

Business & Ag

FAFA members discuss County's role in USFS forest plan

COUNTY SCHEDULES APRIL 29 WORK SESSION WITH FOREST SERVICE



Brian Addison / The Baker County Press

Bill Harvey, Chair the Baker County Board of Commissioners, attends many Forest Access for All monthly meetings. He is pictured here with his wife Lorri at the April 4th meeting.

By Brian Addison
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Defining the role of local government during United States Forest Service and Bureau of Land Management land management planning projects has been a focal point of many county residents and at the forefront of attention at the Baker County Courthouse for many years. Local open forest advocates Forest Access for All (FAFA) convened for the organization's monthly meeting Saturday, April 4 and the role of county government and the process of governmental coordination between Baker County and the federal land management agencies was the main topic of discussion amongst the 40 members in attendance.

"Coordination" is a commonly used word but when used in the context of the federal government it takes on a deeper level of definition with legal significance, according to Nampa, Idaho attorney Fred Kelly Grant, founder of Stewards of the Range. Grant is widely recognized as one of the nation's leading authorities on land rights issues and on the process of coordination.

Grant has agreed to attend FAFA's annual banquet May 16 as the keynote speaker and has waived his usual speaking fee to benefit the local open forest access advocates.

"For purposes of this shortened explanation of coordination, the real 'kick' of coordination is that the agency must deal on an equal basis with the county, and then must make every lawful effort to make its planning implementation consistent with the county's plan and policies," writes Grant. "This element of consistency is the real power behind coordination. The agency can't just listen to a county, or local government unit such as a town, city, school district or other unit of government with elected officials, and ignore what it hears. It must make every lawful effort to achieve consistency."

The coordination process has been used successfully by county and city governments, school districts, and irrigation districts, and may be invoked by any local public body with taxing authority and that collects public tax dollars, according to Grant. The intent of coordination is to protect local economic, heritage, and cultural interests from adverse impacts caused by federal land management decisions.

The coordination process is mandated within many federal laws and regula-

tions that guide the federal land management agencies including the Federal Land Policy and Management Act, National Environmental Policy Act, National Forest Management Act, the Endangered Species Act, the Clean Water Act, and the Clean Air Act.

"Any official that is elected on the general ballot, and the corresponding entities, have the right to demand coordination," according to Kirk McKenzie, founder of Defend Rural America. "This includes county commissioners, sheriffs, district attorneys, fire districts, water districts, and more. But only if the local community knows enough about its right to make this request."

Grant adds, "The duty to coordinate is not subject to limitations—except one: the failure of the county or local unit of government to exercise its authority granted to it by Congress. Many believe that coordination is a complicated procedure, but it is not. It is brought into being by local government simply advising the federal agencies that is exercising the authority already given to it by Congress."

Bill Harvey, chairman of the Baker County Board of Commissioners took office this past January, and ran on the platform of coordination. He attended the FAFA meeting and also granted a subsequent interview to answer the questions, "Has the county formally requested coordination?" And, "Where is the county in the coordination process and what are the next steps?"

"I'll remind you that there are three commissioners and there has not been a consensus yet. We haven't started working on it yet," answered Harvey when asked about the county's strategy in dealing with the USFS on the Blue Mountain Forest Plan revision. "There is a history of coordination with two previous commissions and I think that's where this commission will go as well."

Currently, there are a number of federal land management projects unfolding in Baker County. The main projects include the United States Forest Service (USFS) Blue Mountain Forest Management Plan revision, Subpart A and B of the 2005 Travel Management Rule which leads to another attempt by the USFS at a Travel Management Plan in the Wallowa-Whitman National Forest, the Bureau of Land Management (BLM) project on the Idaho Power 500-kV electrical transmission line placement, BLM

preparation planning in anticipation of the listing of the Greater sage-grouse as a federally recognized endangered species, and the beginning of the BLM Baker Resource Management Plan.

Regardless of consensus amongst currently serving commissioners, past commissioners passed a resolution establishing Baker County policy on coordination, and one ordinance legally requiring county representatives to form a relationship of coordination with the federal land management agencies during land management projects.

Baker County's law requiring federal and state agency coordination, Ordinance 2001-01, begins, "Baker County has the primary responsibility for securing and promoting the public peace, general welfare, health and safety of the citizens of the County through preservation of their customs, culture and economic stability, protection and use of their environment, and protection of their private property rights."

The ordinance requires federal and state land management agencies, "Take appropriate measures, with the concurrence of the County, to mitigate adverse impacts on county culture, customs, economic stability, and the land and natural resources."

The ordinance also includes a section identifying enforcement provisions against any actions that adversely impact county interests. "The Baker County Board of Commissioners may request the Prosecuting Attorney to bring an action to enforce this ordinance in any court or administrative tribunal of competent jurisdictions and to seek cumulative remedies, including any criminal or civil penalties allowed by law, equitable relief and monetary compensation when the county tax base or the general welfare or health and safety of the citizens of the county is at issue."

Baker County's coordination policy was reiterated in 2009 by Resolution 2009-1020. The bottom-line within this most recent coordination policy states, "The Policy of Baker County is that in all federal and state agency activities, private property in the County be protected, the economic stability of the County is protected, and the safety, health and welfare of the citizens be protected, and that all these protections should be addressed and provided for in any federal or state plan, policy, or action."

