

Local

County Commissioners hear fire updates, more during session

BY TODD ARRIOLA
Todd@TheBakerCountyPress.com

Updates for the Cornet/Windy Ridge and El Dorado fires, primarily from Steve Berube, Information Officer for the Southwest Area Incident Management Team, were the main focus at Wednesday's County Commission session, held at the Baker County Courthouse, at 9 a.m.

Present from the Baker County Board of Commissioners were Chair Bill Harvey, Commissioners Mark Bennett and Tim Kerns, and Executive Assistant Heidi Martin.

Attendance included Jason Yencopal and Gary Timm of Baker County Emergency Management, Baker County Sheriff Travis Ash, Baker County Planning Director Holly Kerns, Baker County legal counsel Dan Van Thiel, John and Ramona Creighton, Eric Wunz, Ed Hardt, Art Sappington, Bobbie Danser, Cynthia Long, Tork and Wanda Ballard, Ken Anderson, Fred Kelly Grant, Alice Knapp, Julie Hicks, and James Barclay.

The Pledge of Allegiance was recited, along with a special Invocation led by Harvey, to include those affected by area wildfires, and those involved with firefighting efforts.

A change to the agenda was noted by Harvey, the postponement of a Justice Court update, until the next Commission session. The agenda was adopted, with a motion from Bennett, and a second from Kerns.

During the citizen participation segment of the session, Sappington took the floor first, mentioning a guest editorial from *The Bend Bulletin*, printed in the Friday, August 14, 2015 issue of the *Baker City Herald*, regarding the U.S. Forest Service, firefighting costs, and the Wildfire Disaster Funding Act. He noted issues with passing more legislation, emphasizing that, "We have all the laws that are necessary to correct the problem. It's just as well with the Forest Service, and that has to be pursued, hopefully, through our (the County's) coordination program."

Harvey responded, "We're working on it."

Anderson said, "I believe a real problem occurred last evening with our NRAC (Natural Resources Advisory Committee) meeting, in which we allowed an ex-Forest Service employee to convince the group that the Forest Service jurisdiction continue operating without regard to the law and decisions of the Supreme Court, should continue. I think this has been a major problem, making negotiating more difficult."

Harvey responded that the County's Natural Resources Plan (NRP) addresses that, and that the County and any coordinating agencies are expected to operate lawfully.

Berube gave the Board and attendees an update on area fires, while using a map he displayed. He also provided copies of a smaller, Cornet/Windy Ridge Fire Area map to those present. Burebb began with the El Dorado fire, in the Unity area, and



Steve Berube, Information Officer for the Southwest Area Incident Management Team, shows the perimeter maps for the Cornet/Windy Ridge and Eldorado Fires.

explained the difference between the noticeable black and red fire lines. He said, "They're the outer perimeter of the fire. When we turn a line black, what we mean is that we are very significantly confident that fire will not cross that line any longer." He noted that the Cornet/Windy Ridge fire displayed a majority of black, with 45% containment (as of this writing). He also noted the El Dorado fire was at 35% containment (again, as of this writing).

Bennett interjected that local ranchers and others with two bulldozers reached, among other places, Ironside Mountain, able to lend firefighting support, producing about eight miles of fire line in total, and saving a significant amount of private ground. He praised community members for those efforts (he was also part of the firefighting support) and understood that resources, (even nationwide), are stretched thin.

Burebb said higher temperatures are expected, and conditions will become drier, within the next few days this week, along with increased wind speeds, but there are "very strong lines" around Cornet/Windy Ridge, with mop up work being completed, and El Dorado is also currently in the containment phase.

Timm explained that, while most effort was spent on Cornet/Windy Ridge, "We've always kept an eye on Eagle Creek." He said that homes in that area have been prepared and plumbed, in order to protect them against wildfire, and that work is about 98% complete. He said the fire crews called in have done a great job, and that a large amount of aerial resources have helped to keep fire activity in the Bradley Canyon area in check.

Timm emphasized how quickly crews were deployed with one phone call, in order to prepare and plumb houses in the Stices Gulch area, and he praised the different local departments and community members also for their efforts.

