



What the fire burned

By Sean Ellis and Tim Trainor
Blue Mountain Eagle

JOHN DAY — The Canyon Creek Complex continues to burn, but many people are already asking whether the blaze would have been less severe had the forest been managed better.

Dave Traylor, a member of the Grant County Public Forest Commission, is one of many voices questioning whether enough thinning and slash cleanup was done in past years on the 1.7-million-acre Malheur National Forest.

"We've got to make some changes because we're losing our forest," he said as the blaze reached 110,000 acres. "What we're doing is not working."

Perhaps surprisingly, Malheur National Forest Supervisor Steve Beverlin agrees.

"We do need drastic change," he said.

Even Aron Robertson, communications director for environmental group Oregon Wild, thinks there are ways to decrease wildfire risks with precise thinning practices.

But overall, their prescription for change is vastly different.

Traylor thinks the forest needs more active manage-



The Eagle/Sean Ellis

Bob Vidourek, a retired Bureau of Land Management forester in the John Day area, stands in front of some of the 2,500 acres of BLM land on Little Canyon Mountain that was thinned and cleared of heavy slash buildups several years ago.

ment, including a significant increase in grazing and logging.

"That means cattle in the woods eating grass down and not letting it just dry up and become fuel, and we need to do some logging. Not clear-cutting, but spacing out trees and taking out dying trees. We can provide jobs and create a healthy forest that is fire-resistant and protects the water."

A lack of proper forest management, including thinning, salvage sales and slash

Fire updates in the region as of Tuesday, Sept. 15

Canyon Creek Complex fire
Size: 110,422 acres
Containment: 90%
Personnel: 186

Weather forecast: A low-pressure system is sitting over the Pacific Northwest bringing lower temperatures and higher humidity to the fire area. A stronger system is moving through Wednesday and Thursday of this week with a chance of rain.

The Burned Area Emergency Response (BAER) team is done with initial evaluations and is working on implementing mitigations.

Parish Cabin and Starr Ridge Campgrounds are open to the public. Forest Service Road 15 and the northwest corner of the fire area west of Highway 395 is open to the public.

See FIRE, Page A5

cleanup, was a significant factor in the size and severity of the Canyon Creek Complex fire, says Prairie City resident Levi Voigt.

"The only control you have over a wildfire is to reduce the amount of fuel in the forest," he says. "I believe a reduction in the amount of fuel out there would have reduced the severity of the fire."

It was Voigt who asked Beverlin during a community fire update meeting in Prairie City Aug. 31 whether the Canyon Creek Complex fire would serve as a learning lesson in forest management.

Beverlin said it would.

There is no denying that forest fires are increasing

in frequency and intensity across the American West, and it's no different on our local forests and rangeland.

But Beverlin says that is mainly because we've been so good at wildland fire-fighting for so long. He said before European settlement arrived in Oregon pre-1860, historically 100,000 acres burned on average each year on the Malheur National Forest — roughly the acreage burned up this year by the Canyon Creek Complex. Beverlin said fire scars in the rings of virgin timber have shown how often fire came through the area.

See BURN, Page A5

Tirico cleared of all charges

Acquittal ends 2 years of uncertainty for ex-chief

Blue Mountain Eagle

CANYON CITY — Former John Day Police Chief Richard Tirico has been cleared of official misconduct in a trial that ended even before the defense put on its case.

Grant County Circuit Judge William D. Cramer Jr. issued his ruling for a directed verdict of acquittal just four hours into testimony in the Sept. 8 jury trial, after the state had called several witnesses and rested its case.

Defense attorney J. Robert Moon moved for acquittal, charging that the state had failed to produce any evidence to support the charges.

The acquittal ends two years of legal limbo for Tirico, who resigned the chief's job in October 2013, as a state Department of Justice investigation was underway in the local department. In September 2014, a Grant County grand jury indicted Tirico on two counts of official misconduct, a Class A misdemeanor. He pleaded innocent to the charges last February.

Moon said his client was relieved at the outcome, acknowledging it was "a very difficult two years."

"He wants to thank the community, his family, and especially his wife Cindy, for their support during that time," Moon said.

The state alleged police work was improperly charged to a drunken-driving enforcement grant obtained by Tirico for the City of John Day.

The grant in question came from a program administered at that time by the Oregon Association Chiefs of Police. Of the \$2,000 awarded to John Day, the state's case focused on about \$800 in expenditures claimed by the police department.

