

New law may boost use of planned fires

Oregon Gov. Kate Brown signed into law House Bill 2571

By **SIERRA DAWN McCLAIN**
Capital Press

SALEM — Oregon Gov. Kate Brown Monday, June 14, signed into law House Bill 2571, which could potentially lead to a change in liability standards for prescribed fire.

The new law may help expand the use of prescribed fire in Oregon.

Prescribed fire, also known as “planned,” “Rx” or “controlled” fire, is a fire set intentionally to limit hazardous fuels on the landscape — for example, by burning brush under trees in the spring to prevent a larger wildfire in the summer or fall.

House Bill 2571 directs agencies and forest industry leaders to study liability options for prescribed fires. This is important because landowners nationwide cite liability concerns as one of the top reasons they’re reluctant to use prescribed fire.

“Stricter liability standards deter people from doing prescribed burns because they’re afraid of getting sued if there’s an escape,” said Lenya Quinn-Davidson, who directs the Northern California Prescribed Fire Council. “As a burn boss, you take on a lot of personal responsibility.”

Liability means the legal responsibility a person holds for their acts or omissions.

The U.S. has three main liability standards for prescribed burning: strict liability, which holds a person responsible for harm even if he wasn’t negligent; simple negligence, which holds a person responsible if he didn’t take reasonable care; and gross negligence, which holds someone responsible only if he showed reckless disregard for safety.

Most states, including Oregon, have simple negligence standards. Eight use a gross negligence standard.

In states with lower liability standards, people do more prescribed burns. Oregon, for example, a simple negligence state, burned only 200,629 acres in 2019, while Florida, a gross negligence state, burned more than 1 million acres the same year.

To incentivize more prescribed burning on private lands, Oregon is exploring making the shift from simple to gross negligence.

But the bill law passed June 14 won’t automatically change Oregon’s liability standard. Instead, it’ll open the conversation and prompt a study — first steps.

“It’s not 100% clear yet if changing the standard will enable more prescribed fire, but we do want to have that conversation,” said Jenna Knobloch, administrative coordinator at the Oregon Prescribed Fire Council.

The new law directs the Department of Consumer and Business Services to consult with the state Forestry Department, Oregon Forest and Industries Council, Oregon Small Woodlands Association, Oregon State University, the Oregon Prescribed Fire Council and a representative of the insurance industry to study liability and insurance coverage options for prescribed fires.

See, **Fire**/Page 3B



Carlos Fuentes/The Observer

The AC Powersports building sits at its location on Walton Road on Monday, June 14, 2021. New owner Robert Bates plans to change the name of the business to Legacy Powersports.

Under new ownership

New owner brings rebrand to AC Powersports

By **CARLOS FUENTES**
The Observer

ISLAND CITY — After 19 years, AC Powersports in Island City has new ownership.

Robert Bates, owner of Legacy Chrysler Jeep Dodge Ram, bought AC Powersports in late May after nearly two decades under previous owner, Cody Richelderfer.

“The old owner decided that it was time for something different, and it was a very smooth deal, so the process itself was nice and easy,” Bates said. “We were talking about it for a couple of months, and it just came together.”

AC Powersports first opened in 1998 and sells motorized sport vehicles, such as ATVs, motorcycles and dirt bikes.

Their accessory store also sells replacement and add-on parts for these vehicles, and their service center provides maintenance and repair.

Bates has big plans for the business — starting with a name change. He is in the process of

changing the name to Legacy Powersports, the first of several changes.

“We plan on expanding the brands and models that we are carrying,” he said. “For example, we’re looking to get more side-by-sides and also snowmobiles.”

According to Bates, both

“We plan on expanding the brands and models that we are carrying.”

— Robert Bates, owner of Legacy Chrysler Jeep Dodge Ram and new owner of AC Powersports

the sales floor and service shop occupy 5,000 square feet and might be expanded with increased demand. Along with this, he plans on immediately adding a new hire to the current team of four salesmen and improving service in the shop.

“We also plan on expanding the service department because there’s not a whole lot of places around that are able to do service on these vehicles, so we want to make sure we can offer a quick turnaround,” Bates said.

Richelderfer said Bates was

a prime candidate for new ownership based on his experience and resources at the Legacy car dealership.

“His company is going to bring a lot of resources, including an experienced staff,” Richelderfer said. “He knows how to sell cars so I think that’ll easily transition into selling bikes as well.”

