

ECOSYSTEM: Gathering attendees refused to sign special use permit

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they said. "With the area they chose folks are going to be drawn to the sensitive areas and damage will occur."

Halemeier and Fertig said a wide variety of problems could occur:

- Heritage resources are at risk from digging for latrines and compost pits.

- Birds may abandon nests with young. Big game animals are at risk from increased traffic and are being displaced to less populated areas. Small mammals' habitat is being disturbed.

- The introduction and spread of invasive weeds may impact plants. Foot traffic on sensitive meadows also damages the ability of plants to occupy the site.

- Range resources are impacted by the reduction of the pasture's forage

- Redband trout offspring are emerging from eggs in the gravel of Flagtail Creek, and increased sediment in the water churned up by an abundance of people in the stream could diminish their ability to take oxygen from the water. It could also blanket the eggs in the gravel, causing death.

Waste and biological hazards buried at the site could also leach into the water over time.

The Forest Service recommends one latrine for every 100 people, or 100 latrines for 10,000 attendees. Halemeier and Fertig said that could cause problems long after the attendees leave.

"The site will never be back to normal," they said of the latrines. "That amount of waste would have never been on the site. Bacteria and potential leached effects will be long-term due to our soil types in the area."

This type of event would typically require an environmental assessment or impact statement, as required for any ground disturbing activity on a national forest, which would take one to three years to complete due to the "scale of potential impacts and resource values in the area," they said. Because the gathering is not following the legal process, the Forest Service is responding outside of the normal process on short notice to protect the resources, more like a natural disaster.

Gathering attendees refused to sign a special use

permit, required for groups of 75 or more to address resource and other concerns. The Forest Service issued a design criteria document listing rules to mitigate damage to the resources, which attendees also refused to sign.

Nehl, the agency administrator, said although the event is unauthorized the Forest Service must weigh public safety and the safety of its officers when determining whether to take action on a noncompliant group. He said 20,000 attendees against a small number of officers were "not good odds."

Nationally, the Forest Service budgets \$500,000 each year to respond to the Rainbow Gathering, which has been held annually on national forest land since 1972. The group has claimed its gatherings are protected by the First Amendment.

"It's frustrating for us too that these folks are not complying," Nehl said. "We understand we expect other forest users to comply with our rules. We want to be able to look them in the eye and say you were held to the same standards."

POLICE: About 30 officers are working 24 hours a day on three shifts

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Service expects, then the number of arrests would come close to 60. By comparison, the Pendleton Police Department made 83 arrests in 2015 and 90 arrests in 2016 during the Pendleton Round-Up, which draws as many as 50,000 people.

Ebert said the Forest Service is booking suspects arrested on the Malheur National Forest at the Grant County Jail in Canyon City. According to the Grant County Sheriff's Office website, the jail holds 41 "hard beds" and up to seven temporary beds.

The sheriff's office did not return calls Tuesday to discuss potential impacts at the jail.

Incident command

In order to handle the massive influx of visitors to the area, the Forest Service has assembled a unified command post stationed at the Malheur National Forest headquarters in John Day. The team is headed up by two incident commanders: Ebert, who oversees logistics, finance and impacts on natural resources; and Dan Smith, who oversees the law enforcement team.

About 30 officers are working 24 hours a day on three shifts to patrol Flagtail Meadow during the Rainbow Gathering. The team's top priority is the health and safety of participants, who began arriving last week. The officers' second role is to enforce rules intended to protect the environment.

The Rainbow gathering is not authorized by the Forest Service. Members previously declined to sign the paperwork for a special use permit, which is normally required for gatherings of 75 or more people.

"The Rainbow gatherers

feel they are not a group," Ebert said. "They claim to have no leaders. Therefore, they are leaderless and nobody can sign a permit."

Instead, the Forest Service has written and distributed a set of "Resource Design Criteria" for the gathering, setting guidelines for everything from natural resource protection and fire safety to parking and sanitation. The 14-page document is also posted on the Malheur National Forest website.

"We do continue to enforce the (criteria)," Ebert said. "We are having a presence out there."

Incident command enforces regular Forest Service regulations — including seasonal campfire restrictions on national forests — as well as the policies outlined specifically for the gathering. Some of the criteria include:

- No camping within 200 feet of streams.

- No public nudity within 300 feet adjacent to County Road 63.

- Dogs must be on leashes at all times.

- Areas identified as environmentally sensitive will be flagged and off limits for use.

The Forest service also met with multiple cooperating agencies during a meeting June 20 in John Day, including the Grant County Sheriff's Office, state police, staff from Blue Mountain Hospital and even the Grant County Chamber of Commerce.

That meeting helped establish vital cooperation between agencies, Ebert said, and three daily law enforcement briefings keep everyone on the same page.

"It's recognized when you bring in 20,000 people, you're going to impact a community," he said.

Mobile court

Police aren't just enforcing rules and cracking down, Ebert said. They are also helping people with minor scrapes and bumps, although Rainbow participants prefer to get medical treatment on site from their own.