Baker County Com-

missioner Mark Bennett recently felt the heat from constituents when he was quoted in a local newspaper as advocating for "collaboration" with the USFS during the forest plan revision project.

Bennett was also called out for a recent letter he and Commissioner Tim Kerns recently sent to USFS supervisors.

FAFA member Bobbie Danser was amongst those protesting the letter.

"I must say, I am disappointed, but not at all surprised by the actions both you and Tim Kerns took by your letters to the Forest Service," Danser wrote. "Dishonesty with the people who helped put you into office is not conducive to having public support for future endeavors, when you cannot be counted on to support your constituents in something so terribly important to the citizens of Baker County as the unwelcome, and unwanted Forest Plan."

Bennett was out of town on an Easter vacation but did send to local media a clarification on his intent in dealing with the USFS.

"Last Friday somehow the term Collaboration was attributed to me, this was not correct and has led to a real firestorm. My position is that the county should exercise coordination (government to government discussions) there are those instances where with the USFS cooperation should be used as a tool as coordination is not identified as an option," Bennett wrote.

County commissioners have employed land use consultant Andy Rieber for advice on protecting local assets during the forest plan revision.

"Ms. Rieber will play a minor role. We've only contracted for 10 hours for her to review our Natural Resource Plan so that the NRAC (Natural Resource Advisory Committee) will something to work with," Harvey said.

Harvey said that the 14-member NRAC has not yet been formed and that formation of the committee will take place after Rieber has had a chance to advise on the county Natural Resource Plan, which he expects to take place within a week or two.

"We're still working on filling vacant positions on the 14-member committee," he said.

On March 18, Jan Kerns, Lane Parry, Dick Fleming and Laurene Chapman were re-appointed to the NRAC.

Commissioners invited USFS representatives to a county work session April 29. Harvey said the USFS accepted the invitation.

— WEEKLY HAY REPORT —

Friday, April 3, 2015 — Eastern Oregon

Prices trended generally steady compared to the same quality last week. Trade activity and demand slowed this week. The continued good weather in several areas of Oregon has slowed down demand, as pasture grasses are growing causing end users to be able to turn animals out on pasture rather than purchase and feed additional hay. Export hay business seems to slowly be picking up, however continued issues with few containers available and backup of containers needing to be loaded at the shipping ports continues to slow down the ability to export hay overseas. Several producers have sold all that they plan to sell for this season.

Alfalfa- Large Square/Premium, 60 tons, \$220 avg.
USDA Market News Service—AMS.USDA.gov

— CATTLE MARKET REPORT —

Wednesday, April 1, 2015

Vale, Oregon

Cattle sold through the auction: 1,114

Steer Calves

300-400# Bulk 297.00 - 332.00 Top 335.00
400-500# Bulk 279.00 - 318.00 Top 325.00
500-600# Bulk 249.00 - 293.00 Top 295.00

Heifer Calves

300-400# Bulk 288.00 - 315.00 Top 319.00
400-500# Bulk 232.00 - 297.00 Top 307.75
500-600# Bulk 217.00 - 263.00 Top 264.00

Yearling Steers

600-700# Bulk 223.00 - 258.00 Top 262.00
700-800# Bulk 192.00 - 218.00 Top 221.00
800-900# Bulk 191.00 - 199.00 Top 202.00
900-1,000# Bulk 177.00 - 187.00 Top 189.00

Yearling Heifers

600-700# Bulk 212.00 - 235.00 Top 236.00
700-800# Bulk 187.00 - 208.00 Top 211.00
800-900# Bulk 184.00 - 198.00 Top 201.00
900-1,000# Bulk N/A Top N/A

Thin Shelly Cows 84.00 - 95.00
Butcher Cows 96.00 - 107.00
Butcher Bulls 97.00 - 126.00
Stock Cows 1375.00 - 1700.00
Younger Hfrts. 123.00 - 157.00
Stock Cows Yng. - N/A

ProducersLivestock.com

541-473-3136

— LOG PRICE REPORT —

Price per 1,000 board feet: Northeast Oregon

Doug Fir is \$415.00/mbf
White fir is \$365.00/mb
Ponderosa Pine is brought sold on diameter splits
6 to 11 inch dib \$300 to \$310/MBF
12 to 17 inch dib \$350 to \$375/MBF
18 to 23 inch dib \$400 to \$430/MBF
24 inch plus dib \$450 to \$500/MBF

DIB is diameter inside bark at small end of log.
MBF is thousand board feet lumber, net scale.
People interested in selling logs should call and get specific quotes from saw mills.

Courtesy of Arvid Andersen,
Andersen Forestry Consulting

— PRECIOUS METALS REPORT —

Price per ounce, USD

Gold: \$1202.70

Silver: \$16.53

Platinum: \$1,164.75

Palladium: \$759.09

Bloomberg.com

— AG COMMODITIES —

Corn: \$377.75/bu/USD
Wheat: \$521.00/bu/USD
Soybeans: \$968.75/bu/USD
Oats: \$271.00 bu/USD
Rough Rice: \$10.67/cwt/USD
Canola: \$451.20 CAD/mwt
Live Cattle: \$152.13/lb./USD
Feeder Cattle: \$215.55/lb./USD
Lean Hogs: \$76.68/lb./USD

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