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WILDFIRE

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Weather trends

Summer temperatures in the Oregon, Washington and Idaho region, gathered by the National Climate Data Center from hundreds of reporting stations, have shown an upward trend over the past 25 years, said John Saltenberger, a fire weather program manager for the Predictive Services department at the Northwest Coordination Center in Portland.

From 1950 to 1995, there were roughly the same number of above-average June to August temperatures in the three-state region as there were below average, he said.

"It was roughly balanced, about what you would expect," he said. "Then something changed."

Since 1995, below-average August temperatures were reported only in 1995, 2002 and 2010. Every other year had above-average August temperatures, and 2017 saw the warmest August on record, Saltenberger said.

This May was also one of the warmest on record. The warm and dry conditions led to elevated fire danger in June for much of Oregon, Saltenberger said. Conditions in the John Day area,

however, are not as severe yet, he said. The fire danger in the John Day area was average or even below average in May and early June.

"The higher elevations captured more moisture," he said. "The fire danger is below average because of recent moisture."

Those conditions will change, he noted. The fire danger is expected to escalate in July and August, with above-average temperatures continuing into September.

"Every data source I look at says this," he said.

Saltenberger noted that above-average fire danger conditions existed across the region in 2015, 2016 and 2017, and he expects 2018 to be the same.

Fire dangers

The Oregon Department of Forestry manages fires on private forest lands in Grant County, which falls within ODF's John Day Unit in the Central Oregon District.

The district saw 114 fires in 2017, which burned nearly 2,500 acres. The 10-year average is 11,600 acres. Seventy of last year's fires were human caused, above the 10-year average of 68.

State Forester Peter Daugherty declared the start of fire season in the Central Oregon District on June 1, which initiated restrictions

on debris burning and some activities by industrial operations.

"Across the district, spring has brought limited rainfall and right now we are seeing fuel conditions drier than they were at this time last year," District Forester Mike Shaw said in a June 1 press release. Rain which fell in late May "was really localized, with very little soakage in due to how quickly it came down in many areas."

John Day Unit Forester Ryan Miller said several small fires had been reported since June 1, including four lightning-caused starts over the June 16-17 weekend.

"They were all under a tenth of an acre," he said.

As of June 20, more than 200 wildfires were reported on lands protected by ODF across Oregon, burning about 200 acres. More than 80 percent of the fires were human caused.

On the Malheur National Forest, seasonal restrictions on campfires began June 1 and continue through Oct. 31. Campfires must be attended at all times and completely extinguished prior to leaving. Anyone with a campfire outside of a specified developed recreation site must have a tool that serves as a shovel and one gallon of water in their possession.

GUNS

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Several weeks ago, supporters of that campaign were still sanguine about their prospects to gather the needed signatures in time.

Rev. W.J. Mark Knutson, of Portland's Augustana Lutheran Church, who is a chief petitioner of IP 43, says supporters are still "tremendously" optimistic about the petition's prospects.

The Lift Every Voice campaign has trained 700 people to train even more people in how to properly gather signatures, Knutson said. He believes the campaign has laid the groundwork to quickly get enough signatures, from having a printer ready to print petitions at a moment's notice to holding signature-gathering trainings throughout the state.

And he says the political atmosphere is primed for the petition, about four months after a gunman at Marjory Stoneman Douglas High School killed 17 people in Parkland, Florida, galvanizing a new wave of gun control activism.

"It's one of those moments in time when people are ready to act," Knutson said of the initiative. "There's an



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Supporters of IP 44, a proposed ballot measure that would require gun owners to secure weapons in a lock box or by using a trigger or cable lock, say they don't have enough time to gather signatures to get the measure on November's ballot.

anxiousness to move, not to wait."

The campaign is focusing on the weekend before Independence Day — they're calling it a "signature sabbath" — as a key period in which to gather signatures.

Initiative Petition 44 would have required gun owners to secure their firearms in a lock box or using a trigger or cable lock.

It would also require them to report if one of their guns is stolen or lost within 24 hours of learning of the theft or loss.

Failure to comply with those requirements would be

considered a violation, not a crime.

The measure would have also held gun owners civilly liable for five years following an incident for injuries resulting from a failure to comply with the measure's requirements, except when injuries resulted from self-defense.

The Oregon Supreme Court approved the ballot title for the measure June 18, despite several legal challenges filed by representatives of groups including the National Rifle Association and the Oregon Firearms Federation.

JAIL

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pocket, you would open that and look in it?" DeRosier responded, "Absolutely."

In closing, the defendant's attorney argued that the jail policy "even if it was an authorized policy ... it's an unlawful policy, it's overbroad under both the (state and federal constitutions) because it does allow things such as searches of closed containers, according to Deputy DeRosier's testimony."

Grant County Circuit Court Judge William D. Cramer Jr. ruled against the motion to suppress. While he found that the search was not justified under the officer safety exception and was not a search related to the crime for which Steele was arrested, harassment, Cramer concluded that the methamphetamine inevitably would have been discovered during a search of Steele's belongings at the jail.

