

**Agenda Item**  
**Public Hearing**  
**Mass Gathering Permit**

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**NOTICE OF PUBLIC HEARING**  
**WASCO COUNTY BOARD OF COMMISSIONERS**

**HEARING DATE & LOCATION INFORMATION:** NOTICE IS HEREBY GIVEN that the WASCO COUNTY BOARD OF COMMISSIONERS will conduct a public hearing on Wednesday, May 1, 2013, beginning at 2:00 pm in the Northern Wasco County PUD meeting room located at 2345 River Road, The Dalles, Oregon 97058. The meeting facility is handicapped accessible, and language interpreters are available with one week notice. Please call (541) 506-2560 if you need special accommodations to attend the meeting.

**HEARING DETAILS:**

File# PLAOMG-13-03-0001: Request by Peter Clark on behalf of What the Festival for an Outdoor Mass Gathering consisting of a music and arts festival July 25-28, 2013 on Wolf Run Ranch.

The subject property is 245 acres located in the F-2 / EPD-8 Zone (Forest Zone/Sensitive Wildlife Habitat Overlay). The subject property is located on the north side of Dufur Valley Rd, 9.5 miles west of Dufur, OR. Also described as:

2S 12E 0 1400, Acct# 9603, 78889 Dufur Valley Rd, Dufur, OR 97021.

**REVIEW AUTHORITY:** Oregon Revised Statute (ORS) 433.750.

**REVIEW CRITERIA:** Wasco County Land Use & Development Ordinance (LUDO) Section 3.120.C.13; Oregon Revised Statute (ORS) 433.735-770.

**QUESTIONS/COMMENTS** are to be submitted in writing to the Wasco County Planning Department, 2705 East Second St., The Dalles, Oregon 97058, or in person at the hearing. Testimony and evidence must be directed toward the listed review criteria or other criteria in the plan or land use regulation which the person believes to apply to that decision. Questions and comments should be directed to: Joseph Shearer, Senior Planner, at (541) 506-2560 or joeys@co.wasco.or.us.

**AVAILABILITY OF INFORMATION:** Any staff report used at the hearing shall be available for inspection at no cost at least seven (7) days prior to the hearing. If additional documents or evidence are provided by any party, the local government may allow a continuance or leave the record open to allow the parties a reasonable opportunity to respond. Copies of the application(s) and all documents and evidence relied upon by the applicant(s), all applicable criteria, and any staff reports are available for inspection at no cost and will be provided at reasonable cost at 2705 East Second Street, The Dalles, OR 97058.

**Documents will be available online at: [www.co.wasco.or.us/planning](http://www.co.wasco.or.us/planning), under Current Land Use Actions.**



Wasco County Planning Department  
"Service, Sustainability & Solutions"  
2705 East Second St. • The Dalles, OR 97058  
(541) 506-2560 • wcplanning@co.wasco.or.us  
www.co.wasco.or.us/planning

PLAOMG-13-03-0001

## OUTDOOR MASS GATHERING APPLICATION

Date Received: 3/11/13 Planner Initials: (TS) Complete 3/28 (TS) FEE: \$5000

### APPLICANT/ORGANIZER CONTACT:

Name: PETER CLARK Name of Organization: WHAT THE FESTIVAL  
Mailing Address: 4702 NE 29<sup>TH</sup> AVE  
City: Portland State: OR Zip: 97211  
Email: PETER@WHATTHEFESTIVAL.COM Phone: 503.438.8723

### PROPERTY INFORMATION:

2S 12E 0 1400

Township   Range   Section   Tax Lot(s)	Tax ID	Acres	Owner
<u>SEE ATTACHED</u> <u>TITLE + DEED</u>	<u>9603</u>	<u>245</u>	<u>GLEN BOYD</u>

Property Address/Location: 78889 DUFUR VALLEY RD. DUFUR OR 97021

### DESCRIPTION OF THE EVENT: (Indicate what will happen and when; attach additional sheets if necessary)

SEE ATTACHED COVER LETTER.

☒ Additional pages/maps/pictures attached

### EVENT DETAILS:

Estimated Attendance: 4000-5000 Dates and Times of Event: 7/25 - 7/28 24 HRS Pr Day  
First Day of Set-Up: 7/22/2013 Last Day of Tear-Down: 7/30/2013  
On-Site Contact: PETER CLARK 24 HR Phone #: 503.438.8723

Will sound amplification be used? ☒ YES ☐ NO If YES, explain: 2 STAGES (LARGE)  
2 STAGES (SMALL)

Will alcohol be available during the event? ☐ YES ☒ NO If YES, explain (attach OLCC Permit):  
PENDING OLCC APPROVAL

### SITE PLAN

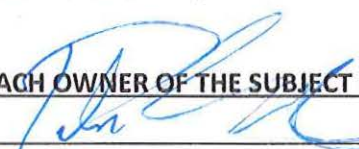
A general site plan is required and MUST show the types, numbers and locations of the following:

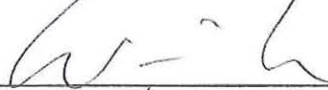
- |                                                                    |                                                                       |                                                              |
|--------------------------------------------------------------------|-----------------------------------------------------------------------|--------------------------------------------------------------|
| <input checked="" type="checkbox"/> Existing Structures            | <input checked="" type="checkbox"/> Proposed Temporary Structures     | <input checked="" type="checkbox"/> Streams/Bodies of Water  |
| <input checked="" type="checkbox"/> Water Supply                   | <input checked="" type="checkbox"/> Toilets & Washing Facilities      | <input checked="" type="checkbox"/> Solid Waste Collection   |
| <input checked="" type="checkbox"/> Food Prep & Service Facilities | <input checked="" type="checkbox"/> Parking, Ingress & Egress Surface | <input checked="" type="checkbox"/> Surrounding Vegetation   |
| <input checked="" type="checkbox"/> Camping Areas                  | <input checked="" type="checkbox"/> First Aid/Medical Standby         | <input checked="" type="checkbox"/> Other: <u>BOX OFFICE</u> |

**THE APPLICANT/PROPERTY OWNER SHALL CERTIFY THAT:**

1. If the application is granted, Applicant will exercise the rights granted in accordance with the terms and subject to all the conditions and limitations of the approval.
2. Applicant will comply with all health and safety rules governing outdoor mass gatherings as adopted by the Oregon Department of Human Services and implemented through Wasco County's Land Use and Development Ordinance (LUDO) and other applicable regulations.
3. Applicant declares under penalties of false swearing (ORS 162.075 and 162.085) that all the above information and statements, site plan, attachments and exhibits transmitted herewith are true; and the applicants so acknowledge that any permit issued on the basis of this application may be revoked if it is found that any such statements are false.
4. Applicant and Property Owner hereby grant permission for and consent to Wasco County, its officers, agents and employees, as well as public health and fire control officers to come upon the above-described property to gather information and inspect the property whenever it is reasonably necessary for the purpose of processing this application and/or monitoring the terms and conditions of the permit issued and any other applicable laws or ordinances.
5. Applicant and Property Owner have read the entire contents of the application, including the procedures and criteria, and understand the requirements for approving or denying the application.

**SIGNATURE OF APPLICANT AND EACH OWNER OF THE SUBJECT PROPERTY**

Applicant/Organizer Signature:  Date: 3-5-2013  
Printed Name: PETER CLARIC Organization: WHAT THE FESTIVAL

Owner Signature:  / Wolf Run Ranch, LLC Date: 3-5-2013  
Printed Name: William Allen Boyd, Manager

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_



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**SHADED AREA TO BE COMPLETED BY PLANNING DEPARTMENT**

**Legal Parcel**

☐ NO

☐ YES

Deed/Land Use Action: \_\_\_\_\_

Previous Map and Tax Lot: \_\_\_\_\_

Past Land Use Actions: If yes, list file #(s) \_\_\_\_\_

☐ NO

☐ YES

Still subject to previous conditions?

☐ NO

☐ YES

Zoning: \_\_\_\_\_

**Environmental Protection Districts – List applicable EPDs:**

☐ EPD # \_\_\_\_\_

☐ EPD # \_\_\_\_\_

☐ EPD # \_\_\_\_\_

☐ EPD # \_\_\_\_\_

**Water Resources**

Are there bodies of water on property or adjacent properties?

☐ NO

☐ YES

List: \_\_\_\_\_

☐ Fish bearing (100 ft buffer)   ☐ Non fish bearing (50 ft)   ☐ Not identified (25 ft)

☐ Irrigation ditch (50 ft buffer)

**Access:**

Property has a legal access from: \_\_\_\_\_

County or ODOT approach permit is required?

☐ NO

☐ YES

**Address:**

Address exists and has been verified to be correct?

☐ NO

☐ YES

Address needs to be assigned after approval?

☐ NO

☐ YES

Pre-Application Conference Date & Time: \_\_\_\_\_

Dear Wasco County Planning Department,

On behalf of the organizers of What The Festival, I would like to submit our application for an Outdoor Mass Gathering Permit. Included in our application is the site plan, fire protection plan, environmental health, public safety and traffic control & parking plan as well as the permit fee of \$5000.00

**Event Description:**

What The Festival is an annual music and arts festival that takes place in Dufur, Oregon on the last weekend in July 7/25-28 2013. Situated on the Wolf Run Ranch property (78889 Dufer Valley Road), this event provides a location and regional cultural outlet with a focus on live music entertainment and interactive art exhibits. Expected attendance for 2013 is estimated around 5,000 people. With an event of this size, we will have approximately 600-800 highly trained professional event staff on-site before, during and after the event. Based on our inaugural 2012 year, we are planning for a safe and successful event in 2013.

As the General Manager of the event, I will be the main contact for any county-related affairs for this event. Please contact me for any permit related questions and to schedule our hearing with the Wasco County Commissioners.

Thank you for this opportunity to serve Wasco County.

Best,

Peter J Clark

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*General Manager*

*What The Festival*

*Phone: 503.438.8723*

*Email: [Peter@whatthefestival.com](mailto:Peter@whatthefestival.com)*

\*\*\*\*\*

*If I cannot be reached please feel free to contact my assistant:*

*Keely Montgomery*

*Phone: 503.804.5876*

*Email: [Keely@whatthefestival.com](mailto:Keely@whatthefestival.com)*

**What The Festival Contact sheet**

<b>Name</b>	<b>Title</b>	<b>Phone #</b>	<b>Email</b>
Peter J Clark	General Manager	503.438.8723	Peter@whatthefestival.com
Keely Montgomery	Assistant to General Manager	503.804.5876	keely@whatthefestival.com
Glen & Tiffany Boyd	Property Owners (Wolf Run Ranch)	310.985.3711	reach.glenboyd@gmail.com
Sharif ZaWaideh	Operations Manager (Ingress/egress, Traffic & Parking)	206.799.5136	sharifiz@gmail.com
Greg C. Briggs	Fire Manager	208.866.8902	Idahomojo@gmail.com
Laurent Picard	Fire Manager (on call)	503.708.5925	imp@gorge.net
Chuck Gerard	Whitebird Medical coordinator	541.342.8255	chuckg@whitebirdclinic.org
Erik Hartman	O.E.E (Oregon Event Enterprise) Security	541.833.0101	oeesecurity@gmail.com
Lane Magill	Wasco County Sheriff's office	541.506.2584	lanem@co.wasco.or.us
Joey Shearer	Wasco County Planning office	541.506.2566	joeys@co.wasco.or.us

### **What The Festival Fire Prevention Plan**

What The Festival event site located at Wolf Run Ranch, 78889 Dufur Valley Rd; in the Oregon State Forestry Dept (ODF) jurisdictional boundaries. In the case of a fire, What The Festival will provide the first layer of protection from wildland or structural fire. The second line of defense would be from ODF and the third line of defense would be the town of Dufur Volunteer Fire Dept.

The on-site fire management team consists of 2 primary responders: Greg Briggs and Laurent Picard, both of whom have a background in fire management and fighting fire in the region. They will work in conjunction with a team of three fire experienced volunteers. These two on-site managers will take shifts as "Fire Crew Chief" and will have a gator (golf cart) equipped with our 350 Gallon Fire Suppression Trailer and 300 feet of hose. This crew is our first line of defense from a small fire outbreak. They will be on roaming fire watch where they will physically check on each smoking area, keep a general eye on the event site and monitor our FIRE/EMS radio channel while on shift.

In the months leading up to the event constant mowing will take place to keep grasses low and cut back to minimize fire hazard. Irrigation will take place throughout the inner event site, stage areas and general pedestrian pathways. The back parking area will have the grass mowed where possible and during weeks prior to the event, we will irrigate the parking areas to keep them moist and reduce risk of fire from inbound vehicles. The Wolf Run Ranch well water will be utilized to irrigate the parking area via a cistern, pump, k-line/hose and sprinkler system.

Our forestry management strategy is well underway. We currently have a team of people working to clear dead wood and cutting back limbs up to 8 feet off the ground in all areas of the property. Our goal is to remove limbs to minimize the fires ability to spread quickly as well as to protect the property. The property has a varying sized fire break surrounding itself. We will maintain the fire break and intend to increase its size with work crews between now and the event.

The "smoking areas" listed on our site plan consist of; a small seating area, ashtrays, a 5LB fire extinguisher and 2 x 5 gallon bucket of water labeled "Fire Only". These designated smoking areas are roughly 12 feet by 20 feet and will be delineated by signage and marking tape. Placement of the designated smoking areas will be open and well ventilated non-forested area. There are 8 total designated smoking areas on site and a strict NO SMOKING policy will be enforced throughout the event site.

General Fire control. We are going to have 25 x red 5 gallon buckets of water labeled "FIRE ONLY" at strategic points around the event site for anyone to use in the case of an emergency. This came at the recommendation of our fire manager and we feel this is a manageable solution to put the method of fire control into the hands of the staff and patrons as needed.

Roadway improvement is underway and will be completed by June 1, 2013. A road approach permit has been obtained from Wasco County for the new road (western road) egress to Dufur Valley Road. Crestline construction has plans to resurface ALL existing roadways for patron ingress and egress to comply with O.D.F. standards for improved roadways.

Our parking space size and fire lanes will comply with State Fire Marshal's office recommendations for no less than 20 foot lanes in-between rows of parked cars and a minimum of 8 foot wide by 15 foot long individual parking spaces. No larger vehicles will be allowed in the general parking area. Limited large vehicle or RV spaces are allowed in designated areas, their parking size is set at 15' x 30' with the same 20' fire lanes in-between parked rows.



