

# Local

## NRAC: Watershed concerns, Trump halts BLM's 2.0 rule

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The Baker County Natural Resource Advisory Committee (NRAC) met for its regular meeting, on Tuesday, March 28, 2017, 3 p.m., in the Commission Chambers of the Baker County Courthouse, which included, among other topics, a review and approval of the draft NRAC Bylaws, and a discussion from Arvid Andersen, regarding his concerns about the condition of the Baker City watershed.

Present were NRAC Chair Doni Bruland, NRAC Coordinator Eric Wuntz, Baker County Commission Chair Bill Harvey, Andersen, Alice Knapp, Ken Anderson, Cookie Long, Jan Alexander, and Lyle Defrees. Presence from the public included Ed Hardt, and Wanda Ballard.

Bruland called the meeting to order, and asked for comment for Public Participation, and Ballard said, "Great victory this week—President Trump prevented the BLM (Bureau of Land Management) 2.0 Rule... I think we need to begin focusing on the Travel Management Rule..."

Harvey said that the focus is concerns with the Blue Mountains Forest Plan Revision (BMFPR), for now.

Hardt also offered comment, speaking about an eight-page letter drafted by local miner Guy Michael in 2012 (he provided copies to attendees), addressed to Appeal Deciding Officer Monica J. Schwalbach, regarding the notice of appeal of the Record of Decision for the Wallowa-Whitman National Forest Travel Management Plan, which includes the following, about RS (Revised Statute) 2477 rights-of-way:

"Under the Act of July 26, 1866 (Revised Statute (RS) 2477; 43 U.S.C. 932), Congress granted rights-of-way for public highways and county roads constructed across public domain before the lands received National Forest status.

"Although the 1866 act was repealed by the Federal Land Policy and Management Act in 1976 (43 U.S.C. 1715), rights, which preexisted the establishment of the National Forest, are preserved. (FSM 2734.5)"

Hardt said that, according to the U.S. Forest Service's (USFS) own manual, the USFS has guidelines for determining what is an RS 2477 right-of-way, and for providing required proof of that determination, prior to seeking any type of litigation. Harvey said that the USFS "...has no authority over RS 2477 roads; it was a grant by Congress, to Oregon, and from Oregon, to the County..." He said that no agency has authority over RS 2477 rights-of-way (not just roads, but pathways, trails, etc.), and, though rulings from courts have stated as much, it will still continue to be a battle.

As part of a Coordination update, Harvey said that there was a meeting with USFS personnel regarding grazing allotment issues, however, Jake Bingham would be in a



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Several members of the NRAC.

better position to speak on the subject, as the USFS also met with the Baker County Livestock Association, during its meeting in Richland (he's a member of BCLA, and former BCLA President, and he was on the agenda to speak about it, but he was unable to attend the March NRAC meeting, so he'll speak about it during the NRAC's next meeting).

Harvey said that the County is not trying to have RS 2477 rights recognized in order to build more roads, but rather, to have access to the roads, "...and to protect what is ours." He emphasized the term "right-of-way," as opposed to the term "road," which he says the agencies use, to confuse the issues.

Roughly a half hour into the meeting, Harvey informed the group that he needed to attend an Association of Counties (AOC) conference call, regarding updates on mining legislation (he returned later in the meeting, to provide an update to the group). The minutes from the Tuesday, February 28, 2017 NRAC meeting were approved, with a motion from Alexander, and a second from Long.

As part of an update regarding letters, comments, meetings, and other items of interest, Bruland said, "Your comments for the sage grouse minerals land withdrawal (the BLM's Sagebrush Focal Area Mining Withdrawal) has been submitted, and has gone all the way up through the chain of command. The letter that we all wrote, in favor of Ed (Hardt, a local miner), and in trying to get the timeline reduced (for approvals of Plans of Operations, for example), encouraging the Forest Service to go with the BLM mining rules, has been finalized, signed, and it has gone all the way up the chain, to the White House, so, congratulations...You got your voice out there..."

Bruland began a discussion regarding the draft NRAC Bylaws (which she had drafted), and she said that, when the bylaws are approved and in place, members will be appointed in July. She asked Defrees if he would still be willing to serve, he said, "I think I'd better decline this

time." Bruland said, "Sorry to see you go; you are an asset to this group."

Bruland continued the bylaws discussion, and she said that she could locate no governing document of any kind for the NRAC, which prompted the drafting of the bylaws. She said she based the draft on another committee's, and that, while the other committee's bylaws stated the limit would be twelve members, Bruland's draft states the limit as thirteen, an odd number, which she thinks is better.

She continued through the subjects covered in the draft, such as the term of service (members would serve a two-year term), absences (three consecutive absences would be considered a resignation), voting methods (voice, hand, electronic), regular and emergency meetings, notices, agendas, Rules of Order (Roberts), conduct, public hearings, and amendments to the bylaws. The draft bylaws were adopted (they will need to be approved by the County Commission, before implementation), with edits discussed, with a motion from Defrees, and a second from Long. Bruland thanked the group, and Defrees said to Bruland, "I appreciate you making those up."

Andersen, in reference to a letter he had addressed to Baker City Manager Fred Warner, Jr. (copies of which were provided), expressed his strong concerns, regarding the fuel loads in the City's watershed, and the forest health there.

Andersen spoke about the March 2, 2017 Mega Fire event in La Grande, which Andersen said included "...a beautiful presentation," provided by Dr. Paul Hessburg, though, when Andersen decided to ask Hessburg some questions, one regarding the USFS's Eastside Screens, Andersen realized there were some issues. Andersen "...had absolutely no idea that Dr. Paul Hessburg was the author of the USFS Eastside Screens, and the 21-inch 'no cut' language," he said.