On appeal, the defense argued that the inevitable discovery doctrine did not justify admission of the methamphetamine evidence "be-

cause the Grant County Jail inventory policy impermissibly authorizes searches of all closed containers" — even though Steele did not have a closed container on him when searched.

Citing precedent, the defense argued that "if any part of the inventory policy is invalid ... then any evidence discovered must be suppressed as part of an unlawful inventory."

The state argued that the jail policy says nothing about searching closed containers. The testimony "shows that this particular deputy may have believed he was required to search all closed containers," the state argued. "That does not speak to the requirements of the policy itself."

The ruling

Writing for the appellate court, Judge Steven R. Powers cited precedent that the scope of an inventory "must be limited to that — an inventory," and that an inventory policy "that requires police to open all closed containers, regardless of whether they are likely to contain valuables, is overbroad."

Powers also noted that the state never raised the argument during the suppression hearing that DeRosier's testimony did not establish that the jail policy was overbroad.

"That is, the state never attempted, by redirect examination, to qualify or clarify DeRosier's admission or to offer any other evidence pertaining to the policy's prescribed procedures for inspection of closed containers during intake," Powers wrote.

While he concurred with Powers, Presiding Judge Joel DeVore noted in his separate conclusion that the defense did not show that Steele had suffered a deprivation of a substantial right.

"At least to me, to argue that a defendant was harmed by an unconstitutional part of the policy that did not direct the inventory assumes too much," he wrote.

The appellate court reversed Judge Cramer's ruling and remanded the case. Following the ruling, Grant County District Attorney Jim Carpenter filed a motion to dismiss the possession charge, stating that he did not intend to retry the case.

WOLF

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In his letter to ODFW requesting a kill permit, owner Rod Childers said the impact to his business far exceeds injured or missing animals.

"This harassment of my cattle has caused a change in their demeanor making them more difficult to handle, nearly causing injury to myself while sorting," Childers wrote. "Additionally, these wolf problems are causing great problems in my ability to utilize my spring range effectively."

The permit issued by ODFW extends not only to the pasture, but also an adjacent public forest allotment. It expires July 10, when Childers plans to remove his cattle from the pasture.

The action has stirred debate about wolf management in Oregon at a time when ODFW is in the midst of updating its wolf plan, which was last updated in 2010. Since then, wolves were removed from the state endangered species list in 2015.

The species remains federally protected west of highways 395, 78 and 95.

George Rollins, a Baker County rancher and Eastern Oregon wolf committee chairman

for the Oregon Cattlemen's Association, said the group is advocating wolf management zones with population targets, which would open the door to more lethal control and, possibly, hunting.

"These management zones would be established, and with local decision making, the number of wolves can be managed so that we can reduce potential conflicts," Rollins said.

Environmental groups, however, oppose killing any wolves, arguing the overall population is still too small and fragile. Oregon had 124 officially documented wolves at the end of 2017 — an 11 percent increase over 2016.

Furthermore, Sean Stevens, executive director of Oregon Wild, said the next iteration of the wolf plan should have stronger requirements allowing non-lethal deterrents the chance to work before rushing to kill wolves.

"According to ODFW's own reports, depredations appear to have stopped after non-lethal deterrents were put in place. Yet a week after the last conflict with wolves, ODFW is issuing a kill permit anyway," Stevens said. "This permit is unnecessary. It's the latest proof that the wolf plan needs to be strengthened, not

weakened."

The Oregon Fish and Wildlife Commission indefinitely postponed its vote on the wolf plan revision earlier this year. ODFW recently hired a professional mediator, Debra Nudelman of Portland, to work with groups to reach a broader consensus. Those meetings have yet to be announced.

In addition to management zones, Rollins said OCA wants to see at least one wolf in each pack fitted with a GPS tracking collar, and local agencies — such as county sheriffs — given greater control over wolf-livestock investigations.

"These people investigate murders and robberies and everything else," Rollins said. "My goodness, they should be able to do a wolf investigation."

Derek Broman, state carnivore biologist, has taken the lead on the wolf plan revision since Russ Morgan retired last year. He said the plan may be ready to present to the Fish and Wildlife Commission as early as September, and possibly adopted before the end of the year.

"We feel like we're in a good spot," Broman said. "We're still seeing increases in wolf numbers. Last year, we saw a decrease in depredations. ... We still have a pretty good plan to be working with."

PLAN

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in new income in the forest products, livestock and recreation sectors compared to the current plan, according to the Forest Service.

The plan could double the annual timber harvest from a recent average of

100 million board feet to 205 million board feet and maintains recent grazing levels. An additional 70,500 acres would be recommended for a wilderness designation.

A 60-day objection-filing period is scheduled to begin June 30 for people who provided substantive comments during the 2010

scoping period or the 2014 formal comment period. A 90-day objection-resolution period will follow.

After resolution of the objections, Peña will sign a final record of decision for the revised plan for each forest.

For more information, visit fs.usda.gov/goto/BlueMountainsPlanRevision.

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