



Mateusz Perkowski/Capital Press

Felled trees are moved in preparation for being cut into log lengths and loaded onto a truck. A settlement has been reached over a 15,700-acre timber project in Oregon's Ochoco National Forest.

Settlement reached over 15,700-acre Ochoco thinning project

By Mateusz Perkowski
Capital Press

The federal government has settled a lawsuit filed by environmental groups that objected to portions of a 15,700-acre thinning project in the Ochoco National Forest.

The U.S. Forest Service has agreed to refrain from logging within 150-300 feet of streams within about 40 units of the Black Mountain Vegetation Management Project and pay \$100,000 in attorney fees to the plaintiffs.

Attorneys for the Forest Service did not respond to requests for comment about the settlement.

The complaint was brought earlier this year by the Central Oregon Landwatch and Oregon Wild non-profit organizations, which alleged the

project failed to protect riparian areas that are critical for elk and fish.

Under the original version of the project, up to 3 million board-feet of timber was to be harvested from about 500 acres of riparian areas, said Oliver Stiefel, an attorney with the Crag Law Center who represented the plaintiffs.

A majority of those riparian acres will now be preserved from logging under the settlement, he said. "There's still thousands of acres of upland logging that's on the table."

The original version of the project was expected to generate nearly 18 million board-feet of timber.

The settlement creates logging buffers of 300 feet on either side of larger fish-bearing streams and 150 feet on either side of smaller waterways,

said Rory Isbell, attorney for Central Oregon Landwatch.

"Our intentions were to protect the most sensitive habitats," he said. "This settlement gives us what we wanted from the lawsuit."

Aside from providing shade and stream bank stability that benefit fish, riparian areas are also important to the life cycle of elk in the national forest, Stiefel said.

In autumn, male elk rely on wetted areas for "wallows" where they cover themselves in mud and their own feces and urine in preparation for mating, he said. During spring, female elk give birth in riparian areas where they have better access to food and shelter.

"These are key sanctuaries for fish and wildlife," Stiefel said.

Transparency issues surround high school proficiency requirements bill

By Hillary Bonud
The Oregonian

For the next five years, an Oregon high school diploma will be no guarantee that the student who earned it can read, write or do math at a high school level.

Gov. Kate Brown had demurred earlier this summer regarding whether she supported the plan passed by the Legislature to drop the requirement that students demonstrate they have achieved those essential skills. But on July 14, the governor signed Senate Bill 744 into law.

Through a spokesperson, the governor declined again Friday to comment on the law and why she supported suspending the proficiency requirements.

Brown's decision was not public until recently, because her office did not hold a signing ceremony or issue a press release and the fact that the governor signed the bill was not entered into the legislative database until July 29, a departure from the normal practice of updating the public database the same day a bill is signed.

The Oregonian asked the governor's office when Brown's staff notified the Legislature that she had signed the bill. Charles Boyle, the governor's deputy communications director, declined to answer.

Boyle said in an emailed statement that suspending the reading, writing and math proficiency requirements while the state develops new graduation standards will benefit "Oregon's Black, Latino, Latina, Latinx, Indigenous, Asian, Pacific Islander, Tribal, and students of color."

"Leaders from those communities have advocated time and again for equitable graduation standards, along with expanded learning opportunities and supports," Boyle wrote.

Lawmakers and the governor did not pass any major expansion of learning opportunities or supports for Black, Indigenous and students of color during this year's legislative session.

The requirement that students demonstrate freshman- to sophomore-level skills in reading, writing and, particularly, math led many high schools to create workshop-style courses to help students strengthen their skills and create evidence of mastery. Most of those courses have been discontinued since the skills requirement was paused during the pandemic before lawmakers killed it entirely.

Democrats in the legislature overwhelmingly supported ending the longtime proficiency requirement, while Republicans criticized it as a lowering of academic standards. A couple lawmakers crossed party lines on the votes.

Proponents said the state needed to pause Oregon's high school graduation requirements, in place since 2009 but already suspended during the pandemic, until at least the class of 2024 graduates in order for leaders to reexamine its graduation requirements. Recommendations for new standards are due to the Legislature and Oregon Board of Education by September 2022.

However, since Oregon education officials have long insisted they would not impose new graduation requirements on students who have already begun high school, new requirements would not take effect until the class of 2027 at the very earliest. That means at least five more classes could be expected to graduate without needing to demonstrate proficiency in math and writing.

Much of the criticism of the graduation requirements was

targeted at standardized tests. Yet Oregon, unlike many other states, did not require students to pass a particular standardized test or any test at all. Students could demonstrate their ability to use English and do math via about five different tests or by completing an in-depth classroom project judged by their own teachers.

