and which was sparked by power transmission lines ... illustrates the potential danger ..."

- Mill Creek alternative route, which is within 2,000 feet of the La Grande city limits. The lawsuit reads: "The (environmental impact statement's) discussion of geologic hazards and slope instability ... does not disclose sufficient information about potential dangers ... Significant new information, much of it developed in the (Oregon facility siting process) where Idaho Power first disclosed some of the likely impacts, shows that the geologic hazards and slope instability of the proposed transmission line near La Grande pose greater threats to human safety than disclosed in (the environmental impact statement)."

Cardiologist accused of unneeded pacemaker operations at Grande Ronde Hospital in La Grande

■ Whistleblower's lawsuit, which has been dropped, claims Dr. Emilia Arden implanted more than 100 unnecessary pacemakers

By Nick Budnick

The Portland Tribune

PORTLAND — A recently unsealed federal whistleblower lawsuit claimed that a longtime Portland-area cardiologist, Emilia Arden, implanted more than 100 patients with unnecessary pacemakers at Grande Ronde Hospital in Eastern Oregon.

The whistleblower dropped the case late last month, however, leaving unanswered questions in its wake about whether the allegations were true. The lawyer who filed the case says those questions should be answered.

"These are some of the most egregious allegations in a (whistleblower suit) that I've seen," said Jason T. Brown, a former FBI agent whose New Jersey law practice specializes in whistleblower cases in which the plaintiff can collect a percentage of money recouped by the

federal government.

Brown filed the case on behalf of Kathy Onwezen, a cardiology nurse practitioner who worked at the Grande Ronde Hospital in La Grande. She dropped the case after federal officials determined the hospital already had refunded Medicare for any inappropriate surgery reimbursements, limiting the suit's ability to recoup funds, according to Brown.

"I think anybody who was seen by this doctor should be notified" and consult with an independent cardiologist, Brown said. "If someone got an unnecessary heart operation, then from my perspective they deserve compensation."

Arden, 60, the cardiologist named in the suit, did not



Arden

respond to requests for comments. Nor did Onwezen.

In an email, Mardi Ford, the hospital's communications director, substantiated significant elements of the lawsuit as well as Brown's account that Medicare was reimbursed for potentially inappropriate surgeries. Ford said the hospital investigated but the findings are confidential.

"After concerns were raised regarding pacemaker implants, the hospital voluntarily performed an internal investigation," she wrote. "That investigation is covered by Oregon's peer review privilege. Dr. Arden is no longer employed by the hospital. The hospital issued certain Medicare reimbursement refunds."

The suit alleged that Arden was "induced" by gifts such as free travel from device maker sales representatives.

Worked in Portland area

Before working at Grande Ronde, Arden worked in Portland, Hillsboro and Beaverton for a decade. She had staff privileges to perform surgeries at Providence St. Vincent Medical Center in southwest Portland from 2007 to 2015 and implanted "lots" of pacemakers there, according to a Grande Ronde Hospital newsletter.

In Portland, she appears to have worked with the same device maker sales representatives she later did at Grande Ronde. The sales reps often attend surgeries to provide technical support.

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