**Fire prevention plan continued:**

**The following O.D.F. provisions will be adhered to for the duration of the event:**

- In the event of a fire 911 will be contacted regardless of incident size or status.
- Festival will employ a team of qualified wildland fire responders to be on site and available to respond 24 hours a day. Responders will be centrally located at a designated post or on patrol with suppression equipment.
- Staffing will consist of no less than 4 wildland firefighters during periods of peak fire danger (11:00 am to 9:00 pm) and no less than two wildland firefighters during off peak times. PPE must be provided according to OR-OSHA standards.
- Fire trailer, continually hitched to a vehicle capable of pulling the trailer, will be on site and staged at a central location. The trailer will consist of 500 gallon water tank and functioning pump, 500 ft. of one inch fire hose and nozzle. Required fire tools will be two shovels and two pulaskis. Additional fire tools are required for each firefighter on site.
- If Energy Release Components reach or exceed 55, during the week prior to the event a professional wildland contract engine, Type 6 resource, will be hired and staffed with two professional firefighters from 11:00 AM to 09:00 PM daily during the event.
- UTV's to be utilized during the event will have water tank and pump units installed to provide for fire suppression.
- Both Wolf Run irrigation ponds will have operating water pumps stationed at fill sites to provide a water source for fire suppression purposes. These pumps should have a minimum discharge of 1 ½ inch, contain 50' of discharge hose, suction hose, 1 fill spout, and 3 gallons fuel.
- All pumps and fire equipment will be tested daily to ensure proper operation.
- Existing road on property's North, East and West sides are to be brushed and clear of down woody debris. Must be passable by UTV.
- Removal of brush and down woody material around Forest Stage and throughout dispersed camping areas.
- Evacuation plan will be given to each attendee upon arrival by event greeters.
- Roads to be traveled by motorized vehicles will be clear of vegetation.
- Fire extinguishers will be co-located with all internal combustion engines, i.e. generators,

ATV's, light plants, ect.

- No open flame policy: No campfires, No charcoal BBQ, No candles, No incense, No fireworks. Propane gas stoves or electric griddles are the only permissible cooking equipment.
- All vehicle parking areas will be mowed and thatched before the event. Irrigation will be maintained on fields 3-5 days prior to prevent drying and curing of vegetation.
- Non-irrigated parking areas will be mowed and thatched to remove flammable vegetation. Dry parking will be wetted down the five previous days to using parking area. During times when vehicles are being parked, fire personnel will patrol parking areas with suppression equipment.
- The dry parking area will have a fire break of no less than 2' wide dug down to bare mineral soil around the perimeter as a fuel break.
- Smoking will be allowed only within designated smoking areas. Smoking areas should number no less than eight available sites dispersed throughout event grounds.
- Designated smoking areas will consist of 15 by 20 fenced areas clear of flammable vegetation. Each area will have a fire extinguisher and cigarette receptacles at the entrances.
- ODF will conduct a pre-event inspection with WTF coordinators to ensure readiness and will have access to festival grounds for periodical inspections during the event.
- If chainsaws or heavy machinery is used for preparing the site for use a permit to operate power driven machinery (PDM) will be obtained through the local ODF office to meet requirements regarding internal combustion engines.

### What The Festival Evacuation Plan

The site evacuation plan utilizes our on-site fire management team as well as all radioed personnel to quickly and effectively gather all patrons to the designated "rally point" (*see site plan: large open main field to the west of the Ranch house.*) In order to alert and educate patrons of the emergency, each stage will be ready to deliver a prepared emergency message loud and clear throughout the event site. (*It is our understanding that in the case of a fire What The Festival will provide the first layer of protection from fire. The second line of defense would be from ODF, the third line of defense would be the town of Dufur Volunteer Fire Dept.*) At this point all staff will assist getting patrons safely to the rally point to await further instructions. Once at the "rally point" patrons will wait in safety for fire suppression support and directives from EMS agencies. Since it will be difficult to know that all patrons and staff are present, we will continue to keep the messaging going from the main stage (*unless it becomes a hazard itself*) to keep patrons and staff educated as to the status of the emergency. We will have an emergency water bottle cache available to patrons at the rally point so as not to have compounding issues of dehydration in the event of a longer stay at the rally point.

As patrons arrive at our Greeters station (*after they have been searched and ticketed*) we will educate each patron to the following; No Fire or Open Flame and Smoking in designated areas only. In addition, a physical copy of the following will be delivered to each car: the emergency evacuation plan with map, Event Schedule, General do's and don'ts, any other relevant messaging needed.

At the recommendation of the Oregon State Fire Marshal's office we intend to do an "evacuation drill" for our staff, volunteers and vendors prior to the event opening to the public. This will give us a chance to physically go over the evacuation plan and make sure everyone is aware of the rally zone location and protocol to assist patrons in getting there should the need arise.

We anticipate a full site evacuation to our rally point to take no less than 30 minutes.

### Sanitation

In compliance with the regulations governing Health and Safety at Outdoor Mass Gatherings, What the Festival will provide all the necessary infrastructure for our patrons well being while at the event.

First and foremost is our water supply. Based on historical testing, we believe Wolf Run Ranch well water is free of contaminants, however to ensure that our beliefs are accurate, the well is currently undergoing testing. We will submit these official test results for review as soon as possible. The well has been rated at 40 gallons per minute with the ability to pull up to 80 gallons a minute if necessary. It is our intention to supply our food vendor and patron drinking water from the onsite well. Our food vendors will pull directly from the well via above ground temporary potable distribution. For drinking water we will have storage of 25,000 gallons on site in two locations; 1. 10,000 gallons near the Wolf Run Ranch house to provide attendee drinking water. 2. 15,000 gallons located near the entrance to the GA parking lot to provide potable drinking water to the camping areas as well as to provide water to our roaming fire suppression trailer if need be.

Municipal solid waste (*trash, recycling & compost*) will be collected from the trash collection stations throughout our site on a continual basis for the duration of the event. Our "Green Team" are equipped with a golf cart (*workhorse*) and are capable of collecting trash throughout the day and night on an as needed basis. On-site storage is contracted through Mel's sanitation services and will consist of the following; 2 x 30 yard dumpsters for Trash, 2 x 30 yard dumpster for mixed Recycling and 1 x 20 yard dumpster for Compost.

Toilets and Handwashing units will be available throughout the event site for the duration of the event. Bishops Sanitation Services will be supplying 100 portable toilet units and 15 handwashing stations (*1 handwash station for each port-o-let grouping*) to the event. Bishops will station 2 x Sanitation truck (*800 gallons each*), 1 x septic truck (*3500 gallons*) and 1 x blackwater truck (*5000 gallons*) at the event with a team of operators to work as needed to meet the needs of the event. At a minimum we anticipate each portable toilet and hand wash station to be pumped out once per day and twice per day on Saturday 7/27 and Sunday 7/28 when the demand is at its peak.

Greywater disposal will be handled in two ways as there are two types of greywater present on site. We will supply What The Festival food vendor's access to 5 x 300 gallon grey water tanks available within 75 feet from the back of food vendor booths. The above mentioned 300 gallon tanks will be pumped by Bishops Sanitation Services into their on site greywater pumping truck, this truck will be taken to a local dumping facility as needed during the event. The second type of greywater produced on site will be from our temporary shower facility. This greywater will be lightly used, free of large particles and toxins and we require all patrons to use biodegradable soaps while utilizing shower facilities. There is a seepage pit on site at Wolf Run Ranch where greywater will naturally seep back into the ecosystem. The on-site seepage pit was built in compliance with regulations governing Health and Safety at Outdoor Mass Gatherings.



### **What The Festival Medical**

White Bird will provide medical/crisis coverage for the "What The Festival" event in Dufur, Oregon from Thursday, July 25 at 1p.m. through Monday, July 29, 2013 at 4 p.m. Additionally, we will have at least one team on-site for setup (*July 22 at noon through opening day*) and for teardown (*closing day through July 30*).

Whitebird will provide Medical, Mental Health, Substance Use and First Aid care in all situations short of those requiring doctor, ambulance or hospital response. These services will be available through an on-site medical booth and holding tent, and also through dispatchable and roving teams responding throughout the property.

A staff of up to 25 workers will be utilized each day, with the ability to increase or decrease staffing depending upon the anticipated number of occupants and event activity. This staff will include Medical personnel such as Physicians, Nurses, EMT's and Paramedics working at ALS standards under our Doctor's standing orders, and Mental Health Professionals and Crisis Workers. White Bird will supply the requisite medical equipment, medical supplies and medications. Through White Bird the on-site facilities shall be equipped to handle the range from minor care to medical emergencies including, but not limited to treating individuals with chest pain, respiratory difficulty, trauma or cardiac arrest and specifically equipped to handle Advanced Life Support.

Moonshine Events LLC, as the event organizer, will provide a 20'X 20' tent with side walls for the medical station, with water and electricity supplied to the tent site and located with reasonable access by an ambulance. Whitebird will assist in the securing of proper Life Flight accessibility and ambulance services working with the Dufer Volunteer fire & ambulance as well as the Dalles and or Maupin if needed.

### **What The Festival Security Plan**

At any given time during the festival O.E.E. (Oregon Event Enterprise) will have as many as 50 security personnel available and working in positions on-site at What The Festival. The DPSST certified guards will work with a number of non-DPSST certified guards in the proper ratios of 1 DPSST guard to 5 Non-DPSST guards. Our security personnel are available to minimize any conflicts, secure the event perimeter, assist with traffic management on-site and in general keep everyone safe.

As organizers, we have agreed with O.E.E. to a "graduated" security plan that allows us to increase or decrease the number of personnel depending on our attendance numbers as we get closer to the event. If the event reach's the capacity of 5,000 patrons, O.E.E. security personnel will make arrangements to limit further admissions to the event.

The second tier for our security staff is our volunteer Rangers who, while not being official security personnel, are on-site to reinforce messaging for patrons throughout the property. Rangers are plain clothed volunteers who work in shifts roaming the event site and assist patrons as needed. They are radio dispatched and able to call into OEE, as needed, to report any security issues or incidents.

We have been in contact with Wasco county sheriff's reserve coordinator and are planning to have at least one off-duty officer on site during peak days/hours (7/26, 7/27 & 7/28) positioned at our event ingress point form Dufer Valley Rd.



## What The Festival 2013 Traffic Plan

### **Overview**

The event is located at 78889 Dufur Valley Rd, Dufur, OR. Traffic to the event will approach from the town of Dufur off US-197 to the East of the event site. Traffic will be routed to avoid the main part of town. Traffic will be minimal along Dufur Valley Rd, from when load-in begins on July 22<sup>nd</sup> until the box office opens to general attendees on July 26<sup>th</sup>. We expect the heaviest flows of traffic on Dufur Valley Rd, to occur on Friday the 26<sup>th</sup> from 4pm-9pm and again during the exodus on Monday July 29<sup>th</sup> from 10am-2pm. A large staging area, lengthy on-site roads, and adequate parking and traffic control staff, will ensure that the ingress and egress from the event site are smooth and do not significantly effect regular traffic on Dufur Valley Rd.

### **Traffic Schedule**

Between July 22<sup>nd</sup> and July 25<sup>th</sup> What The Festival (WTF) staff will report to the site for event set-up duties. A limited amount of early arrival attendees will be allowed into the event on July 25<sup>th</sup> beginning at 3pm to alleviate traffic during the main public arrival on the 26<sup>th</sup>. The event officially begins on July 26<sup>th</sup> at 10am and programming concludes on July 28<sup>th</sup>. All attendees must exit the grounds by 2pm on July 29<sup>th</sup>.

An estimation of attendance onsite and traffic operations is below:

Date	Est. Vehicles on Site	Operations
7/22/13	10-20	Core staff arrive and begin set-up
7/23 – 7/24	50-75	Volunteers, infrastructure and support staff arrive
7/25/13	600-700	All remaining staff arrive. Venue box office opens to early arrivals at 3pm and closes at 12am. Highway signage is placed along US-197, Heimrich St, and Dufur Valley Rd. Parking & traffic control staff in place from 2pm-12am
7/26/13	2200-2400	Venue Box office open from 10am-12am. Bulk of attendees arrive. Parking & traffic control staff in place from 8am-12am
7/27/13	2300-2500	Venue box office open from 10am-12am. Remaining attendees arrive. Parking & traffic control staff in place from 8am-12am
7/28/13	1700-2200	Programming ends. Attendees begin to leave at 6pm. Traffic control staff in place from 4pm-12am
7/29/13	100-200	Exodus of attendees until 2pm. Load out begins. All highway signage removed. Traffic control staff in place from 6am-4pm.
7/30/13	20-30	Event tear down. Infrastructure load out. Only core staff remain by E.O.D.
7/31/13	0	Load out completed. Event site clear.

### **Routing**



All festival attendees will be receiving detailed driving directions to the event box office via an email blast the week of the event. Directions will also be made available on the event website ( <http://www.whatthefestival.com> ) in the days leading up to the event.

The majority of vehicular traffic will be arriving from the Portland area and will receive the following instructions:

**From Portland**

- Head East on I-84E to the Dalles
- Take Exit 87 for US-197 toward Dufur Bend
- Turn Right on to US-197 S off the exit and then Left to US-197 S/The Dalles-California Highway
- In 13.4 miles make a right on to Heimrich St
- In approximately 6/10 of a miles veer left on to Dufur Valley Road
- Continue West for 5.3 miles and stay right on Dufur Valley/Dufur Mill Road at the Y. After an additional 5 miles turn right into the signed venue box office entrance to receive your credentials and to enter the event site.

Attendees arriving from points south such as Bend will receive the following instructions:

**From Bend**

- Head North on US-97N
- Just North of the town of Madras, turn Right on to NE 6<sup>th</sup> St/The Dalles-California Highway
- Continue on US-197N The Dalles-California Highway for 71 Miles then make a slight Left on Heimrich St.
- In approximately 6/10 of a miles veer left on to Dufur Valley Road
- Continue West for 5.3 miles and stay right on Dufur Valley/Dufur Mill Road at the Y. After an additional 5 miles turn right into the signed venue box office entrance to receive your credentials and to enter the event site.

**Signage**

To aid arriving attendees flashing highway reader board signs will be positioned along US-197 in the vicinity of Heimrich St. Pending ODOT approval, these signs will be



positioned approximately 250' to the North of Heimrich St on the West side of US-197S and approximately 250' to the South of Heimrich St on the East side of US-197N. Exact sign placement will be determined by the Oregon Department of Transportation and will meet all safety guidelines. Sign verbiage will also meet ODOT standards. The tentative wording will be broadcast in three phases: "Slow Down"/"All Event Traffic"/ "Turn Right Ahead". For the sign on the East side of US-197N, the third phase will read "Turn Left Ahead".

Pending approval a third reader board will be positioned on the NW side of the intersection of Heimrich St. and Dufur Valley Road. This sign will read "Slow Down"/ "All Event Traffic"/"Turn Left Here"

Pending approval additional signage will be place at the Y on Dufur Valley Rd at South Valley Rd reminding drivers to stay right and drive slow.

Prior to arriving at the event box office entrance at 78889 Dufur Valley Rd, attendees will again be reminded to drive slowly as their turn approaches. Pending approval, orange roll-up highway signage will be placed along the North side of Dufur Valley Rd. reading "Event Ahead". Festival branded box office signage will be placed around the entrance to the box office location, making it clearly visible to approaching attendees. The box office lot will also be lit via a telescoping light tower. The light tower will provided added visibility and draw approaching attendees' attention to the box office lot at night. The lights will be oriented in such a way as to not impair the vision of drivers on Dufur Valley Rd.