A variety of factors appear to have led to the lack of transparency around the governor's bill signing decisions this summer. Staff in the secretary of the state Senate's office are responsible for updating the legislative database when the governor signs a Senate bill. Secretary of the Senate Lori Brocker said a key staffer who deals with the governor's office was experiencing medical issues during the 15-day period between when Brown signed Senate Bill 744 and the public database was updated to reflect that.

Still, a handful of bills that the governor signed into law on July 19 — including a bill to create a training program for child care and preschool providers aimed at reducing suspensions and expulsions of very young children — were updated in the legislative database the same day she signed them and email notifications were sent out immediately to people who signed up to track the bills.

No notification ever went out regarding the governor's signing of the graduation bill. By the time legislative staff belatedly entered the information into the bill database on July 29, the software vendor had shut off bill updates to members of the media and the public who had requested them. They cut it off because of a July 21 system malfunction, said legislative information services Systems Architect Bill Sweeney.

Oregon examines spyware investment amid controversy

By Andrew Selsky
Associated Press

SALEM — The future ownership of an Israeli spyware company whose product has been used to hack into the cellphones of journalists, human rights workers and possibly even heads of state is up in the air.

Major investors in a private equity firm that has majority ownership of NSO Group, the maker of the Pegasus spyware, are in discussions about what action to take. The Oregon state employee pension fund is one of the largest investors, if not the largest, having committed \$233 million to Novalpina Capital, the private equity firm, in 2017.

Novalpina Capital has been saddled with both an internal dispute among its founding partners and an explosive report showing NSO Group's spyware has been widely misused around the globe.

Oregon State Treasury spokeswoman Rachel Wray told The Associated Press in an email Wednesday the department is getting involved. State officials previously said investors have limited say in private equity investments once they are completed.

"I can confirm that, consistent with our fiduciary duties to Oregon beneficiaries, and along with other limited partners, (Oregon State) Treasury is involved in discussions related to our investment in Novalpina," Wray said Wednesday.

The development comes amid a serious disagreement among the three co-founders of London-based Novalpina Capital that, according to press reports from Britain, resulted in investors moving to strip control of the fund after concluding that relations between the three had deteriorated so much that they could no longer work together.

Sky News reported the dispute was about future deployment of Novalpina's 1 billion euro (\$1.18 million) fund.

On top of that internal strife, an investigation published in July by the global media consortium Forbidden Stories showed that at least 180 journalists around the world have been selected as targets by clients of NSO Group. In one case highlighted by the Guardian, Mexican reporter Cecilio Pineda Birto was assassinated in 2017 a few weeks after his cellphone number appeared on a leaked list of more than 50,000 cellphone numbers.

French President Emmanuel Macron is one of several world leaders who may have been targeted using the spyware that is capable of checking a cellphone's emails and other data and turning on its microphone and cameras.

NSO Group denied that it has ever maintained "a list

of potential, past or existing targets." In a separate statement, it called the Forbidden Stories report "full of wrong assumptions and uncorroborated theories."

The company insists it only sells to "vetted government agencies" for use against terrorists and major criminals and that it has no visibility into its customers' data. Critics have provided evidence that NSO directly manages the high-tech spying.

Oregon State Treasurer Tobias Read, who serves as the state's chief investment officer, "is following and (is) concerned about the reporting surrounding Novalpina and the NSO Group," Wray said.

Wray said she cannot get into specifics about the discussions among Novalpina's investors because of confidentiality restrictions and Oregon's obligations as a limited partner. Read declined an interview request.

Oregon was Novalpina's first major investor. Stephen Peel and Stefan Kowski, two founding Novalpina Capital partners, showed up at Oregon treasury offices in the Portland suburb of Tigard in November 2017 to make a pitch to the Oregon Investment Council, which oversees the state's \$90 billion pension fund.

"As investors, we assume we have to be contrarian," Peel told the council. "We have to find deals that other people don't see or don't want to do for various reasons."

The Oregon Investment Council unanimously approved a \$233 million commitment. It has so far provided to the fund \$65.7 million, according to the most recent statistics. The Alaska Permanent Fund Corporation and England's South Yorkshire Pensions Authority invested \$59 million and \$33 million respectively.

In 2019, Novalpina Capital and the founders of NSO Group acquired a majority stake in NSO Group from another private equity firm, Francisco Partners, that the Oregon pension fund had previously invested in.

Novalpina's largest investors are now considering picking Berkeley Research Group to replace Novalpina, the Financial Times reported. If appointed, the California-based global consulting firm would be given a mandate to return investors' money by selling the three companies Novalpina owns, including NSO, for the highest possible price, the London newspaper said.

Berkeley Research Group did not respond to a request for comment. The group's website says it "helps leading organizations advance in three key areas: disputes and investigations, corporate finance, and performance improvement."

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