For more serious medical issues and emergencies, Ebert said Blue Mountain Hospital in John Day stands ready.

When citations are handed down, the U.S. Attorney's Office for the District of Oregon has set up a temporary mobile court near Flagtail Meadow where offenders can go to have their cases heard quickly.

Kevin Sonoff, spokesman for the district office in Portland, said offenders will be brought in to the mobile court first to meet with a federal prosecutor and speak over satellite phone with a magistrate judge. The judge will advise them of their rights, and give them the option to negotiate a settlement with the prosecutor or meet with the judge in person.

A hearing date is already scheduled for July 6, when the magistrate judge will head down to Grant County Courthouse. The proceedings will be handled essentially the same as a bench trial, Sonoff said.

"The goal is to get these citations handled as quickly and efficiently as possible before these folks head home," Sonoff said.

Last year's Rainbow Gathering at the Green Mountain National Forest in Vermont saw a total of 174 violations handed down. Arrest figures were not immediately available.

Those who are arrested and charged with a misdemeanor or felony will be prosecuted as they normally would in district court, Sonoff said.

BRIDGE: Will take estimated \$102K to bring the four trusses to Main Street

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sible for reassembling and installing the trusses on Main Street.

The Pendleton Enhancement Project is currently planning to install four trusses on the east side of the 500 block Main Street — one facing Frazer Avenue, two bracketing the railroad tracks and another facing Goodwin Avenue.

The association must clean any lead paint off the trusses before they're installed and negotiate with Union Pacific Railroad for use of the right-of-ways.

If the association can't relocate the trusses by the end of 2022, the nonprofit needs to contact the Oregon State Historic Preservation Office to extend the timeline or renegotiate the trusses' use.

The group received an estimate that it would take \$102,000 to bring the trusses to Main Street, a figure that drew the skepticism of City Councilor Neil Brown.

Brown said lead abatement can be a costly process and the trusses could become a liability if they contaminate the storage site.

"I'm afraid of the wheel turning and not stopping down the road," he said.

Wood said the Pendleton Enhancement Project is

now raising \$120,000 for the trusses and fencing along the railroad tracks.

The group has already secured \$20,000 from Umatilla County, \$20,000 from the city's urban renewal district and \$10,000 from the Wildhorse Foundation. And if they can raise another \$20,000 they are in line for a \$50,000 matching grant from Jill and Mike Thorne.

If the Pendleton Enhancement Project has the funding and contractors lined up by the time the bridge is being disassembled, Wood said there's a chance they could skip the storage yard altogether and directly transport the trusses from Southeast Eighth Street to Main Street.

The trusses could become available as soon as next summer when construction is set to start on the bridge replacement.

The other part of the project is installing fencing along the railroad tracks, a cost that will be split between the Pendleton Enhancement Project and Union Pacific. Wood said the fences will be installed in the fall.

The group has been involved with the 500 block of Main Street before, having worked with Union Pacific to demolish the old Webb's Cold Storage building.

Wood also previewed some of the other plans coming down the Pendleton Enhancement Project's pike.

In the short term, Wood will return to the council in August with more complete renderings of the repurposed trusses.

In the meantime, the group is also looking ahead to its next phase — turning the Fraternal Order of Eagles parking lot into a public plaza.

Wood said the Pendleton Enhancement Project is working with students from the Pacific Northwest College of Art to create conceptual drawings of the plaza and he intends to request money from the council when they begin fundraising for it.

With the agreement approved, the city has cleared one of the last procedural hurdles before sending the project to bid.

Bid selection is expected by the fall and bridge construction by 2019.

At the end of the meeting, Mayor John Turner said the council's next meeting will be canceled because of the Fourth of July holiday. The council will meet next at a workshop on July 11 and a full meeting July 18.

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FIRE: Grass was about three feet tall before it burned

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Fire Marshal Tom Bohm said the department is still investigating who may be responsible for using the fireworks. But he said the person could be held liable for the damage. If the person responsible is a minor, he said their parents could be held liable for the damages, as well as for the cost of the department's response.

At Monday's city

council meeting, city councilor Rod Hardin noted his home was one of those evacuated during the fire, and said the grass in the field was about three feet tall before it burned.

He asked what the city could do to mitigate the fire danger in the future.

"If we could get it mowed, that would make everyone feel better," Hardin said.

Mayor David Drotzmann, whose business

Lifetime Vision Source has also been threatened in the past by fire in the Oxbow Trail area, agreed.

City Manager Byron Smith said the land belongs to the Bureau of Reclamation, not the city, but said he would ask parks and recreation director Larry Fetter to work with the bureau on coming up with a strategy for reducing fire danger, such as mowing or bringing in goats or other livestock.

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5:30-7:30pm
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Beginning at 9:30am
Kirkin' O' the Tartan
Wool Demonstrations
Pipe Band
Horseshoe Tournaments