Andersen said that Hessburg used climate change as an excuse for failing to seek more aggressive actions to restore forest health; he didn't

adequately address the cost and risky nature of under burning; and Andersen was "...deeply disturbed by Dr Paul Hessburg's failure to mention or even recognize the profound negative effects that the USFS Eastside Screens have had on the current mess our National Forest timber lands are in..."

Andersen said that, during the City Council meeting on Tuesday, April 11, 7 p.m., he'll be presenting the issue, and will speak about "...engaging the Forest Service, and starting the process of cleaning up the City watershed..." He urges everyone who can attend to be there, and to make their concerns known.

Pointing out the obvious connection—the City's drinking water—Andersen said, in his letter, "Our city watershed is a crown jewel, providing clean drinking water at a very reasonable price, to the citizens of Baker City...Currently, the fuel loads there are equal to or greater than the fuel loads that were present on Dooley Mountain when the Cornet/Windy Ridge Wildfire occurred in 2015. A wildfire burning in the city watershed would burn with the intensity of the Cornet/Windy Ridge Wildfire... and result in the need to construct an expensive \$15-20 million water treatment plant. The citizens of Baker City cannot afford and should not be forced to bare that cost because of our lack of action on this critical issue."

Alexander asked Andersen, "What's the purpose of the meeting? What's your goal?"

Andersen said he wants to engage the Forest Service, and ask what the USFS plans to do with the watershed, and when that plan will be implemented. He wants the City and the County "...to be right at the table, with the Forest Service..."

He also wants the public to receive a monthly update of the progress of any actions. Alexander said, "It's terrifying to think what's going to happen to the drinking water in this town, if it does go up in flames..."

The next NRAC meeting is scheduled for Tuesday, April 25, 2017, 3 p.m.

## March's solar eclipse meeting held locally

BY EILEEN DRIVER  
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Eclipse planning and coordination continues as organizations around the state gathered at the City Hall in Baker.

This month's meeting held on March 22, was hosted by Anna Harris of the Regional Solutions Office, and started off with reports from the Regional Office of Emergency Management (OEM).

Robert Hunsucker of Malheur OEM reported he is working on putting together a medical response plan and laying out planning needs and funding priorities.

As more rural cities begin to make plans for events, he expects resources to be stretch all across the county and hopes for possible helicopter assistance from the National Guard.

Ted Williams of Grant County OEM is working to coordinate the three counties and put together a realistic working budget. So far with a limited budget, working with what he has, he needs \$10,000.

To get everything he really needs would put the budget at around \$125,000.

Jason Yencopal, Baker County OEM, is working with Sheriff Ash on the law enforcement side and coordinating with the regional fire and EMS personnel which will be holding meeting in the near future to lay out plans for the Eclipse Event.

Yencopal is also working on budget priorities and will be fine tuning those as things develop. He also reported on a mass gathering that is being planned by a group of one to two thousand out of New York that will be held in Durkee.

This group plans to be fully self contained bringing their own security, medics and food trucks.

He also told of people calling to say they are staying in Baker but want to be in Huntington for the actual Eclipse as they want all the extra seconds they can get for the full effect.

OEM is also working to produce information packets for people wanting to bring in groups telling them about permits required, as well as road and fire safety.

Erik Rau, Oregon Emergency Management, is working on a statewide Special Events plan and doing everything he can to support those on the frontline. He is working to connect the forest service, BLM to facilitate road and fire safety.

Rau is working with cell phone providers to re-inforce the cell phone service to the line of totality.

In conversations with the National guard he has learned that they are working on rearranging their training schedule so more staff will be available for whatever they need to gear up for.

The National Guard does not have many helicopters however and are looking at a possible mutual aid agreement with other states.

Elizabeth Farrar, Eastern Oregon Visitors Association Eclipse Consultant, gave an update on regional event marketing efforts in the 11 counties she is helping to coordinate for this event. Of those 11 counties, seven currently have local eclipse teams working on coordination in their areas.

Event planning guides went out to these team leads to help facilitate event planning. Elizabeth is currently working on creating an inventory of events and lodging available and looking at possible Bus landing zones for people coming in from the outer regions to keep car traffic down as much as possible.

As people are starting to book hotels as far away as Portland and want to be in Eastern Oregon on the actual day of the Eclipse. Even the *Washington Post* Newspaper published an article telling people that the best place to watch the Eclipse is in Eastern Oregon.

Timothy Bishop, Baker County Tourism, gave an update on Baker Counties Eclipse team saying, "We are pushing the 'Come Early, Stay Late' theme to help alleviate a mass exodus of cars and people right after the eclipse."

Many events are planned all around Baker County and coordinators are working on beefing up events for Monday night and Tuesday to keep folks here as long as possible.

They are working to put up an Eclipse Events page on Facebook where people can RSVP for events to get an idea of expected crowds.

He also reported on new camping sites being opened up in North Powder and Durkee and the need to accommodate as many people as possible in designated areas so we don't have people just stopping on the sides of roads to camp.

He is talking with gas stations in the smaller towns to emphasize the need to stock up as much as possible for that weekend as well as gas suppliers to let them know that additional supplies will be needed and encouraging locals to fill up early as long lines are expected at the pumps.

The team's current project is to create a list of the Top 10 best places to view the eclipse especially in the Huntington area.

Shelley Cutler, Baker County Chamber of Commerce, cautioned people with lodgings to not cancel current reservations in an attempt to rebook at a higher price. Stories of this happening in the western part of the state are coming to light and this is not the impression we want people to have of our region and it is just plain not good practice.