#### **Box Office**

The entrance to the box office lot will be located on an old road on the North side of Dufur Valley Rd at the West end of the event site approximately 4/10s of a mile West of the main entrance to the property at 78889 Dufur Valley Rd. Improvements will be made to this road prior to the event. Since all attendees will be routed from the East, westbound

on Dufur Valley Rd, all festival traffic will be making a right-hand turn off of Dufur Valley Rd as they enter the box office. This will ensure that even in the busiest times, attendees will make it safely in to the lot with minimal impediment to regular Dufur Valley Rd traffic as no left turn will be necessary. A volunteer flagger will be positioned at the entrance of the lot (not on the County Road) to assist drivers as well. The box office lot has a maximum capacity of 300 vehicles that can be staged as the passengers wait to be processed, and there is space for an additional 50 vehicles to stage along the entrance road between Dufur Valley Rd and the processing lot. Due to the large capacity of the lot, we at no time expect the lot to fill or back-up onto Dufur Valley Rd.

The box office lot will be configured into 8 lanes of 600' to stage vehicles waiting to be processed. Vehicles will then merge into 4 lanes with the assistance of traffic control staff and stage for an additional 200'. They will be processed at the end of these lanes. Processing consists of scanning tickets, banding guests and searching vehicles for contraband. This process takes approximately 1-2 minutes depending on the type of vehicle and number of passengers. At full staffing, the four lanes can handle 160 – 240 vehicles per hour.

Once processed, attendees will then head .8 miles down the venue's entrance road into the parking area. A team of volunteer flaggers will keep traffic moving down the entrance road to the parking area on the East end of the site where parking staff will guide vehicles into their appropriate spots. During peak times (discussed below) the parking staff and traffic control staff will consist of up to 24 volunteers and minimum of 1 paid staff member/manager.

The length of the entrance road can handle 200 vehicles at time. With adequate parking staff, we at no point anticipate a back up of vehicles from the parking area to the box office lot, as arrivals will be staggered over 3 days.

Staff and service vehicles will also enter the venue via the western entrance and the box office lot. They will then be routed onto the main road of the property. A team of traffic controllers will regulate one-way traffic from the point at which the box office lot meets the main road to the north side of the bridge on the property. Outbound vehicle will have the right of way, and inbound vehicles will be staged in the box office lot until the road is clear of outbound traffic. The current main road of the property will be only used as an egress road for service vehicles and as an ingress road for emergency vehicles only (at which point all other traffic on-site will be held).

### **Traffic Flows**

Over the duration of the event, we expect a maximum of 2500 total vehicles (2300 attendee vehicles) to be on site. However, the arrival of attendee vehicles will be staggered over the course of 3 days. The box office is scheduled to open to the public for early arrivals on Thursday, July 25<sup>th</sup> at 3pm. It will close at midnight that night. Based on our 2012 attendance, we expect 20% of our patrons (460 vehicles) to arrive on Thursday evening. Over an 8-hour period, that is an average of 57.5 cars per hour. In reality, we expect 100 cars per hour between 7pm-9pm that evening and less as it gets later. Attached to this document is a spreadsheet of anticipated traffic flows on Dufur Valley Rd for the arrival of event attendees.

Friday, July 26<sup>th</sup> will see the bulk of our arrivals and the heaviest traffic on Dufur Valley Rd. We expect that 70% of our attendees will arrive on this day, the bulk of them between 4 and 9pm; however, they may arrive any time between 10am and midnight. We expect a maximum of 1600 vehicles to arrive on the 26<sup>th</sup> at an average of 120 cars per hour. In reality, we expect 200 cars per hour between 4-9pm. Based on the size of the box office lot, the length of the entrance road at Wolf Run Ranch, and the adequate numbers of parking, traffic control, and box office staff we will have in place (see chart), we at no time expect a back-up on to Dufur Valley Rd.

Saturday, July 27<sup>th</sup> will see the last of our arrivals as a trickle through out the day. There will be minimal event traffic on Dufur Valley Rd on July 27<sup>th</sup> and before 6pm on Sunday, July 28<sup>th</sup>.

We expect our patrons to begin leaving around 6pm on Sunday, July 28<sup>th</sup>. From 6pm-12am we expect to see approximately 30% of the attendees (600-700 vehicles) depart the site. The bulk of the exodus will occur on Monday the 29<sup>th</sup> between 6am-2pm, with the heaviest hours being 10am-2pm. During these 4 hours we expect the majority of the remaining 1300-1700 vehicles to depart.

Date	Time	# of Arriving (Departing) Vehicles	# of Parking Staff	# of Traffic Controllers
7/22/13	8:00 – 22:00	10 - 20	0	0
7/23/13	8:00 – 22:00	20 - 30	2	0
7/24/13	8:00 – 22:00	20 - 30	2	2
7/25/13	8:00 – 16:00	50 - 100	4	4
7/25/13	16:00 – 20:00	200 – 250	10	8
7/25/13	20:00 – 00:00	200 – 250	10	8
7/26/13	10:00 – 14:00	300 – 400	12	8
7/26/13	14:00 – 18:00	400 – 500	16	8
7/26/13	18:00 – 00:00	500 – 700	16	8
7/27/13	10:00 – 14:00	200 - 300	8	6
7/27/13	14:00 – 18:00	50 - 100	8	6
7/27/13	18:00 – 00:00	20 - 50	6	6
7/27/13	12:00 – 18:00	(50 – 100)	4	4
7/27/13	18:00 – 22:00	(300 – 500)	0	10

7/27/13	22:00 – 02:00	(200 – 300)	0	8
7/28/13	6:00 – 10:00	(200 – 500)	0	8
7/28/13	10:00 – 14:00	(800 – 1200)	0	12
7/29/13	14:00 – 22:00	(100 – 200)	0	4
7/30/13	8:00 – 22:00	(100 – 200)	0	2

### **Exodus**

As mentioned, attendees will begin leaving the site Sunday evening the 28<sup>th</sup> around 6pm. Traffic flows will be light but may increase from the hours of 8:00 – 10:00pm. The majority of attendees onsite after 10pm will remain until the next morning. All attendees must be off-site by 2pm on Monday, July 29<sup>th</sup>.

Traffic control staff will help guide attendees back through the site and out the way they came through the box office lot and the western entrance to Wolf Run Ranch. Utilizing the box office lot on the exodus will allow a staging area should we need to restrict traffic onto Dufur Valley Rd for any reason. Most vehicles will proceed East back towards the town of Dufur and US-197; however, we will not be restricting vehicles from choosing to head West toward US-35. A traffic controller will be placed at the exit to the property at Dufur Valley Rd, to assist vehicle with exiting the property.

Until 2pm staff and service vehicles exiting the property will also exit the way they entered, first crossing the land bridge, then making a right into the box office lot where they will merge with attendee traffic and proceed out the Western Road. One-way traffic regulation will still be in place along the 700' section of the main road on the property between the land bridge and the turnoff for the box office lot until 2pm. After 2pm, all event traffic exiting the site will follow the public exodus route through the box office and out the western exit freeing up the main road for inbound vehicles.

The main road entering the property will be maintained as an emergency ingress road throughout the event and the exodus as well. All vendors and service vehicles arriving for event load out will be instructed to arrive after 2pm and the completion of the public exodus. They will enter on the main road however; as the western entrance will become an exit only once the box office closes for the event on Sunday the 28<sup>th</sup>. Since all outbound traffic will be routed on the western road, inbound service vehicles will have unrestricted flow on the main road into the site.

As of 2pm on the 29<sup>th</sup>, both roads into the event site will be one-way. The eastern main road will be reserved for inbound traffic and the western box office road for outbound traffic. Flows on the 30<sup>th</sup> will be minimal, and all vehicles and personnel will be offsite by Wednesday, July 31<sup>st</sup>.



①

MEDICAL SERVICES QUOTE From  
WHITEBIRD CLINIC  
EUGENE OREGON

What The Festival 2013 preliminary analysis

Basic costs

Regardless of the size of an event, expenses include truck rental, staff mileage, event insurance (with WTF named as additionally insured), equipment, supplies, medications, and base staffing.

Staffing

There is a minimum of staff needed to cover any event safely, and given the size of the "property", we want to be sure that we can effectively respond to multiple situations occurring at the same time. The total number of staff involved could be large, as while some of our crew will come for the whole event, some will be there for 1 or 2 days, and some from Portland for a shift here or there. The key will be how many are on at any given time. Depending on the gate, during times when there are "major" activities scheduled it may be wise to have 9 to 15 staff on duty. Otherwise 7 to 9 may be sufficient. We are able to ratchet crew size up or down depending on what is scheduled or what is going on. Remember that our model has response and roving teams made up of a medic and a crisis worker. Also, the advantage of our camping adjacent to the medical booth is that should things amp up we can pull more staff in.

②

### Pricing Estimates

#### Medic/Nurse-lead under Doc standing orders:

1. If the gate is at least 2000 - costs \$7500;
2. If the gate is at least 3000 - costs \$8000;
3. If the gate is at least 3500 - costs \$8600;
4. If the gate is at least 4000 - costs \$9200;
5. If the gate is at least 4500 - costs \$9800.

#### Doc-lead:

1. If the gate is at least 2000 - costs \$12,553;
2. If the gate is at least 3000- costs \$13,253;
3. If the gate is at least 3500 - costs \$13,853;
4. If the gate is at least 4000 - costs \$15,553;
5. If the gate is at least 4500 - costs \$16,353.

WHAT THE FESTIVAL 2013 SANITATION SERVICES QUOTE

----- Forwarded message -----

From: Nancy Kitchen <[nancy@bishopholdings.biz](mailto:nancy@bishopholdings.biz)>

Date: Tue, Jan 22, 2013 at 2:01 PM

Subject: Re: WTF 2013

To: Jarrett Parra <[jarrett@bishopholdings.biz](mailto:jarrett@bishopholdings.biz)>, Tatianna Pavich <[tatianna@solamor.org](mailto:tatianna@solamor.org)>

Tatianna,

Good to get your email. Ed and I sat down today and went over your event and came up with some things I think you will be happy with. Let me run threw them.

90 portable toilets rented @ 55.00 each for the entire event.  
5 ADA's rented @ 115.00 each for the entire event  
15 wash stations rented @ 75.00 each for the entire event  
7- 300 gal holding tanks rented @ 75.00 each for the entire event

There will be no out of route charges at all

We are willing to lower the service fee to 15.50 per toilet per service, from 17.50 normally

There will be no delivery fee on the 86 units that will be at the event in Tygh Valley

There will be a delivery fee of 220.00 for the 24 units that we will deliver from here.

And there will be a processing fee of 12 cents per gallon to deal with all the black water.

There will be a 75.00 service fee for each service on the holding tanks. Ed said that they would be handled like black water because of food.

As to the grey water from the shower unit and hand washing station, we need to know if we can deal with it on the property. Can we run hoses out to let it go into the ground because it is just water and soap? If we have to truck it, then there will be a charge and we will discuss that issue when we know what must be done with it.

I believe Jarrett has sent you info on the shower, wash station and refrigerated trailer. They are handled thru Bishop Services and you will be dealing with him on those issues.

If there is anything else, please let me know.

Oh, we will probably have 2 toilet trucks, 1 septic truck and 1 5000 gal tanker at your event dealing with all the black water. There could be 5 or so bishop employees there for the whole weekend. Let me know days that you will need servicing other than the weekend please so I can make arrangements for that.

I may be coming over to see how things are going during the weekend, another learning curve for me. lol

On Mon, Jan 21, 2013 at 4:11 PM, Nancy Kitchen <[nancy@bishopholdings.biz](mailto:nancy@bishopholdings.biz)> wrote:

I could have swom she asked about a kitchen unit, but maybe not.

----- Forwarded message -----

From: tatianna pavich <[tatianna@whatthefestival.com](mailto:tatianna@whatthefestival.com)>

Date: Mon, Jan 21, 2013 at 3:58 PM

Subject: WTF 2013

To: Josie Celaya <[josie@bishopservices.com](mailto:josie@bishopservices.com)>, Nancy Kitchen <[nancy@bishopholdings.biz](mailto:nancy@bishopholdings.biz)>

Great chat Nancy! Happy New Year!

Dates for the rental period this year: July 23rd - 30th

Location: about 5 miles outside of Dufur at Wolf Run Ranch

**Equipment quotes:**

90 x Portable Toilet units (without sanitation gel)

5 x ADA toilet units

15 x Sink units

7 x Greywater 350gal  
1 x Hand wash station  
1 x Mobile shower unit  
1 x refrigerated trailer

**Service & Delivery Charges:**

\*\*2 x on-site workers (Last year one to three Bishops employees stayed on site to work the event)  
\*\*Delivery charge associated per unit or with each unit- Will be good to see a reduction in price for the units that will already be out in Tygh Valley, the turn off is literally on the way between the Dalles and Tygh Valley! Would like to avoid 'out of route' charges as well.  
\*\* Porto cleaning service (per unit)  
\*\* Greywater pumping service (per unit)  
\*\* Shower AND sink pumping service (per pump)

**Questions**

- What kind of water hose hook up do the sink AND shower require? How much electricity does it each unit require to run?
- Please include time length associated with the per unit rental. Ideally we could have some flexibility on this given that units may go directly from one event to another.
- We can plan a staggered delivery and cleaning schedule once we get closer and see the raw numbers.

Let me know if you need additional information to get the quote up and running, Im here to help! Great to be planning again this year!