However, Moon says the parameters of the DUII

grant were never spelled out, and there was no training to guide what could, or could not, fall under the grant.

"It was never clear to anybody what the scope of the grant was," he said. "And Rich felt what he turned in was appropriate."

Moon said officers working under Tirico had no guidance, either.

"He was completely innocent," said Moon, noting that the city had obtained the grants in prior years and Tirico felt his actions were in concert with past grant operations under previous chiefs.

Moon stressed there was never any suggestion of personal gain by Tirico.

Further, he said, the grant program paid the money to the city without question and never requested additional paperwork or any reimbursement.

The questions arose later, as DOJ began interviewing officers who apparently mentioned uncertainties about how the grant was charged or reported.

Assistant Attorney General Colin Benson, presenting the state's case at trial, called two police officers to the stand during the trial. One told the court Tirico had done much good for the community, and said he felt the trial was a waste of time.

Another testified only after being given immunity in the case, concerned that if Tirico's grant reporting was found to be wrong, he could face prosecution for changing a time card submitted for the DUII grant. Cross-examined by Moon, the officer confirmed he didn't have a full understanding of guidelines for the grant.

Cramer, in his decision, agreed with the defense contention that there was nothing to show the terms required for the grant reporting, nor was there evidence of any training for grant performance.

He issued what is called a "directed verdict" for acquittal, meaning a reasonable jury would not reach any other conclusion based on the evidence presented.

DIGGING IN FOR A NEW FIRE STATION



The Eagle/Cheryl Hoefler

Representatives from John Day city, fire department, and rural fire board dig in during the Sept. 15 ground breaking ceremony for the new John Day Fire Station on South Canyon Boulevard. Excavation for the new facility is set to begin Monday, Sept. 21. From left, Fire Chief Ron Smith; city councilors Donn Willey, Paul Smith and Greg Haberly; rural fire board member Dale Stennett; city manager Peggy Gray; Mayor Ron Lundbom; city councilor Louis Provencher; firefighters Carl Metler and William Edward Reffett; rural fire board member Dean Elliott; rural fire board chairman Bill Wilcox; and firefighters Stephen Stinnett and Ronda Metler.

STUDENT ART



Nora Donathan
"Kindergarten pup"

Prairie City School

Teacher:
Becky Sharp

Motorcycle camp application rejected

Blue Mountain Eagle

JOHN DAY — Robert Ake said Sunday he isn't sure what's next for his proposed motorcycle camp, now that the Grant County Planning Commission has rejected his application for a conditional use permit.

He's got a week or so to decide whether to appeal the commission's Sept. 10 decision to the Grant County Court. However, he said he's not sure he has the stomach for the fight.

"I'm not sure whether I'll pursue it or not," he said in a phone interview. "I'm still digesting it all. But I guess I'm leaning toward just letting it go. I'm tired of fighting over it."

Ake was seeking the permit to develop 25 dry camping sites for motorcycle and bicycle tourists on 5 to 6 acres of his 19 acres on Trafton Lane, west of John Day. The property is zoned suburban residential with a 1-acre minimum, and would need county approval for the campsite use.

Last June Ake was gearing up for a Fourth of July weekend opening for his John Day Motorcycle Campground, when it ran into neighborhood opposition. The project came to a halt when officials told him he couldn't open the business without going through the planning and zoning process.

"They saw the first word, motorcycle, and their minds were made up."

Robert Ake

seeking conditional use permit

Hilary McNary, county planning director, said the county received 11 complaints about the campground, even though it was not yet in operation. Area residents cited concerns about increased traffic and noise, fire danger, sewage and garbage, property values, and conflicts with the residential nature of the area.

At the hearing, Ake answered questions but was represented by consultant Sharon Mogg. A couple of people testified in favor

of the proposal, but about 15 people spoke against it, in a tense and emotional session.

The commission deliberated on provisions of the code that might apply in this case, ultimately deciding that the campground should not be allowed. The unanimous vote was to deny the conditional use permit.

One factor in the decision was a finding that the operation would adversely impact the livability of the surrounding area.

Ake acknowledged there was opposition, but said he also had encouragement from people as he made his plans. He was disappointed that only family members showed up to support him at the hearing.

He said his critics hadn't given the plan a chance.

"They saw the first word, motorcycle, and their minds were made up," he said.

Ake said he still plans to get an extension of city water to his property, now served by a well, but he said he would do that regardless of the fate of the motorcycle camp.

