

Ranchers fume as 'Rainbow Family' sets up camp

By ERIC MORTENSON
Capital Press

The U.S. Forest Service acknowledged there isn't much it can do about a "Rainbow Family" gathering expected to bring thousands of counter-culture types to the Malheur National Forest in Eastern Oregon over the next two weeks.

The organizers don't have a permit, and the Forest Service's response to that has angered area residents such as rancher Loren Stout, who lives near the gathering spot and has a federal grazing permit on land adjacent to it.

He said the Forest Service would punish ranchers if they ignored permit requirements and tapped a spring for drinking water like the Rainbow Family has done. Stout said it took him two years to get a National Environmental Policy Act permit to drill an exploratory mining hole.

"People are furious over this," Stout said. "Not because it's a friggin' bunch of hippies, it's the different standards."

An estimated 500 to 700 people have already set up camp at Flagtail Meadow off Forest Road 24, near the towns of Seneca and John Day. The 46th annual National Rainbow Gathering could draw 15,000 to 20,000 July 1-7, and is being held without a permit required of anyone else who would want to stage such an event on federal forest land.

Ryan Nehl, deputy Forest Service supervisor on the Malheur and the agency administrator for the event, planned to take a permit form to organizers at the gathering spot June 21.

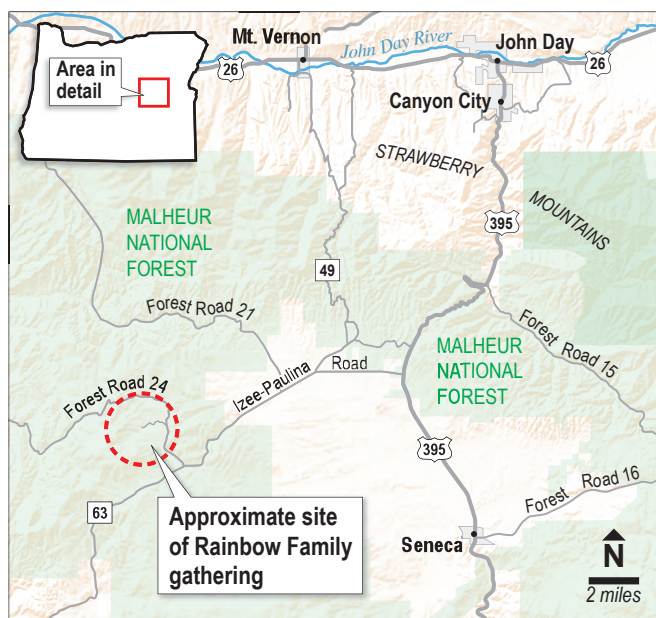
"I don't have a lot of faith they will sign it," Nehl said. In that case, the Forest Service will impose an operational plan for the gathering to follow, and could take action if those conditions are violated.

But Nehl said the Forest Service will not attempt to stop the gathering.

"It's a risk-based decision," he said. "To try and kick them off the land would present a danger to employees

Rainbow gathering

The annual Rainbow Family gathering, which could attract 10,000-30,000 people, is taking place in Flagtail Meadow on the Malheur National Forest off of Forest Road 24 west of Seneca.



Source: U.S. Forest Service
Alan Kenagal/Capital Press

and the public."

The event is put on by the Rainbow Family of Living Light, a loosely organized group that annually picks a spot for its gathering and in-

vites like-minded people to attend for multiple days of music, camping, dancing and communal hanging out. The gatherings have been held since the 1970s.

On a Facebook page set up for this year's event <https://www.facebook.com/groups/246284825703234/>, one person posted, "If we were in control we would all have free energy, everyone would be housed and fed and we'd be having song circles every day."

"What is the pants policy at this event?" another poster asked. He was assured that nudity should be expected.

In other postings, people urged fellow "family" members not to upset locals by panhandling or "gas jugging," meaning to beg for gasoline. Others caution against "spanging," a slang reference to asking for spare change. A stabbing among Rainbow members during a meeting in the Umatilla National Forest earlier in June has area residents worried about what the larger gathering will bring.

A community meeting was scheduled June 23, in John Day to let residents ask questions of Forest Service and law enforcement personnel. The meeting is from 5 p.m.

to 6:30 p.m. in the Juniper Hall Conference Room of the Malheur National Forest Headquarters, 431 Patterson Bridge Road.

The Forest Service mobilized an incident command team that includes 30 agency law enforcement officers from around the country, and has marked areas such as creeks that campers should stay out of. Oregon State Police, BLM officers, Grant County sheriff's deputies and John Day police are available to help the incident team, Nehl said.

Meanwhile, rancher Stout said the Forest Service is "trying to put grazers out of business" but lets the Rainbow bunch do what they want. He said the gathering spot is a major Native American archaeological site and the area has eight springs that could be damaged.

He said the "takeover of federal ground" is no different than the Bundy group's occupation of the Malheur National Wildlife Refuge headquarters. "I hate to say that," Stout said.



Eric Mortenson/Capital Press

Workers at A to Z Wineworks in Newberg, Ore., sort grapes during the 2014 harvest in this file photo. Oregon's wineries and food processors oppose a bill that would limit work weeks to 72 hours, arguing it would hinder periods of peak production.