Best,

Tatianna

Procurement Manager

c: [\(503\)438-8722](tel:5034388722)

[www.whatthefestival.com](http://www.whatthefestival.com)

Team Bishop  
Team Leader/ Dispatcher

Nancy Kitchen

[nancy@bishopholdings.biz](mailto:nancy@bishopholdings.biz)  
[509-773-4707](tel:5097734707)





## OOE SECURITY

Oregon Event Enterprises LLC

1430 Willamette Street, PMB 8  
Eugene, OR 97401

Office: 541-833-0012

Erik: 541-833-0101

State Vendor # 1453691465 Fax: 541-236-0929

## Guestimate Proposal Invoice

P.O. No.	Date
	7/29/2013
Terms	Venue/Event
	<b>What the Festival</b>

Serviced	Description	Staff	Time	Hours	Rate	Amount
7/26/2013	Security services	Main Gate	9am -12am	15	15.00	225.00
7/26/2013	Security services	Main Gate	9am-12am	15	15.00	225.00
7/26/2013	Security services	Main Gate	9am-1am	16	15.00	240.00
7/26/2013	Security services	Campground Rover	11am-12midnight	13	15.00	195.00
7/26/2013	Security services	Campground Rover	11am - 12midnight	13	15.00	195.00
7/26/2013	Security services	Spring Camp	11am-12midnight	13	15.00	195.00
7/26/2013	Security services	WTF Stage	12noon - 1am	13	15.00	195.00
7/26/2013	Security services	WTF Stage	12noon - 2am	14	15.00	210.00
7/26/2013	Security services	Pool Stage	12noon - 12midnight	12	15.00	180.00
7/26/2013	Security services	Effin Stage	12noon - 4am	16	15.00	240.00
7/26/2013	Security services	Effin Stage	12noon - 5am	17	15.00	255.00
7/26/2013	Security services	Lol Stage	12noon - 7am	19	15.00	285.00
7/26/2013	Security services	OMG Lounge	12noon - 12midnight	12	15.00	180.00
7/26/2013	Security Supervisor	Overseeing	9am -12midnight	15	18.00	270.00
7/27/2013	Security services	Main Gate	9am-12midnight	15	15.00	225.00
7/27/2013	Security services	Main Gate	9am-12midnight	15	15.00	225.00
7/27/2013	Security services	Main Gate	8am-12midnight	16	15.00	240.00
7/27/2013	Security services	Campground Rover	12am-12am	24	15.00	360.00
7/27/2013	Security services	Campground Rover	12am-12am	24	15.00	360.00
7/27/2013	Security services	Spring Camp	12am-12am	24	15.00	360.00
7/27/2013	Security services	WTF Stage	1pm - 1am	12	15.00	180.00
7/27/2013	Security services	WTF Stage	1pm - 2am	13	15.00	195.00
7/27/2013	Security services	Pool Stage	12-12	12	15.00	180.00
7/27/2013	Security services	Effin Stage	1pm - 4am	15	15.00	225.00
7/27/2013	Security services	Effin Stage	1pm - 5am	16	15.00	240.00
7/27/2013	Security services	Lol Stage	12am- 8am	8	15.00	120.00
7/27/2013	Security services	OMG Lounge	12 -12	24	15.00	360.00
7/27/2013	Security services	Patrol	12-12	24	15.00	360.00
7/27/2013	Security services	Patrol	12-12	24	15.00	360.00
7/27/2013	Security Supervisor	Overseeing	12-12	24	18.00	432.00
7/28/2013	Security services	Main Gate	6am- 12midnight	18	15.00	270.00
7/28/2013	Security services	Campground Rover	12 -12	24	15.00	360.00
7/28/2013	Security services	Campground Rover	12-12	24	15.00	360.00
7/28/2013	Security services	Spring Camp	12 - 12	24	15.00	360.00
7/28/2013	Security services	WTF Stage	1pm - 11pm	10	15.00	150.00
7/28/2013	Security services	WTF Stage	12-11	11	15.00	165.00
7/28/2013	Security services	Pool Stage	1pm - 11pm	10	15.00	150.00
7/28/2013	Security services	Effin Stage	1pm - 11pm	10	15.00	150.00
7/28/2013	Security services	Effin Stage	12noon - 11pm	11	15.00	165.00
7/28/2013	Security services	Lol Stage	12 -11pm	11	15.00	165.00
7/28/2013	Security services	OMG Lounge	12-12	24	15.00	360.00
7/28/2013	Security services	Patrol	12-12	24	15.00	360.00
7/28/2013	Security Supervisor	Overseeing	12-12	24	18.00	432.00
7/29/2013	Security services	Exodus Assisting	6am-2pm	8	15.00	120.00
7/29/2012	Security services	Exodus Assisting	6am-2pm	8	15.00	120.00
7/29/2012	Security services	Exodus Assisting	6am - 2pm	8	15.00	120.00
7/29/2012	Security Supervisor	Exodus assisting	6am-2pm	8	18.00	144.00

Total Due

\$11,463.00

*We offer 10% discount on Cash Payment by end of event.*

*Please make checks payable to: Oregon Event Enterprises LLC*

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
3/21/2013

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> <b>FRANCIS L. DEAN &amp; ASSOCIATES, LLC</b> 1776 S. NAPERVILLE ROAD, BLDG-B P.O. BOX 4200 WHEATON, IL 60189 <u>www.fdean.com</u> (800)745-2409	<b>CONTACT NAME:</b> <table style="width: 100%;"> <tr> <td style="width: 60%;">PHONE (A/C, No, Ext): 800-745-2409</td> <td style="width: 40%;">FAX (A/C, No): 630-665-7294</td> </tr> <tr> <td colspan="2">E-MAIL ADDRESS: info@fdean.com</td> </tr> </table> <table style="width: 100%;"> <tr> <td style="width: 80%;">INSURER(S) AFFORDING COVERAGE</td> <td style="width: 20%;">NAIC #</td> </tr> <tr> <td>INSURER A: United States Fire Insurance Company</td> <td>21113</td> </tr> <tr><td>INSURER B:</td><td></td></tr> <tr><td>INSURER C:</td><td></td></tr> <tr><td>INSURER D:</td><td></td></tr> <tr><td>INSURER E:</td><td></td></tr> <tr><td>INSURER F:</td><td></td></tr> </table>	PHONE (A/C, No, Ext): 800-745-2409	FAX (A/C, No): 630-665-7294	E-MAIL ADDRESS: info@fdean.com		INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: United States Fire Insurance Company	21113	INSURER B:		INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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INSURER C:																			
INSURER D:																			
INSURER E:																			
INSURER F:																			
<b>INSURED</b> SPORTS AND RECREATION PROVIDERS ASSOCIATION (PURCHASING GROUP) AND ITS PARTICIPATING MEMBERS:  <b>Moonshine Events, LLC</b> 25 NW 23rd Pl. PMB 505 Portland , OR 97210																			

## COVERAGES

**CERTIFICATE NUMBER:** USS208443

**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<b>GENERAL LIABILITY</b>			SRPG-101-0413	7/25/2013	7/29/2013	GENERAL AGGREGATE	\$2,000,000.00
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						PRODUCTS - COMP/OP AGG	\$2,000,000.00
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						PERSONAL & ADV INJURY	\$1,000,000.00
							EACH OCCURRENCE	\$1,000,000.00
							FIRE DAMAGE (Any one fire)	\$300,000.00
							MED EXP (Any one person)	\$0.00
GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC							\$	
	<b>AUTOMOBILE LIABILITY</b>						COMBINED SINGLE LIMIT (Ea accident)	\$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person)	\$
	<input type="checkbox"/> ALL OWNED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS					BODILY INJURY (Per accident)	\$
	<input type="checkbox"/> HIRED AUTO	<input type="checkbox"/> NON-OWNED AUTOS					PROPERTY DAMAGE (Per accident)	\$
								\$
	<b>UMBRELLA LIAB</b>						EACH OCCURRENCE	\$
	<b>EXCESS LIAB</b>						AGGREGATE	\$
	<input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$							\$
A	<b>Liquor Liability</b>			SRPL-101-0413	7/25/2013	7/29/2013	EACH OCCURRENCE	\$1,000,000.00
							GENERAL AGGREGATE	\$2,000,000.00
	<b>GL Premium:</b>							\$4,620.00
	<b>Liquor Premium:</b>							\$560.00

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Music Festival

## CERTIFICATE HOLDER

Moonshine Events, LLC  
 25 NW 23rd Pl. PMB 505  
 Portland , OR 97210

## CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

*Francis L. Dean*



# ADDITIONAL INTEREST SCHEDULE

DATE (MM/DD/YYYY)  
3/21/2013

AGENCY		CARRIER United States Fire Insurance Company	NAIC CODE 21113
POLICY NUMBER SRPG-101-0413 & SRPL-101-0413/USS208443		EFFECTIVE DATE 7/25/2013	NAMED INSURED(S) Moonshine Events, LLC

## ADDITIONAL INTEREST (Not all fields apply to all scenarios – provide only the necessary data)

INTEREST	NAME AND ADDRESS RANK: _____	EVIDENCE:	CERTIFICATE	POLICY	SEND BILL	INTEREST IN ITEM NUMBER	
<input checked="" type="checkbox"/> ADDITIONAL INSURED	Tiffany and William Boyd 25 NW 23rd Place  Portland, OR 97210					LOCATION:	BUILDING:
<input type="checkbox"/> BEACH OF WARRANTY						VEHICLE:	BOAT:
<input type="checkbox"/> CO-OWNER						AIRPORT:	AIRCRAFT:
<input type="checkbox"/> EMPLOYEE AS LESSOR						ITEM CLASS:	ITEM:
<input type="checkbox"/> LEASEBACK OWNER						ITEM DESCRIPTION	
<input type="checkbox"/> LIENHOLDER	REFERENCE / LOAN #:	INTEREST END DATE:					
	LIEN AMOUNT:	PHONE (A/C, No, Ex):		FAX (A/C, No):			

REASON FOR INTEREST:

E-MAIL ADDRESS:

INTEREST	NAME AND ADDRESS RANK: _____	EVIDENCE:	CERTIFICATE	POLICY	SEND BILL	INTEREST IN ITEM NUMBER	
<input checked="" type="checkbox"/> ADDITIONAL INSURED						LOCATION:	BUILDING:
<input type="checkbox"/> BEACH OF WARRANTY						VEHICLE:	BOAT:
<input type="checkbox"/> CO-OWNER						AIRPORT:	AIRCRAFT:
<input type="checkbox"/> EMPLOYEE AS LESSOR						ITEM CLASS:	ITEM:
<input type="checkbox"/> LEASEBACK OWNER						ITEM DESCRIPTION	
<input type="checkbox"/> LIENHOLDER	REFERENCE / LOAN #:	INTEREST END DATE:					
	LIEN AMOUNT:	PHONE (A/C, No, Ex):		FAX (A/C, No):			

REASON FOR INTEREST:

E-MAIL ADDRESS:

INTEREST	NAME AND ADDRESS RANK: _____	EVIDENCE:	CERTIFICATE	POLICY	SEND BILL	INTEREST IN ITEM NUMBER	
<input checked="" type="checkbox"/> ADDITIONAL INSURED						LOCATION:	BUILDING:
<input type="checkbox"/> BEACH OF WARRANTY						VEHICLE:	BOAT:
<input type="checkbox"/> CO-OWNER						AIRPORT:	AIRCRAFT:
<input type="checkbox"/> EMPLOYEE AS LESSOR						ITEM CLASS:	ITEM:
<input type="checkbox"/> LEASEBACK OWNER						ITEM DESCRIPTION	
<input type="checkbox"/> LIENHOLDER	REFERENCE / LOAN #:	INTEREST END DATE:					
	LIEN AMOUNT:	PHONE (A/C, No, Ex):		FAX (A/C, No):			

REASON FOR INTEREST:

E-MAIL ADDRESS:

INTEREST	NAME AND ADDRESS RANK: _____	EVIDENCE:	CERTIFICATE	POLICY	SEND BILL	INTEREST IN ITEM NUMBER	
<input checked="" type="checkbox"/> ADDITIONAL INSURED						LOCATION:	BUILDING:
<input type="checkbox"/> BEACH OF WARRANTY						VEHICLE:	BOAT:
<input type="checkbox"/> CO-OWNER						AIRPORT:	AIRCRAFT:
<input type="checkbox"/> EMPLOYEE AS LESSOR						ITEM CLASS:	ITEM:
<input type="checkbox"/> LEASEBACK OWNER						ITEM DESCRIPTION	
<input type="checkbox"/> LIENHOLDER	REFERENCE / LOAN #:	INTEREST END DATE:					
	LIEN AMOUNT:	PHONE (A/C, No, Ex):		FAX (A/C, No):			

REASON FOR INTEREST:

E-MAIL ADDRESS:

INTEREST	NAME AND ADDRESS RANK: _____	EVIDENCE:	CERTIFICATE	POLICY	SEND BILL	INTEREST IN ITEM NUMBER	
<input checked="" type="checkbox"/> ADDITIONAL INSURED						LOCATION:	BUILDING:
<input type="checkbox"/> BEACH OF WARRANTY						VEHICLE:	BOAT:
<input type="checkbox"/> CO-OWNER						AIRPORT:	AIRCRAFT:
<input type="checkbox"/> EMPLOYEE AS LESSOR						ITEM CLASS:	ITEM:
<input type="checkbox"/> LEASEBACK OWNER						ITEM DESCRIPTION	
<input type="checkbox"/> LIENHOLDER	REFERENCE / LOAN #:	INTEREST END DATE:					
	LIEN AMOUNT:	PHONE (A/C, No, Ex):		FAX (A/C, No):			

REASON FOR INTEREST:

E-MAIL ADDRESS:

The above are added as additional Insured but only with respect to liability arising out of operations of the named Insured during the policy period.



Wasco County Official Records **2012-004162**  
DEED-D  
Cnt=1 Stn=1 WASCO COUNTY 11/01/2012 03:05 PM  
\$15.00 \$11.00 \$16.00 \$10.00 \$16.00 **\$67.00**  
00054741201200041620030035

I, Linda Brown, County Clerk for Wasco County,  
Oregon, certify that the instrument identified  
herein was recorded in the Clerk records.



After recording return to:

Wolf Run Ranch, LLC

25 NW 23<sup>rd</sup> Place; Suite 6, PMB505

Portland, OR 97210

Until a change is requested all tax statements  
shall be sent to the following address:

Wolf Run Ranch, LLC

25 NW 23<sup>rd</sup> Place; Suite 6, PMB505

Portland, OR 97210

Escrow No. AD0030201

Title No. 0030201

SWD r.020212

### STATUTORY WARRANTY DEED

**Mike Neary and Patti Neary, each as to an undivided one-half interest, as tenants in common,**

Grantor(s), hereby convey and warrant to

**Wolf Run Ranch, LLC, an Oregon limited liability company**

Grantee(s), the following described real property in the County of **WASCO** and State of Oregon free of  
encumbrances except as specifically set forth herein:

**As Attached Exhibit "A"**

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:

9609,9603

2S12E-1300,1400

The true and actual consideration for this conveyance is **\$1,150,000.00**.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this  
deed and those shown below, if any:

**2012-2013 Real Property Taxes a lien not yet due and payable.**

AMERITITLE 30201 TE



BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 29th day of October, 2012

Mike Neary  
Mike Neary

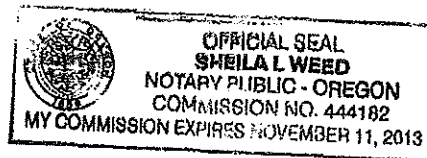
Patti Neary  
Patti Neary

State of Oregon  
County of WASCO

This instrument was acknowledged before me on October 29, 2012 by Mike Neary and Patti Neary.

Sheila Weed  
(Notary Public for Oregon)

My commission expires 11/11/2013



**Exhibit "A"**

**Tract 1**

The Southwest quarter of the Southeast quarter, the Southeast quarter of the Southeast quarter, and the Southeast quarter of Southwest quarter of Section 5;

The East half of the Northwest quarter and the Northwest quarter of the Northeast quarter of Section 8;

ALSO, that part of the Northeast quarter of the Northeast quarter of Section 8, lying North and West of the County Road,

All in Township 2 South of Range 12 East of the Willamette Meridian, in the County of Wasco and State of Oregon,

EXCEPTING THEREFROM,

That part of the Southeast quarter of the Northwest quarter of Section 8, Township 2 South, Range 12 East of the Willamette Meridian, lying Southerly of the County Road.