Burebb said, "Resources are difficult to come by." He said, nationally, every available resource is being deployed. Locally, he said eight helicopters are being used--seven for firefighting, and one for medical emergencies. He noted the

difficult terrain in the Eagle Creek area, and placing personnel in harm's way, and said, "Our number one priority is public and firefighter safety."

Bennett talked about the "unsung heroes" in the firefighting effort, including local volunteer firefighters, County department personnel, including the Road Department, Sheriff's Office, and Parole and Probation, the "whole County team," he said.

He also said that, while the wildfires initiated on public land, a large amount of private land was also damaged, and that it needs to be emphasized to government officials that restoration work needs to include both. Harvey said he's met with some officials, and this process has been started already.

Ash and Yencopal also talked to those present about the fire situations. Ash explained there are so many people to thank for their efforts, and the Sheriff's Office's goal was, and is, to get people out of harm's way safely. He said that coordination and communication worked well, and he appreciated that local media limited contact via telephone, etc., allowing his department personnel to complete more work.

Yencopal talked about the efforts to release information to the public concerning evacuation levels, etc., and he mentioned Code Red, a Baker County Consolidated Dispatch emergency telephone notification system, information for which can be found at www.baker911.org. He said, "If you haven't signed up, sign up, please. I'm going to plug that, plug that, and plug that, because we still get calls about it, 'How can I sign up?' We can use this for multiple things. Typically, wildfires is where it's used, but we can give you information of what's coming up, etc."

Order No. 2015-140, Appointing A Member To The Baker County Museum Commission, was approved, with a motion from Bennett, and a second from Kerns. Jane Bunker was appointed, her term set to expire on January 1, 2019.

Order No. 2015-141, Appointing Members To The Eastern Oregon Coordinated Care (E)CC Local Community Advisory Council (LCAC), was

approved, with a motion from Bennett, and a second from Kerns. Michelle Dix (her term set to expire on February 1, 2018), Jennifer Graffunder, David Saxey, Shari Selander (their terms set to expire on February 1, 2017), Lisa Ladendorff, and Robin Nudd (their terms set to expire on February 1, 2016) were appointed.

The Baker County Parole and Probation Clerk Classification, at Range 8 on the Baker County Law Enforcement Association (BCLEA) wage table, was approved, with a motion from Bennett, and a second from Kerns.

Ordinance No. 2015-05, Amending The Zoning Map And Comprehensive Plan Map Adopted By Ordinance 84-1, was adopted, read by title only for the second time, with a motion from Bennett, and a second from Kerns.

A Title III public hearing with Timm was scheduled, but postponed until the first, regular session in September, with a motion from Bennett, and a second from Kerns.

Bennett noted that some private landowners contacted him concerning the area wildfires situation and upcoming hunting seasons, and said they asked the Board contact the Governor in order to request the seasons be temporarily postponed, due to safety concerns, etc. After some discussion, a motion was made by Bennett, with a second from Kerns, to contact Governor Brown in order to attempt to temporarily postpone upcoming hunting seasons in Baker County, due to wildfire activity. The motion carried.

Buruband gave the Board an overview of the County's 42-page Natural Resource Plan or NRP (in draft form currently), and of the process the NRAC and Travel Management Committee went through with revisions, etc. Harvey thanked Buruband, and said that the NRP is the first step in coordinating with federal agencies. The NRP, in draft form (expected to be finalized and adopted at a later date), was approved, with a motion from Harvey, and a second from Kerns.

The Board entered into Executive Session, per ORS 192.660 (2)(h), in order to discuss with Van Thiel the Baker County/McCarty case.

NRAC heated

BY TODD ARRIOLA
Todd@TheBakerCountyPress.com

Moments of tense discussion and debate, coupled with the presence of attorney Fred Kelly Grant, formed the highlights of the Baker County Natural Resource Advisory Committee's (NRAC) two-and-a-half hour monthly meeting Tuesday afternoon, the purpose of which was to revise and recommend to the Commissioners for approval on Wednesday the county's 42-page Natural Resources Plan (NRP), which did happen.