Oregon wineries, food processors oppose proposed work week limit

Companies claim 72-hour limit would hinder processing during seasonal peak periods

By MATEUSZ PERKOWSKI
Capital Press

SALEM — Oregon's food processors and wineries are alarmed by a bill to reduce the maximum number of hours that manufacturing employees can work per week.

The proposal originated as an attempt to clarify how to calculate overtime paid to Oregon's manufacturing workers, which had recently been in dispute.

However, the most recent version of the bill being considered by Oregon lawmakers would limit the maximum work week to 72 hours for manufacturing jobs, which food processors and wineries argue will impair their ability to handle the influx of crops during seasonal peaks. Work weeks are currently limited to 91 hours.

Paying overtime is expensive, so food processors would prefer to have enough workers as to avoid lengthy work weeks, said J.L. Wilson, a representative of the Northwest Food Processors Association.

However, such companies are often located where crops are grown, not where there's an abundance of people, so they don't have a sufficient labor pool from which to pull, he said.

As a result, these processors must rely on existing employees working longer during periods of peak production, Wilson said during a June 20 hearing on House Bill 3458.

"This is going to fundamentally disadvantage rural

Oregon," he said of the proposed limit. "They wouldn't do it if they didn't have to, in many instances."

Similarly, harvest irregularities can force growers to suddenly provide wineries with larger amounts of grapes than expected, resulting in unpredictably heavy work loads, said Ellen Brittan of Brittan Vineyards in McMinnville, Ore.

Wineries have little choice but to extend work hours to prevent the fruit from rotting, she said. "You just have to deal with it."

Some workers at Brittan Vineyards have logged as many as 86 hours per week, but they do so willingly to maximize overtime pay, she said.

"They want to be sure they can make a significant amount of money during this short window of opportunity," Brittan said. "We have people fighting for those overtime hours."

Not all Oregon employers are upset about the most recent version of HB 3458 before lawmakers.

Associated Oregon Industries, a nonprofit representing businesses, believes the 72-hour work week will be challenging but is acceptable as long as overtime rules are clarified.

Last year, the state's Bureau of Labor and Industries changed its guidance for manufacturing employers, finding that workers must be paid for both daily and weekly overtime hours combined. Traditionally, they simply had to pay whichever amount was greater.

For example, someone who worked 11 hours for two days and eight hours for three days spent a total of 46 hours at work that week, earning six hours of weekly overtime pay.

Since the person also exceeded the 10-hour daily cap

twice, that counted toward two daily overtime hours.

Employers would usually just pay the worker for six hours of weekly overtime, but under BOLI's new guidance, they must combine the daily and weekly overtime hours to pay for eight hours of total overtime.

A bill originally proposed in the Senate amended the law to allow employers to return to the traditional overtime approach, but groups representing workers objected to the change.

As a result, the proposal resurfaced in the House as HB 3458 with the addition of a work week limit of 60 hours.

Under an amendment to the bill currently before the House Rules Committee, that limit was revised to 72 hours per week for 90 days under hardship circumstances.

Cascade-Siskiyou litigation halted during Trump review

By MATEUSZ PERKOWSKI
Capital Press

Litigation has been halted in three lawsuits over Oregon's Cascade-Siskiyou National Monument while its expansion is reviewed by the Trump administration.

Timber companies and county governments have filed one lawsuit in Oregon and two others in Washington, D.C., challenging the Obama administration's decision to nearly double the monument's size from roughly 53,000 acres to 100,000 acres.

Under the Trump administration, that designation and numerous others are being re-evaluated by U.S. Secretary of the Interior Ryan Zinke, who's expected to submit a report on the Cascade-Siskiyou National Monument by Aug. 24.

Due to the possibility the "designation could ultimately be changed in ways that would affect this litigation," attorneys for the Interior Department believe that "deferral of further judicial proceedings is thus warranted," according to a court document.

U.S. Magistrate Judge



Courtesy of Bob Wick/BLM

A view of Mt. Shasta from the Cascade-Siskiyou National Monument near Ashland, Ore. Three lawsuits challenging expansion of the monument have been put on hold pending a review by Interior Secretary Ryan Zinke.

Marke Clarke in Medford, Ore., and Senior U.S. District Judge Richard Leon have granted the federal government's motions to suspend litigation in all three cases until Sept. 24, a month after Zinke's report is due.

While the lawsuits largely center on the expansion's effect on logging, the national monument's larger boundaries have also upset ranchers who graze cattle in the area.

According to the plaintiffs, restrictions on logging in the Cascade-Siskiyou National Monument are unlawful because much of the new acreage is governed by the O&C Act of

1937, which requires sustainable production.

Apart from the loss of harvestable forestland, timber companies worry the expansion will draw more complaints about logging on private property adjacent to the monument or surrounded by it.

Counties that receive a portion of logging proceeds, meanwhile, are concerned about reduced revenues.

While grazing would be allowed within the monument, ranchers worry the designation will effectively curtail the practice due to skewed environmental studies.

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