AND

Beginning at a 5/8" iron rod marking the Northeast corner of the Southwest quarter of the Southwest quarter of Section 5, Township 2 South, Range 12 East of the Willamette Meridian, Wasco County, Oregon; thence South 00° 09' 50" West along the East line of the Southwest quarter of the Southwest quarter of said Section 5 a distance of 8.00 feet to the true point of beginning of the herein described parcel; thence South 85° 41' 20" West a distance of 57.16 feet; thence South 71° 22' 28" West a distance 79.14 feet; thence South 50° 31' 38" West a distance of 58.36 feet; thence South 07° 28' 23" East a distance of 190.79 feet; thence South 09° 06' 31" East a distance of 67.93 feet; thence South 05° 44' 42" East of distance of 237.16 feet; thence South 05° 02' 49" East a distance of 199.77 feet; thence South 06° 07' 48" East of distance of 124.67 feet; thence South 06° 48' 16" East a distance of 155.69 feet; thence South 09° 15' 08" East a distance of 291.41 feet; thence North 89° 57' 05" East a distance of 17.77 feet to a 5/8" iron rod, which point marks the Southeast corner of the Southwest quarter of the Southwest quarter of said Section 5; thence North 00° 09' 50" East a distance of 1324.04 feet to the true point of beginning.

**Tract 2**

That part of the Southwest quarter of Northeast quarter of Section 8, Township 2 South, Range 12 East of the Willamette Meridian, in the County of Wasco and State of Oregon, lying Northerly of the County Road.

**Wasco County**  
**Permit Receipt**  
**RECEIPT NUMBER 00001388**

**Account name:** 0010321

**Date:** 3/22/2013

**Applicant:** PETER CLARK WHAT THE FESTIVAL

**Type:** check # 1079

<u>Permit Number</u>	<u>Fee Description</u>	<u>Amount</u>
PLAOMG-13-03-0001	ADDITIONAL RESEARCH FEE	5,000.00
	Total:	5,000.00

**Wasco County**  
**Permit Receipt**  
**RECEIPT NUMBER 00001388**

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PLAOMG-13-03-0001	ADDITIONAL RESEARCH FEE	5,000.00
	Total:	5,000.00

# **PLAOMG-13-03-0001**

## **Outdoor Mass Gathering**

### **Agency Comments & Supplemental Information Submitted**

Oregon Department of Forestry  
Oregon State Fire Marshal  
North Central Public Health  
Wasco County Public Works  
Oregon Liquor Control Commission



# Oregon

John A. Kitzhaber, MD, Governor

## Department of Forestry

The Dalles Unit

3701 West 13th

The Dalles, OR 97058

541-296-4626

FAX 541-298-4993

[www.oregon.gov/ODF/centraloregon](http://www.oregon.gov/ODF/centraloregon)



"STEWARDSHIP IN FORESTRY"

April 25, 2013

### 2013 What the Festival Wildland Fire Prevention Plan-

The Oregon Department of Forestry (ODF) is the only agency that provides wildland fire protection on privately owned lands in the area of Township 2S Range 12E. ODF does not provide structural fire protection. The U.S. Forest Service provides wildland fire suppression for the adjacent federally owned forestlands to the South and West of the event site.

There is a significant potential for wildfires resulting from this proposed mass gathering. ODF would prefer that this event occur at a different time of year when the risk of wildfires is minimal, however if approved by the Wasco County Commissioners ODF would appreciate the Boards consideration in the following site conditions necessary to insure a safe mass gathering at the What The Festival (WTF) event being organized during the period of July 22-30, 2013.

### Primary ODF point of contact will be:

Adam Barnes  
Protection Supervisor- The Dalles Unit  
(541) 296-4626  
(541) 980-7240  
[abarnes@odf.state.or.us](mailto:abarnes@odf.state.or.us)

### The following provisions will be adhered to for the duration of the event:

- In the event of a fire 911 will be contacted regardless of incident size or status.
- Festival will employ a team of qualified wildland fire responders to be on site and available to respond 24 hours a day. Responders will be centrally located at a designated post or on patrol with suppression equipment.
  - o Staffing will consist of no less than 4 wildland firefighters during periods of peak fire danger (11:00 am to 9:00 pm) and no less than two wildland firefighters during off peak times. PPE must be provided according to OR-OSHA standards.
- Fire trailer, continually hitched to a vehicle capable of pulling the trailer, will be on site and staged at a central location.
  - o The trailer will consist of 500 gallon water tank and functioning pump, 500 ft. of one inch fire hose and nozzle. Required fire tools will be two shovels and two pulaskis. Additional fire tools are required for each firefighter on site.

- If Energy Release Components reach or exceed 55, during the week prior to the event a professional wildland contract engine, Type 6 resource, will be hired and staffed with two professional firefighters from 11:00 AM to 09:00 PM daily during the event.
- UTV's to be utilized during the event will have water tank and pump units installed to provide for fire suppression.
- Both Wolf Run irrigation ponds will have operating water pumps stationed at fill sites to provide a water source for fire suppression purposes. These pumps should have a minimum discharge of 1 ½ inch, contain 50' of discharge hose, suction hose, 1 fill spout, and 3 gallons fuel.
- All pumps and fire equipment will be tested daily to ensure proper operation.
- Existing road on property's North, East and West sides are to be brushed and clear of down woody debris. Must be passable by UTV.
- Removal of brush and down woody material around Forest Stage and throughout dispersed camping areas.
- Evacuation plan will be given to each attendee upon arrival by event greeters.
- Roads to be traveled by motorized vehicles will be clear of vegetation.
- Fire extinguishers will be co-located with all internal combustion engines, i.e. generators, ATV's, light plants, ect.
- No open flame policy: No campfires, No charcoal BBQ, No candles, No incense, No fireworks. Propane gas stoves or electric griddles are the only permissible cooking equipment.
- All vehicle parking areas will be mowed and thatched before the event. Irrigation will be maintained on fields 3-5 days prior to prevent drying and curing of vegetation.
- Non-irrigated parking areas will be mowed and thatched to remove flammable vegetation. Dry parking will be wetted down the five previous days to using parking area. During times when vehicles are being parked, fire personnel will patrol parking areas with suppression equipment. The dry parking area will have a fire break of no less than 2' wide dug down to bare mineral soil around the perimeter as a fuel break.
- Smoking will be allowed only within designated smoking areas.
  - Smoking areas should number no less than **eight** available sites dispersed throughout event grounds.
  - Designated smoking areas will consist of 15 by 20 fenced areas clear of flammable vegetation. Each area will have a fire extinguisher and cigarette receptacles at the entrances.
- ODF will conduct a pre-event inspection with WTF coordinators to ensure readiness and will have access to festival grounds for periodical inspections during the event.
- If chain saws or heavy machinery is used for preparing the site for use a permit to operate power driven machinery (PDM) will be obtained through the local ODF office to meet requirements regarding internal combustion engines.

The Oregon Department of Forestry thanks the Board of Commissioners in helping to ensure this event occurs in a safe and fire free manner.

Adam Barnes  
 Fire Manager  
 Oregon Department of Forestry  
 The Dalles Unit



State of Oregon

Office of State Fire Marshal

4760 Portland Road NE, Salem, Oregon 97305-1760

# FIRE AND LIFE SAFETY CONSULTATION

**HMM1304091300**

Consultation Date

Page 1 of 2

April 9, 2013

Business Name and Address

**What The Festival**

**78889 Dufur Valley Rd**

**Dufur OR 97021**

**(503) 438-8723**

Responsible Person

**Peter Clark**

Principal Occupancy Type

**A-3**

County

**Wasco**

Fire Dept

**Unprotected, Wasco**

Property Owner

This State Fire Marshal consultation is advisory only and does not substitute for a fire and life safety plan review by the building official as required by ORS Chapter 455. Any advice provided is not an approval of omissions or oversights, or authorization of non-compliance with any rule, code, or standard adopted by this agency or any other agency.

## Narrative

The following comments are in response to the mass gathering permit application for the 2013 What The Festival:

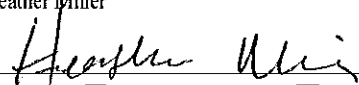
- Access roads throughout the sight shall be maintained to a minimum 20-feet in width for emergency vehicle access. This includes the areas where vehicles are parked.
- Grass-covered areas where vehicles will be driven shall be mowed to a minimum length of 4-inches and stray clipping shall be cleared away.
- Allow a minimum of 10-feet spacing between parked RVs to allow for proper ventilation of exhaust fumes for fuel-burning appliances (i.e., generators).
- Smoking only to be allowed in pre-designated areas as determined by the Oregon Department of Forestry.
- Generators used for the festival shall be placed in an area where they are 20-feet clear of combustibles. All generators shall have a minimum 4A:40BC rated dry chemical fire extinguisher in a visible and accessible location nearby and the location shall be marked with a sign.
- Food booths shall be spaced a minimum of 10-feet apart. All cooking booths shall have a minimum 2A:10BC rated dry chemical fire extinguisher. If cooking operations include deep fat frying, an additional class K fire extinguisher shall be on site. All fire extinguishers shall be kept in a visible, easily accessible location.
- Any booths using propane tanks shall store additional tanks a minimum of 10-feet from heat sources. Tanks shall be secured from falling over.
- All venues in the festival shall have a minimum of a 2A:10BC rated dry chemical fire extinguisher in a visible, easily accessible location.
- No pyrotechnics or open flames will be allowed. This includes the performance areas.
- Any tent structures used on the site shall be treated with fire retardant and certificate provided.



**Narrative**

\*\* A fire safety inspection will be required by the State Fire Marshal's Office prior to the event opening to the public to check for compliance. All venues and booths shall be set up at this time.

- The festival shall create an emergency plan to account for situations such as fire response, medical response, security situations, etc. The plan shall include a communication plan for radio frequency use and priority radio traffic, as well as how to communicate with agencies such as the sheriff, ambulance and ODF responders. The fire response shall include a list of available equipment on-site and a plan for responding to reported incidents. Maps shall be provided to responders prior to the event. Designate roads with names and include the final site plan.

<input type="checkbox"/> Presented to:	DSFM: Heather Miller (541) 420-4263
<input checked="" type="checkbox"/> Mailed to: Peter Clark	

Distribution: ☐ Owner/Occupant ☐ OSFM File ☐ Deputy ☐ Fire Dept ☒ Agency ☐ Other

## **Unresolved What The Festival Issues**

The following are issues that are left to be resolved with the responsible parties operating this festival. Considering the closeness of the final meeting, May 1 2013, this should proceed as quickly as possible. These issues are from the State of Oregon's Mass gathering rules.

- **WATER...**A minimum of 25,000 gallons of potable water must be kept on site, in reserve, at all times. The ability to provide up to 60,000 gallons of potable water per day must be provided for. The well on site may be used to provide some potable water but only if satisfactory water testing is completed and reported to us prior to the final meeting. Where will the water supplies be placed and how do campers get it to their camp sites? 60% of the water provided must be in the camping area and 40% must be in the activity area. Water must be within 25 feet of all food vendors. Water must be within 25 feet of the Medical facility. Absolutely no water hoses may be connected to the potable water supply.
- **PRIVIES...**There are an adequate number of privies ordered for the event but 60% must be placed throughout the camping areas, including the walk-in area. 40% must be in the activity area.
- **GRAY WATER...**Gray water may be disposed of on site if at least 2 properly constructed sumps are built. One must be within 50 feet of all food vendors. Details can be worked out in the future as long as the festival agrees to follow instructions with regards to construction. The other alternative is to truck all gray water to a sanitary sewer for disposal.
- **SOLID WASTE...**Requirements are for 313@ 30 gallon containers, or 40 cubic yards of dumpsters. Containers must be "fly tight".
- **MEDICAL...**Oregon Rules require 1 licensed Physician and 1 Licensed Professional Nurse on site and available 24 hours a day. The Medical facility must; be enclosed, have chairs, an exam table with stirrups, locking cabinets, be prepared for minor surgery and exams, adequate lighting, accurate records kept for all treatment administered, temporary holding

area for transport, 5 cots, emergency communications. 1 ambulance will be required on site at all times.

A quick response will be required to work these issues out before the May 1<sup>st</sup> meeting.

Sincerely,

Kevin Dworschak

NCPHD 541-506-2624



Joey Shearer &lt;joeys@co.wasco.or.us&gt;

---

**Update - WTF submittals**

---

**Marty Matherly** <martym@co.wasco.or.us>

Tue, Apr 23, 2013 at 2:18 PM

To: Joey Shearer &lt;joeys@co.wasco.or.us&gt;

Hi Joey,

WTF's event will require two separate permits from the road department. The first permit is for a new road approach road onto Dufur Valley Road. They plan to use the new approach as the main entrance to the event. We have issued a permit to build and they are currently building the approach to our specifications and standards. Once completed and approved, the approach will be a permitted approach.

The second will be an Operations and Special Events permit for operating within public right-of- way (Dufur Valley Road). The permit requires a traffic control plan (TCP) with a narrative of the TCP. The permit application and permit conditions has been provided to WTF but they have not yet submitted their application.

If you have any questions, please let me know.

Marty

--

Marty Matherly  
Public Works Director  
Wasco County  
2705 East 2nd Street  
The Dalles, Oregon 97058  
541-506-2646  
[martym@co.wasco.or.us](mailto:martym@co.wasco.or.us)



Oregon Liquor  
Control Commission

DATE: 4/12/13

TO: Keely Montgomery, What The Festival

FAX #: 1-877-803-7144

FROM: Rich Miller  
Troutdale PD office

PHONE #: 503-572-8948

FAX #: 503-669-0875

SUBJECT:

Temporary Sales License

7/25-28/13

PAGES: 13

Apr. 12. 2013 7:35AM

Troutdale Police Department

No. 0060 P. 2

<b>RECEIPT</b>		DATE <u>4/3/13</u>	No. <u>179331</u>
RECEIVED FROM <u>Keely Montgomery - What The Festival</u>		\$ <u>200.00</u>	
<u>Two hundred and no/100</u>		DOLLARS	
<input type="radio"/> FOR RENT		<u>Festival - TSL</u>	
<input checked="" type="radio"/> FOR			
ACCOUNT		<input type="radio"/> CASH	FROM <u>7/25/13</u> TO <u>7/28/13</u>
PAYMENT	<u>200.00</u>	<input type="radio"/> CHECK	
BAL. DUE	<u>—</u>	<input type="radio"/> MONEY ORDER	
		<input type="radio"/> CREDIT CARD	
		BY <u>R MILLER, PMEA</u>	



OREGON LIQUOR CONTROL COMMISSION

TEMPORARY SALES LICENSE APPLICATION

The Temporary Sales License (TSL) allows the sale of distilled spirits, malt beverages, wine, and cider for drinking within a license area. It also allows for the sale of manufacturer-sealed containers of malt beverage, wine, and cider for drinking off the licensed area.

**Process Time:** OLCC needs your completed application to us in sufficient time to approve it. Sufficient time is typically 1 to 5 weeks before the first event date listed in #9 below (some events may need extra processing time).