County Commission Chair Bill Harvey was present, joined by NRAC Chair Doni Bruland, newly hired NRAC Coordinator Eric Wunz, and NRAC members Ken Anderson, Chuck Chase, George Keister, Craig Ward, Jan Kerns, Cynthia Long, Jan Alexander, Alice Knapp, Eileen Gyllenberg, Jake Bingham, Dick Fleming, Kody Justus, Lyle Defrees and Arvid Andersen.

Attendance included Craig Bruland, Wanda Ballard, Ed Hardt, John and Ramona Creighton, and Alec Mendoza.

Bruland handed out draft copies of the NRP to members, and asked for corrections to the first section, titled Purpose & Need. Alexander asked, "We're going to coordinate with the State?" in response to wording in the section about coordination with federal and state agencies. Harvey responded with yes, when possible to do so.

Bruland said, "I did not change Land Use," which is the next section in the NRP. Alexander noted that some language needed to be changed in the Purpose & Need section, from "should" to "shall."

Justus asked about changing language in the Land Use section from "Land Ownership" to something else, and Bruland corrected it with the term "Land Management."

This process continued, usually involving revisions with language, and other details, some minor, some not. The Introduction component of the NRP includes Purpose & Need, Land Use, and Custom & Culture. The Natural Resource Policies component of the NRP includes the sections Economy, Access, Agriculture, Energy, Forestry, Mining, Recreation and Tourism, Special Sites, Threatened and Endangered Species, Watershed, Weeds, and Wildfire.

Alexander and Kerns pointed out issues with the County having such an emphasis on its role with coordination, rather than including the possibility of cooperating status with government agencies, and Harvey said, "We can't have a foot on both sides of the fence. The law dictates that we are allowed to coordinate with all the agencies. That's the law. I find no law that says you cooperate with the agencies. There are suggestions of it, yes, but there's no law that backs up cooperating."

Kerns pointed out the placement of the topic Economy, which is the first topic under Natural Resource Policies in the NRP, and Harvey said, "Most of the time, our economy's always been put at the end of the thinking. That's where the problem's been, so it's last, as an afterthought, and we really want to emphasize that we matter, too. This economy is what's keeping us going, and helps us to take care of our natural resources."

Bruland said that Energy is a newly included section, and in response to Long's question about alternative energy, Harvey said, "If it does not benefit Baker County directly, we do not want it. And, honestly, none of these energy sources in eastern Oregon are benefiting Baker County." He mentioned an example, the Boardman to Hemingway Transmission Line project.

The Energy section states in its last paragraph: "Except for geothermal development, there will be no development of any alternative energy sources on forestland. This is due to the site disturbance and road building for most types of energy projects."

Anderson mentioned a concern of his in the Mining section, pointing out the limited jurisdiction of the U.S. Forest Service on public land, in regard to mining claims, and that language shouldn't suggest otherwise. Referencing a paragraph in the section, a paragraph he suggested be removed, he said, "This tacitly recognizes the Forest Service's authority to manage (mining) Plans of Operation, and so forth, and, by law, they really don't have the jurisdiction for this."

This sparked a heated argument between Anderson and Alexander, and Alexander replied, "Ken, you have a Plan of Operation, and a bond with the Forest Service. What are you talking about? Let's just drop it, okay? We can discuss this some other time, and not take this (the paragraph) out of the Minerals (Mining) section."

Anderson and Alexander continued to argue their points, and others joined the discussion with questions and comments, with Harvey calming an excited Alexander and then asking Grant to comment.

Grant, lead attorney on the Stand & Fight Club project, and experienced in keeping the federal government in check, said, "Unless you have thoroughly gone through this, this is the issue for the next two years, with the Obama administration... Unless you've gone through this section, for example, on the next page, where you talk about administrative withdrawals, frankly, I think you need to be much stronger on that. I don't think that you ought to ever recognize that there's a right to administratively withdraw these things."

Grant was referencing a paragraph in the Mining section, which reads: "Recommendations by federal management agencies for withdrawals of federal land from mineral exploration and development shall only occur in coordination with Baker County."

"I really would urge you—it's not my place, I guess—to take this (paragraph) out for right now, and reconsider it, in view of what's going to come down in the next week from D.C., because, you want this to be as strong as you can make it." Grant suggested some wording changes also.

Alexander interjected that the previous page's paragraph's intent is correct.