Richelderfer bought the company in 2002, although his job as a race team technician has kept him away from the business in recent years.

“I’m not here that often, so I thought it would be better to leave it in other hands,” he said.

Under Bates’ ownership, Richelderfer said he is confident that the business is going to grow and continue providing quality service, something he always made a priority.

“I want to thank everyone that has supported us for the last 20 years,” Richelderfer said. “It’s been a great experience, and I’m just hoping that they can make it even bigger and better than before.”

Terminal Gravity tapped to help COLT project

Brewery helps highlight site preserved by land trust system

By **RONALD BOND**
Wallowa County Chieftain

ENTERPRISE — Terminal Gravity Brewing Co. is cracking open a cold one — and a new one — to help the Coalition of Oregon Land Trusts promote its new “The Oregon I Am” map.

The Enterprise-based brewery is among eight from around the state that have created a limited-edition beer for the purpose of helping COLT’s map, which highlights 81 locations across Oregon — including two in Wallowa County — that are preserved by the state’s land trust system.

“Taking a whole step back, this is about a celebration of place, a celebration of people and of Oregon,” COLT Executive Director Kelley Beamer said. “These landscapes that our land trusts are protecting inspire many things. The angle with covering the breweries is they inspire food and drinks, and beer in particular. There have been examples in the past of breweries working with land trusts.”

Terminal Gravity is the lone brewery east of Bend taking part in the collaborative effort. The East Moraine and Zumwalt Prairie Preserve are two Wallowa County lands featured in “The Oregon I Am” map.

Grady Nelson, Terminal Gravity’s marketing manager, said when COLT reached out around the first part of spring to ask if the brewery would take part, TG viewed it as a “cool opportunity for a unique beer, or to do something different for us.”

“I’m not here that often, so I thought it would be better to leave it in other hands,” he said.

Under Bates’ ownership, Richelderfer said he is confident that the business is going to grow and continue providing quality service, something he always made a priority.

“I want to thank everyone that has supported us for the last 20 years,” Richelderfer said. “It’s been a great experience, and I’m just hoping that they can make it even bigger and better than before.”

See, **Beer**/Page 3B

All-American Coffee serves everybody from everywhere

By **BILL BRADSHAW**
Wallowa County Chieftain

ENTERPRISE — America may not grow coffee but Americans sure drink it, and a new mobile coffee truck is capitalizing on that fact: All-American Coffee can be found parked in many locations in Wallowa County.

“We are at the Elks Lodge some days, here (at the Ponderosa Motel) some days, the lake during the summer,” said Stefany Magera, one of the owner-operators. “We try to be mobile, like at the clinic, at the Chieftain, at the school, where we were just now making a mobile delivery for the teachers.”

“We’ll be at the Joseph High School this afternoon,” said Alicia Hayes, her sister and partner. “We’re fully mobile, so we go wherever we’re needed.”

She said where they locate each day is flexible.

“Some businesses ask us, ‘Hey, you want to come park here today?’ With the marina, they have a contract with the state, so we’re kind of a subcontractor. ... That’s our only contract,” she said.

Although their coffee is imported, most of their customers aren’t. That’s reflected in the All-American Coffee name for the business.

“It’s because we serve everybody,” Hayes said.

Operating since late May,



Bill Bradshaw/Wallowa County Chieftain

All-American Coffee co-owner-operator Alicia Hayes prepares the first drink of the morning Wednesday, June 9, 2021. The new coffee truck can be found where it’s announced on Facebook and other social media.

the sisters had the truck built in Portland to their specifications. A company there takes old UPS and FedEx trucks, breaks them down and rebuilds to new owners’ specifications. Magera found the company online and ordered their truck in April.

“We had all of our equipment ready to go,” Hayes said. “We were busy buying while the truck was being built. When it got here, our husbands and

friends, we put everything in.”

Husbands James Hayes and Sam Magera, as well as long-time friends who operate plumbing and electric businesses, helped out.

And then there’s Mom — Susan Roberts.

“She is our biggest fan and our biggest supporter,” Hayes said.

The sisters’ daughters also are involved.

“We also did this so we could have our girls with us in the summertime,” Hayes said. “My niece started a little lemonade stand last year.”

She has a daughter going into sixth grade, while her nieces are going into the fifth and eighth grades.

“They’re pretty excited because it’s something fun for

See, **Coffee**/Page 3B