**Guide:** Please review the TSL Application Guide on the OLCC's web site at [www.oregon.gov/olcc](http://www.oregon.gov/olcc).

**License Fee:** \$50 per license day or any part of a license day. Make payment by check or money order, payable to OLCC. A license day is from 7:00 am to 2:30 am on the succeeding calendar day.

**License Day:** in #9 below, you can apply for a maximum of 7 license days per application form.

Keely Montgomery

1. Applicant Name (please print): \_\_\_\_\_  
PMB 505, 25 NW 23rd Place, Suite 6

2. Mailing address: \_\_\_\_\_  
Portland Oregon 97210

3. City: \_\_\_\_\_ 4. State: \_\_\_\_\_ 5. Zip Code: \_\_\_\_\_ 6. Fax: \_\_\_\_\_  
Keely Montgomery 303-804-5878

7. Contact Person: \_\_\_\_\_ 8. Contact Phone: \_\_\_\_\_  
July 25 - 28, 2013 11AM to 2AM

9. Date(s) of event: \_\_\_\_\_ 10. Start/End hours of alcohol service: \_\_\_\_\_

**LICENSED AREA BOUNDARIES:** ORS 471.159 prohibits the OLCC from licensing an area that does not have defined boundaries. OLCC may require the licensed area to be enclosed and may require you to submit a drawing showing the licensed area and how the boundaries of the licensed area will be identified.

7888 Dufur Valley Road Dufur  
11. Address of Special Event Licensed Area: \_\_\_\_\_  
(Street) (City)

12. Identify the licensed area (for example: entire premises; a room within the premises; an area in a park; etc.):  
The licensed areas are two, defined, enclosed, designated outdoor locations on festival grounds for 21+ only.

13. List the primary activities within the licensed area (like: dinner; auction; beer festival; wine festival; food fair; art show; music; patron dancing; sports event; etc.). If entertainment will be offered in the areas where alcohol will be sold or consumed, please describe the entertainment, the times it will be offered, and list the targeted age of attendees:

Designated areas for lounging, 21+ liquor sales, and specialty food vendors. Targeted age of attendees is 25-40.

14. Will minors and alcohol be allowed together in the same area? ☐ Yes ☒ No

15. What is the expected attendance per day in the licensed area (where alcohol will be sold or consumed)? 1500

**PLAN TO MANAGE THE SPECIAL EVENT LICENSED AREA:** If your answer to #15 is 501 or more, in addition to your answers to questions 16, 17, and 18, you will need to complete the OLCC's *Plan to Manage Special Events form* (available on [www.oregon.gov/OLCC](http://www.oregon.gov/OLCC)), unless the OLCC exempts you from this requirement.

16. Describe your plan to prevent problems and violations.  
DPSST certified security; OLCC permitted bartenders; double fenced/matted surrounding licensed area; ID scans and monitored entry and exit points; alcohol monitors.

17. Describe your plan to prevent minors from gaining access to alcoholic beverages and from gaining access to any portion of the licensed premises prohibited to minors.

The designated areas will be properly secured with the required fencing, ID's scanned, and wristband checks. We will also provide sufficient lighting to monitor activity in the lounge during the evening.

page 2 of 4

1-800-452-OLCC (5522)  
[www.oregon.gov/OLCC](http://www.oregon.gov/OLCC)

(rev. 05/2010)



We will be limiting # of drinks a person can order at a time; limited alcohol in drinks; and will not be providing pitchers.

**MANAGER AND SERVICE PERMITS:** You must name a manager or managers who will be at the special event. Employees and volunteers who serve alcohol, and the people who manage those servers, must have an issued service permit unless specifically exempted.

A nonprofit or charitable organization with a Registry Number issued by the Oregon Secretary of State's office (see TSL Application Guide) may use servers who don't hold a service permit. These servers, however, must attend training provided by the applicant and read, sign, and date the OLCC provided brochure "What Every Volunteer Alcohol Server Needs to Know" (available on [www.oregon.gov/OLCC](http://www.oregon.gov/OLCC)).

19. Nonprofit or Charitable Organization Oregon Registry Number (or "N/A" if not applicable): N/A

20. List name(s) of on-site manager(s): Sterling Edmerson 21. Contact Phone: 503-705-1245

22. Service permit number of manager(s): 430216

**LIQUOR LIABILITY INSURANCE:** If the licensed area is open to the public and expected attendance is 301 or more per day in the licensed area, you must have at least \$300,000 of liquor liability insurance coverage as required by ORS 471.168.

23. Insurance Company: paperwork processing 24. Policy #: forthcoming 25. Expiration Date: forthcoming

**FOOD SERVICE:** See the attached sheet for an explanation of this requirement.

26. If you will **NOT** provide distilled spirits, name at least two different substantial food items that you will provide:

① \_\_\_\_\_ ② \_\_\_\_\_

27. If you will provide distilled spirits, name at least three different substantial food items that you will provide:

① Sandwiches ② Pizza ③ Chicken Skewers

28. Applicant Name (please print): Keely Montgomery

29. APPLICANT SIGNATURE: [Signature] 30. Date: 2/27/2013

**GOVERNMENT RECOMMENDATION:** Once you've completed this form to this point, you must obtain a recommendation from the local city or county named in #31 below before submitting this application to the OLCC.

31. Name the city if the event address is within a city's limits or name the county if the event address is outside the city's limits: Wasco

**CITY OR COUNTY USE ONLY**

The city/county named in #31 above recommends:

☐ Grant ☒ Acknowledge ☐ Deny (attach written explanation of deny recommendation)

City/County Signature: [Signature] Date: 3-7-13

**FORM TO OLCC:** This license is valid only when signed by an OLCC representative. Submit this form to the OLCC office regulating the county in which your special event will happen.

**OLCC USE ONLY**

Fee Paid: 200.00 Date: 4/3/13 Receipt #: 179331

License is: ☒ Approved ☐ Denied 1. Splash Bar and OMG Lounge are only  
Restrictions: licensed areas (see diagram and site plan)

OLCC Signature: Richard A Miller Date: 4/3/13 2. Hours of sale, service, and consumption

page 3 of 4

PMEU District Inspector 503-572-8948 (rev. 05/2010)  
1-800-452-OLCC (6522)  
[www.oregon.gov/OLCC](http://www.oregon.gov/OLCC)

Splash Bar: 10am - 7pm each day  
OMG Lounge: 6pm - 2am each day

limited to:  
(see below)





OREGON LIQUOR CONTROL COMMISSION

PLAN TO MANAGE SPECIAL EVENTS

When the expected attendance per day in the area where alcohol will be sold or consumed is 501 or more, any applicant for a Temporary Sales License (TSL), Special Event Winery (SEW), Special Event Grower (SEG), Special Event Brewery-Public House (SEPBH), Special Event Distillery (SED), or a Temporary Use event must complete this form (unless exempted from this requirement by the OLCC) and submit it with the application to the OLCC.

Other applicants (those expecting 500 or fewer attendees per day in the licensed area) may choose to use this form. In some cases, even if the expected daily attendance is 500 or fewer, the OLCC may require this form.

Examples of times when the OLCC may require more detailed information, even if the expected daily attendance in the area where alcohol will be sold or consumed is 500 or fewer, include a licensed area; projecting an emphasis on alcohol consumption; projecting an emphasis on entertainment; or proposing to allow minors and alcohol together in the same area.

Please note that for some licensed areas, in order to convince the OLCC that you will adequately manage the licensed area, the OLCC may require more details in addition to your completed PLAN TO MANAGE SPECIAL EVENTS form or any other information you submitted regarding how you will control the licensed area.

If there will be more than one of the above licensees making alcohol available in the same area(s) of the same event, all licensees may agree to submit and follow one plan.

What the Festival

1. Event Name: \_\_\_\_\_ keely@whatthefestival.com
2. Applicant Name: Keely Montgomery E-mail: \_\_\_\_\_  
July 25 - 28, 2013 11AM 2AM
3. Date(s) of event: \_\_\_\_\_ 4. Start/End hours of alcohol service: \_\_\_\_\_ to \_\_\_\_\_  
7688\$ Dufur Valley Road Dufur/Wasco
5. Event Address: \_\_\_\_\_ 6. City/County: \_\_\_\_\_  
Day Lounge: 1000  
Evening Lounge: 600
7. Estimated total attendance per day in area(s) where alcohol will be sold or consumed: \_\_\_\_\_
8. On-Site Contact Person(s) and Contact Phone(s):

Sterling Edmonson/Bar GM: 503-705-1245

Keely Montgomery/Administrative Assistant to General Manager: 503-804-5876

Peter Clark/General Manager: 503-438-8723

Do you estimate that 30 percent or more of the people attending the event will be between 15 and 20 years of age? ☐ Yes ☒ No

Do you estimate the number of patrons in the licensed area will be about the same during the entire time that alcohol is sold or consumed? ☐ Yes ☒ No If no, what are the estimated times that a greater number of patrons will attend? 10:00PM - 2:00AM

If any of the following people will work in the licensed area, list the minimum number you estimate will work during the estimated times when a greater number of patrons will attend and the estimated time when a regular number of patrons will attend:

<u>6</u> Servers (greater attendance times)	<u>3</u> Servers (regular attendance times)
<u>4</u> DPSST Certified Security (greater attendance times)	<u>3</u> DPSST Certified Security (regular attendance times)
<u>3</u> ID Checkers (greater attendance times)	<u>2</u> ID Checkers (regular attendance times)

**LICANT'S PLAN TO MANAGE THE EVENT**

estimated attendance per day in the area(s) where alcohol will be sold or consumed is 2,000 or more must meet minimum standards for certain items. These items are marked below in bold. Please read i Application Guide for an explanation of the minimum standards.

#12 and #13, please see the TSL Application Guide

Will minor patrons and alcohol be allowed together in the same area? ☐ Yes ☒ No If yes, describe your plan to prevent minor patrons from obtaining alcohol:

Will any portion of the licensed premises be prohibited to minor patrons? ☒ Yes ☐ No If yes, describe your plan to prevent minor patrons from gaining access to the prohibited area:  
Credentials, ID Scans, DPSST Certified Security, use of wall/gate/mote fencing, monitoring at both entry and exit points, along with inside the lounges.

Will Alcohol Monitors work in the licensed area? ☒ Yes ☐ No

(An Alcohol Monitor is a person in addition to alcohol servers and security staff who monitors the sale, service, and consumption of alcoholic beverages to help ensure that unlawful sales, service, and consumption of alcoholic beverages do not occur.)

If yes to #14, list the minimum number of Alcohol Monitors you estimate will work during the estimated times when a greater number of patrons will attend and the estimated times when a regular number of patrons will attend:

4 Minimum number during estimated times of greater patron attendance  
2 Minimum number during estimated times of regular patron attendance

Large Buttons to be worn on shirts identifying them as "Alcohol Monitors"

17. Will all Alcohol Monitors be required to have a service permit? ☒ Yes ☐ No

18. If no to #17, those Alcohol Monitors without a service permit must be uncompensated volunteers who are directly supervised in the licensed area by an individual who has successfully completed an Alcohol Server Education course within the last five years. Please list the name(s) of the supervisor(s) and their Server Education completion date(s):

19. Is the applicant a nonprofit or charitable organization with a Registry Number issued by the Oregon Secretary of State's office? ☐ Yes ☒ No

20a. If yes to #19, will the applicant use servers who don't hold a service permit? ☐ Yes ☒ No

20b. If yes to #20a, describe the plan to train these people in at least the following: recognizing minors; properly checking identification; and how to recognize and respond appropriately to visibly intoxicated persons:

N/A

21. Will security or ID checkers be required to have a service permit? ☒ Yes ☐ No If no, describe the plan to train these people in at least the following: recognizing minors; properly checking identification; and how to recognize and respond appropriately to visibly intoxicated persons:

22. Will servers, security, or ID checkers wear clothing or other designation which readily identifies them as such to patrons? ☒ Yes ☐ No If yes, please describe:

DPSST Security wearing official clothing. Servers and ID Checkers in identifiable staff shirts as well.

For 23 - 25, please see the TSL Application Guide

23. List the container sizes for alcoholic beverages meant for consumption in the licensed area:

10 oz. Malt Beverages 6 oz. Wine 10 oz. Cider 6 oz. Distilled Spirits

24. List the maximum amount of alcohol in a container meant for consumption in the licensed area:

8 oz. Malt Beverages 5 oz. Wine 8 oz. Cider 1 oz. Distilled Spirits

25. Describe how containers used to serve alcoholic beverages for consumption in the licensed area will be of a different color and type when compared to containers used to serve nonalcoholic beverages:

We will use a color coding system - selecting two different color cups; one for alcoholic beverages and another for non-alcoholic beverages.

26. Will you limit the number of containers of alcoholic beverages meant for consumption in the licensed area each purchaser may buy at any one time? ☒ Yes ☐ No. If yes, describe the limit:

One drink per guest served at a time.

27. Describe the level of lighting the licensed area will have to ensure the proper monitoring of patrons:

☒ A level of lighting sufficient to read common newspaper print; or

☐ A level of lighting that will be (please describe):

28. Describe your plan for making sure that no open containers of alcohol leave the licensed area:

Designated entry and exit points with sufficient DPSST Security at each location and one person walking perimeter for each lounge (Day and Evening Lounge).

29. Describe your plan for dealing with issues that arise (such as a minor found with alcohol, minor in an area prohibited to minors, minor found with fake identification, patron found to be visibly intoxicated; etc.):  
DPSST Security team working in and around TSL areas will report any unlawful activity. Minor's identity will be verified, noted and minor and anyone providing alcohol to minor or accompanying minor will be ejected from event. Fake or misrepresented ID will be seized and given to OLCC. If authorities are available they will receive a criminal citation. Patron found to be visibly intoxicated will be not allowed into the alcohol designated area, if found inside area they will be offered water, food and escorted back to their camp site.

30. If other methods for adequately managing the licensed area will be used, describe them here (or submit a separate written, dated, and signed plan):

31. Applicant Name: Keely Montgomery

32. Applicant Signature: [Signature] 33. Date: 2/27/2013





OREGON LIQUOR CONTROL COMMISSION  
**IDENTIFYING A SPECIAL EVENT LICENSED AREA**

The OLCC is prohibited from licensing an area that does not have defined boundaries.

Please complete items 1 - 5 and then use the box below to draw the licensed area.

1. Applicant Name (please print): Keely Montgomery
2. Event Street Address: 78889 Dufur Valley Road
3. City/County: Dufur/Wasco
4. Date(s) of Event: July 25-28, 2013
5. Please list and describe what barrier(s) will be used to define the boundaries of the licensed area. For example: "A 6 foot high wooden fence." OMG LOUNGE: 8' Chain Fence with black scrim, with 4' meat fence on inner perimeter.

**USE THIS BOX TO DRAW THE LICENSED AREA**

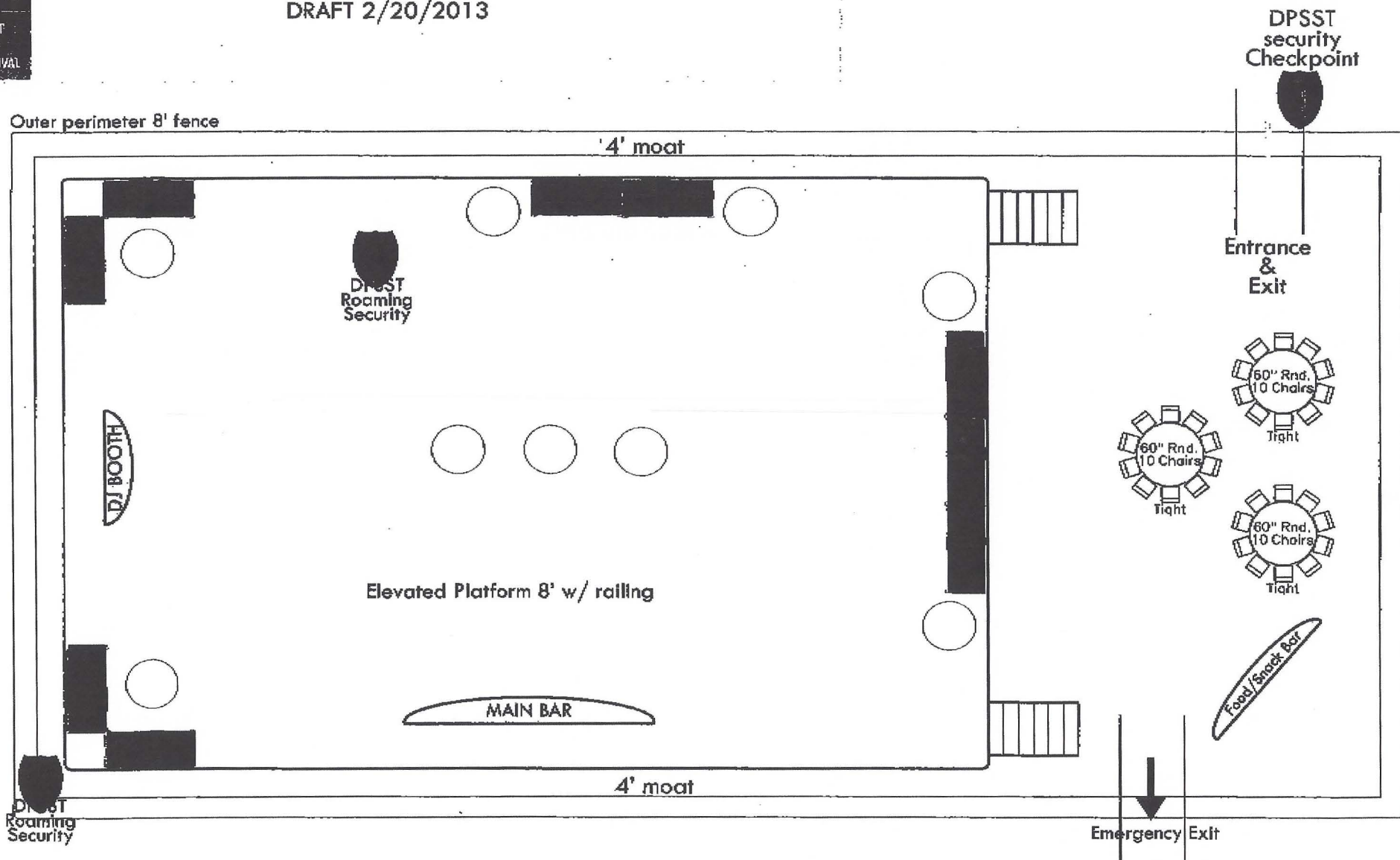
(please see supplemental map for  
more accurate drawing of evening lounge/OMG Lounge)

1-800-452-OLCC (6622)  
[www.oregon.gov/OLCC](http://www.oregon.gov/OLCC)

(rev. 10/07)



OMG Lounge Layout for OLCC Liquor Permit  
DRAFT 2/20/2013





OREGON LIQUOR CONTROL COMMISSION  
**IDENTIFYING A SPECIAL EVENT LICENSED AREA**

The OLCC is prohibited from licensing an area that does not have defined boundaries.  
Please complete items 1 – 5 and then use the box below to draw the licensed area.

1. Applicant Name (please print): Keely Montgomery
2. Event Street Address: 78889 Dufur Valley Road
3. City/County: Dufur / WASCO
4. Date(s) of Event: July 25-28, 2013

5. Please list and describe what barrier(s) will be used to define the boundaries of the licensed area. For example: "A 6 foot high wooden fence." Day Lounge / "Splash Bar" -  
4' white picket fence on outer perimeter with inner  
10' tall wall, and inner 4' white picket fence.

**USE THIS BOX TO DRAW THE LICENSED AREA**

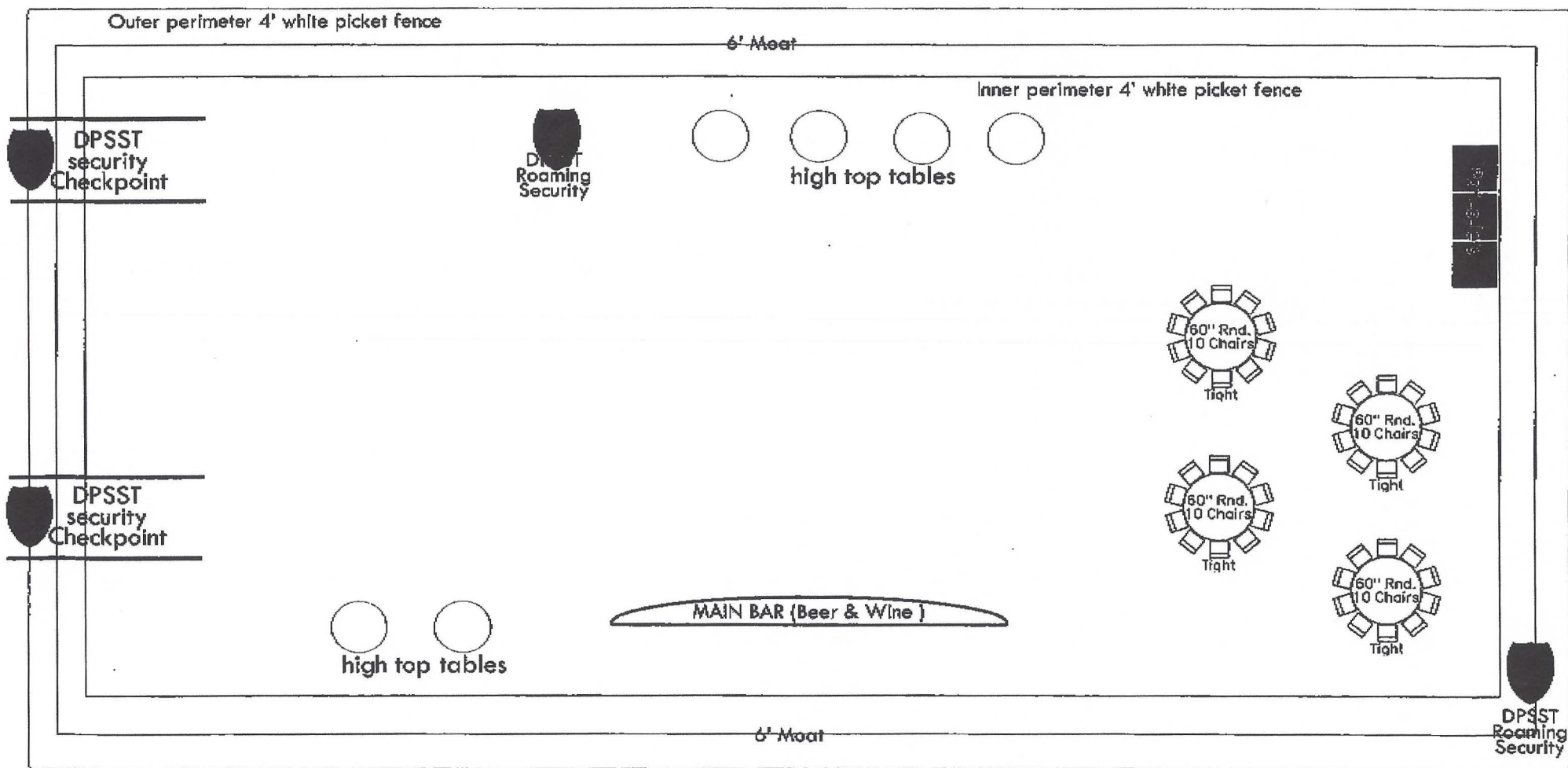
(please see supplemental map for more  
accurate drawing of Day Lounge / "Splash Bar")

1-800-452-OLCC (6622)  
[www.oregon.gov/OLCC](http://www.oregon.gov/OLCC)

(rev. 10/07)



Beer & Wine garden "splash bar" layout for OLCC Liquor Permit  
DRAFT 3/10/2013



Apr. 12, 2013 7:38AM

Troutdale Police Department

No. 0060 P. 12





# CERTIFICATE OF LIABILITY INSURANCE

MOONEVE-02

MASME1

DATE (MM/DD/YYYY)

3/28/2013

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> (OR) Heffernan Insurance Brokers 5100 SW Macadam, Suite 440 Portland, OR 97239	<b>CONTACT NAME:</b>	
	<b>PHONE (A/C, No, Ext):</b> 1 (503) 226-1320	<b>FAX (A/C, No):</b> 1 (503) 226-1478
<b>INSURED</b>  Moonshine Events LLC 25 NW 23rd Place Ste PMB 505 Portland, OR 97210	<b>E-MAIL ADDRESS:</b>	
	<b>INSURER(S) AFFORDING COVERAGE</b>	
	<b>INSURER A:</b> USF Insurance Company	
	<b>INSURER B:</b> United States Fire Insurance Company	
	<b>INSURER C:</b>	
	<b>INSURER D:</b>	
	<b>INSURER E:</b>	
<b>INSURER F:</b>		
<b>NAIC #</b>		
21113		

**COVERAGES****CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY	X	SRPG1010413	7/25/2013	7/29/2013	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000
	<input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR					MED EXP (Any one person) \$
						PERSONAL & ADV INJURY \$ 1,000,000
						GENERAL AGGREGATE \$ 2,000,000
						PRODUCTS - COM/POP AGG \$ 2,000,000
GEN'L AGGREGATE LIMIT APPLIES PER:						
<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						
AUTOMOBILE LIABILITY						
<input type="checkbox"/> ANY AUTO <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$
<input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRING AUTOS						BODILY INJURY (Per person) \$
<input type="checkbox"/> HIRING AUTOS						BODILY INJURY (Per accident) \$
						PROPERTY DAMAGE (PER ACCIDENT) \$
UMBRELLA LIAB						EACH OCCURRENCE \$
<input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> OCCUR						AGGREGATE \$
<input type="checkbox"/> CLAIMS-MADE						
DED RETENTION \$						
WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						
ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						WC STATU-TORY LIMITS
If yes, describe under DESCRIPTION OF OPERATIONS below						OTH-ER
						E.L. EACH ACCIDENT \$
						E.L. DISEASE - EA EMPLOYEE \$
						E.L. DISEASE - POLICY LIMIT \$
B	Liquor Liability		SRPL1010413	7/25/2013	7/29/2013	Occ: 1,000,000 Agg: 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)  
Music Festival at 78889 Dufur Valley Rd., Dufur, OR 97021.

**CERTIFICATE HOLDER****CANCELLATION**

<b>OLCC</b> 9079 SE McLoughlin Blvd. Portland, OR 97222	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	<b>AUTHORIZED REPRESENTATIVE</b> 

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ACORD 25 (2010/05)

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# Wasco County Planning Department

*"Service, Sustainability & Solutions"*

2705 East Second St. • The Dalles, OR 97058  
(541) 506-2560 • [wcplanning@co.wasco.or.us](mailto:wcplanning@co.wasco.or.us)  
[www.co.wasco.or.us/planning](http://www.co.wasco.or.us/planning)

## SUMMARY OF INFORMATION

Prepared for Wasco County Board of Commissioners Hearing

**FILE #** PLAOMG-13-03-0001

**HEARING DATE:** May 1, 2013

**PUBLISH DATE:** April 24, 2013

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**REQUEST:** Outdoor Mass Gathering for a music and art festival entitled "What the Festival," July 25-28, 2013. Estimated attendance is 4,000-5,000.

**RECOMMENDATION:** Approval, with conditions

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**APPLICANT/OWNER INFORMATION:**

**Applicant**

Peter Clark  
What the Festival  
4702 NE 29<sup>th</sup> Ave  
Portland, OR 97211

**Owner**

Glen Boyd  
Wolf Run Ranch LLC  
25 NW 23<sup>rd</sup> Pl, Suite 6 PMB 505  
Portland, OR 97210

---

**PROPERTY INFORMATION:**

Map and Tax Lot	Acres	Acct. #	Zoning
2S 12E 0 1400	245	9603	F-2 (80)/EPD-8

**Location:** The north side of Dufur Valley Road, approximately 10 miles southwest of Dufur, OR.

**Address:** 78889 Dufur Valley Road, Dufur, OR 97021

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**ATTACHMENTS:**

- A. Summary of Information & Conditions
- B. Planning Commission Options & Staff Recommendation
- C. Maps
- D. Staff Report
- E. Sanitary Food Service Requirements
- F. Wildland Fire Prevention Plan

## ATTACHMENT A – SUMMARY OF INFORMATION & CONDITIONS

The full staff report with all proposed findings of fact and conclusions of law is enclosed as **Attachment D** and was available at the Wasco County Planning Department for review one week prior to the May 1, 2013 hearing. The full staff report is made a part of the record. This summary does not supersede or alter any of the findings or conclusions in the staff report, but summarizes the results of Staff's review and recommendation. The request and subsequent decision do not constitute land use decisions, as governed by Oregon law. All applicable standards are addressed in **Attachment D**.

Peter Clark, with "What the Festival," requests an Outdoor Mass Gathering permit for a music and art festival July 25-28, 2013. Estimated attendance is 4,000-5,000. Subject to the proposed findings contained in **Attachment D**, Staff recommends the following **conditions of approval**:

- A. Applicant and property owners shall comply with the application as reviewed and approved by the staff report, which is available at the Wasco County Planning Department. This report details the restrictions on aspects of the proposed development including but not limited to location, dimensions and use. This decision does not constitute tacit approval for any other development or use.
- B. **Attendance**: Maximum attendees for What the Festival 2013 shall be 5,000, plus staff and volunteers necessary to operate the event safely and effectively, as described in **Attachment D**. Updated attendance estimates, with documentation, shall be provided to Wasco County Planning no later than July 1, 2013.
- C. **Water Supply**: Applicant shall provide evidence that the existing well is a water source approved by the Public Health Division (Division) of the Oregon Health Authority. Should attendees exceed 4,800, Applicant shall:
  - 1) Provide written documentation that the existing well can achieve the flow rate required to meet increased demand; OR
  - 2) Truck in water from a source approved by the Division to meet increased demand.

Documentation shall be provided, in writing, to Wasco County Planning no later than July 1, 2013.

- D. **Water Testing for Bacteriological and Chemical Requirements**: Applicant shall provide a laboratory analysis report documenting that the proposed water supply tests negative for coliform bacteria and does not contain the following substances in excess of amounts listed:

(A) Arsenic -- 0.1;	(F) Fluoride -- 1.7;	(K) Total Dissolved Solids --
(B) Cadmium -- 1.0;	(G) Iron -- 0.3;	500.0;
(C) Chloride -- 250.0;	(H) Lead -- 0.05;	(L) Zinc -- 5.0.
(D) Copper -- 1.0;	(I) Selenium -- 0.01;	
(E) Cyanide -- 0.01;	(J) Nitrate (NO3) -- 45.0;	

Documentation shall be provided to Wasco County Planning no later than July 1, 2013.

**E. Water Supply System Construction, Maintenance, and Design:** All temporary and permanent expansions of, and extensions from, the existing water supply necessary to accommodate the Outdoor Mass Gathering shall comply with the following standards:

- (a) All parts of the water supply system shall be constructed of non-toxic materials;*
- (b) All water distribution lines and fittings shall be constructed of galvanized wrought iron, galvanized steel, copper, or NSF approved plastic pipe. All plastic pipe and fittings must bear the NSF seal;*
- (c) Pressure tanks and storage tanks shall be constructed of non-toxic materials. Tanks which have previously been used to contain toxic substances shall not be used;*
- (d) Prior to placing the water supply system into use, all portions of the system including storage tanks and distribution system shall be disinfected by adding a chlorine solution of not less than 50 mg/1 and retaining the mixture within all portions of the system for at least 24 hours. Following disinfection, the system is to be thoroughly flushed of the chlorine solution;*
- (e) Hydrants equipped with self-closing faucets shall be provided at a ratio of not less than one for every 250 persons or fraction thereof anticipated;*
- (f) Each faucet shall be mounted on a minimum 36 inch riser. The riser is to be securely fastened to a supporting structure equal in strength to a four inch by four inch timber which is securely anchored in the ground;*
- (g) Each faucet and riser shall be accompanied by a seepage pit located directly beneath the faucet which shall have a minimum inside diameter of 12 inches and a minimum depth of three feet and shall be backfilled with clean coarse rock;*
- (h) All water distribution lines shall be installed at a minimum depth of 12 inches in the soil and shall be covered;*
- (i) If camping and activity areas are separately designated, 60 percent of the total required faucets shall be located within the area designated for camping, and 40 percent of the total required faucets shall be located in the area designated for activities;*
- (j) A minimum of one faucet shall be located not more than 25 lineal feet from each food service facility and a minimum of one faucet shall be located not more than 25 lineal feet from any emergency medical facility;*
- (k) Garden hoses, flexible hoses, pipes, or similar devices shall not be connected to any faucet or any other portion of the water supply system for personal convenience or any other reason;*
- (l) A minimum pressure of 20 pounds per square inch shall be maintained at all times and at all points within the water distribution system.*

**F. Greywater:** Greywater tanks shall be located not more than 50 feet from the food vendors and labeled with a sign stating "Waste Water Disposal". The seepage pit shall be constructed and ready for inspection by July 1, 2013 and shall be at least three feet deep covering an area not less than 32 square feet. The pit shall be backfilled with clean, coarse rock and be protected by a one-fourth inch screen which shall be removed, with any waste being appropriately disposed, and cleaned every 24 hours during the event.

- G. Refuse Storage and Disposal:** All containers at the 11 refuse stations throughout the event site shall be emptied at least once every 24 hours, and all containers shall have closures or covers that seal tight to prevent flies and other pests from entering.
- H. Food and Sanitary Food Service:** All food vendors shall comply with the applicable food and sanitary food service requirements listed in 333-039-0035 (**Attachment E**), and make themselves available for inspection during the event. Furthermore, only vendors with valid licenses, as provided by the Oregon Health Authority, shall be contracted to prepare and provide food for the event.
- I. Emergency Medical Facilities:**
- 1) One licensed physician and one licensed nurse shall be present during the operating hours of the event.
  - 2) The medical tent shall contain the facilities listed in 333-039-0040(2)-(7), including five cots and emergency communications, and one ambulance shall be provided.
- J. Fire Protection:** Applicant shall comply with the Wildland Fire Prevention Plan detailed in the Oregon Department of Forestry letter (**Attachment F**).
- K. Security Personnel:** Applicant shall secure a written statement from the Wasco County Sheriff that arrangements for security and the orderly flow of traffic to and from the event complies with state and local laws, ordinances, and regulations, and is satisfactory with respect to anticipated crowds and location of the event.
- L. Traffic:**
- 1) Applicant shall submit application to Wasco County Public Works, and receive approval, for an Operations and Special Events permit for operating within the public right-of-way of Dufur Valley Rd. Application materials require a traffic control plan (TCP) and narrative.
  - 2) Each vehicle parking space shall have a minimum width of 10' and minimum width of 20' and parking shall be clearly marked. Furthermore, parking shall be arranged to provide clear access to exits at all times.

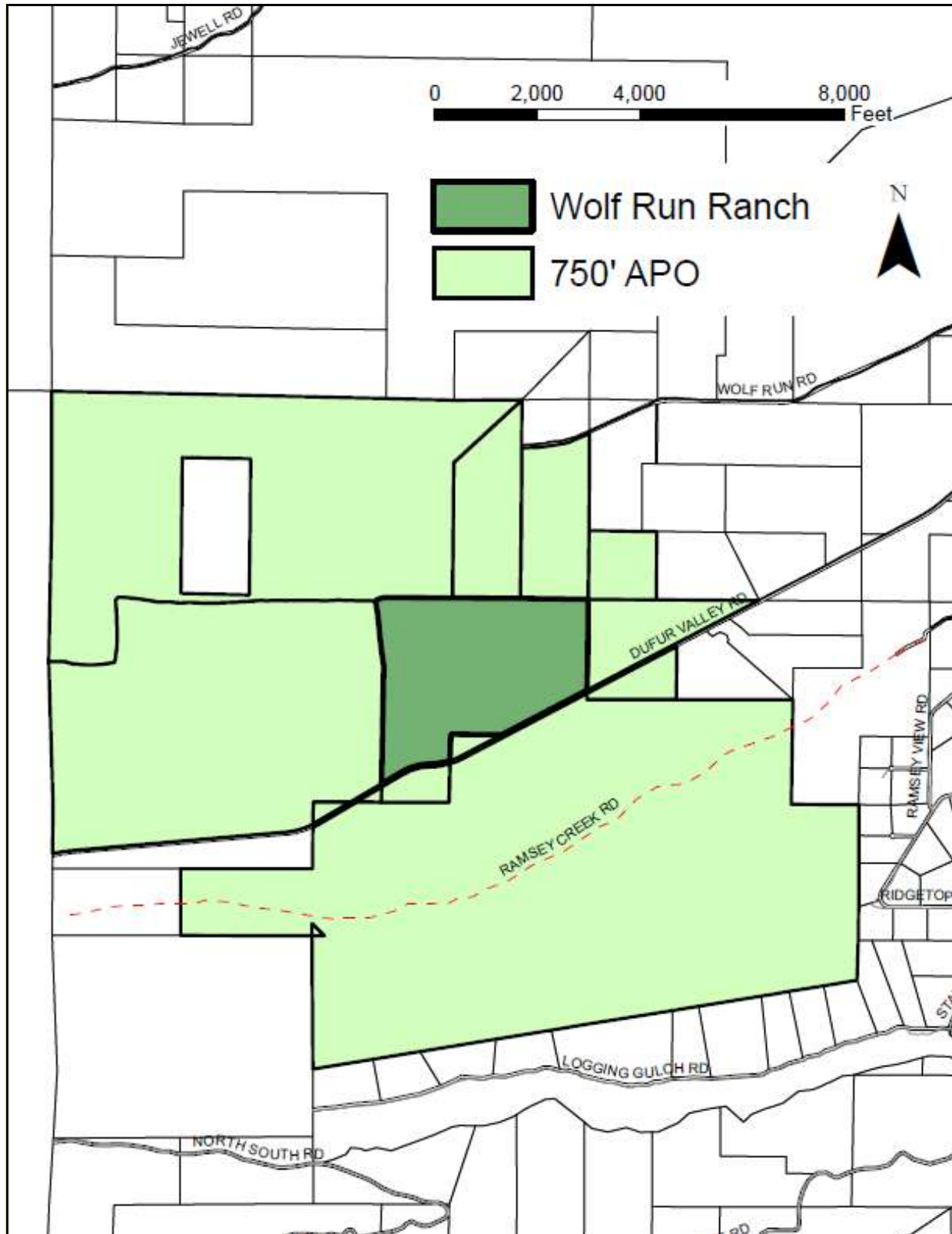
## **ATTACHMENT B – BOARD OF COUNTY COMMISSIONER OPTIONS & STAFF RECOMMENDATION**

- A. Approve** the request for an Outdoor Mass Gathering for a music and art festival entitled “What the Festival,” July 25-28, 2013. Estimated attendance is 4,000-5,000.
- B. Approve** the request described in A. above with amended findings, conclusions and conditions.
- C. Deny** this request as submitted.
- D. Continue** the hearing, to a date and time certain, if additional information is needed to determine whether standards and criteria are sufficiently addressed.

Based on the applicable criteria and findings contained in the Staff Report (**Attachment D**), Staff recommends **A – Approve the Request**.

## ATTACHMENT C – MAPS

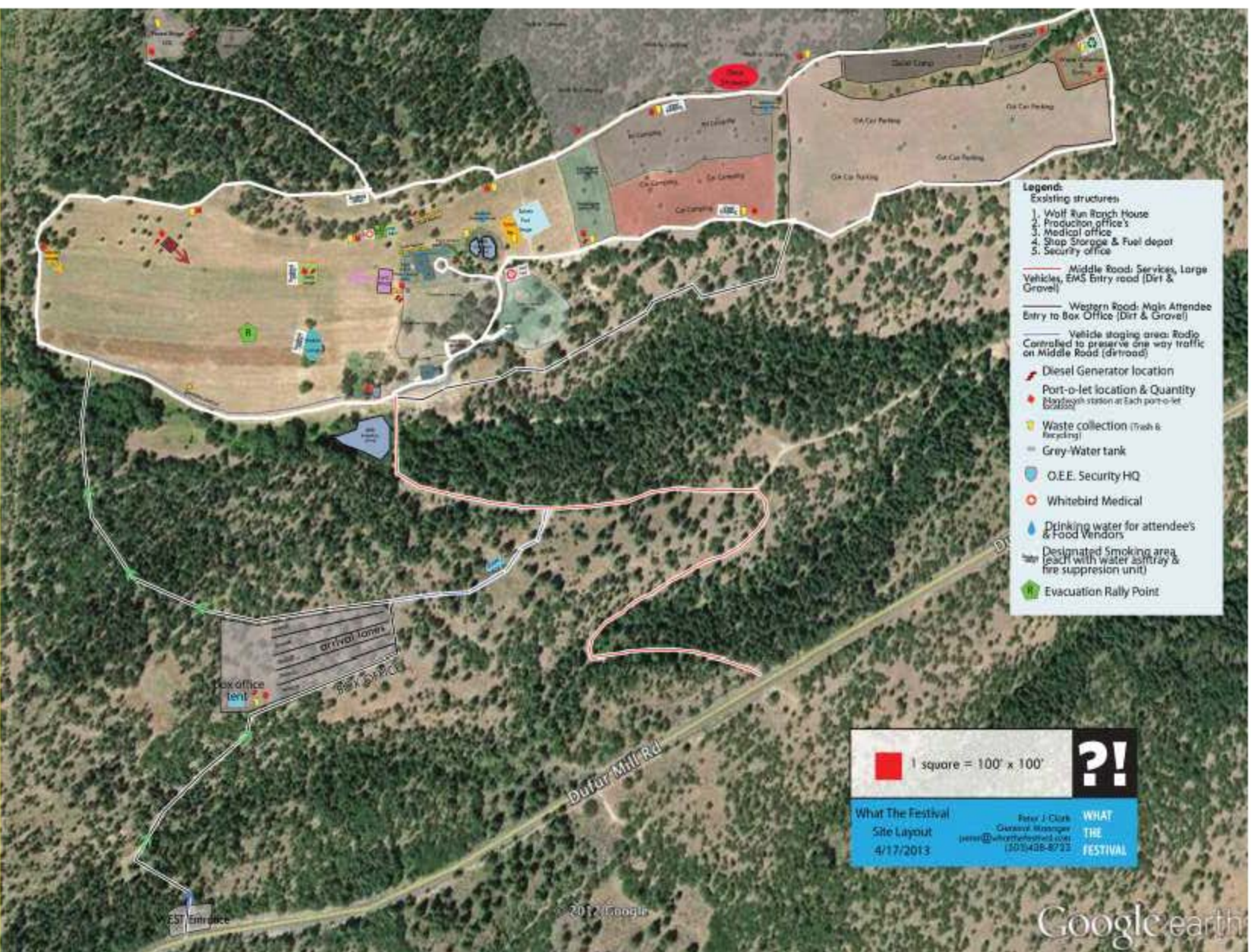
### Vicinity Map and Adjacent Property Owner (APO) Notification Radius





# ATTACHMENT C – MAPS

## Site Plan





## ATTACHMENT D – STAFF REPORT

**File Number:** PLAOMG-13-03-0001

**Applicant:** Peter Clark

**Owners:** Glen Boyd, Wolf Run Ranch LLC

**Request:** Outdoor Mass Gathering for a music and art festival entitled “What the Festival,” July 25-28, 2013. Estimated attendance is 4,000-5,000.

**Staff Recommendation:** Approval, with **conditions**

**Hearing Date:** May 1, 2013

**Location:** The north side of Dufur Valley Road, approximately 10 miles southwest of Dufur, Oregon. More specifically described as:

78889 Dufur Valley Rd, Dufur, OR 97021 Account #: 9603

<u>Existing Taxlot</u>	<u>Previous</u>
2S 12E 0 1400	2S 12E 0 2000

**Acres & Zoning:** 245 acres in F-2 (80) Forest / EPD-8 Sensitive Wildlife Habitat

**Past Actions:** FFD-05-106, TUP-05-105,

**Procedure Type:** Public Hearing by Wasco County Board of Commissioners

**Prepared By:** Joseph Shearer, Senior Planner

## I. APPLICABLE STANDARDS

### Wasco County Land Use & Development Ordinance (LUDO)

#### A. Chapter 3 – Basic Provisions

Section 3.120.C (Uses Permitted Without Review)

### Oregon Administrative Rules (OAR)

#### B. OAR 330 Division 39 – Regulations Governing Health and Safety at Outdoor Mass Gatherings

OAR 330-039-0015	(Water Supply)
OAR 330-039-0020	(Drainage)
OAR 330-039-0025	(Sewerage Facilities)
OAR 330-039-0030	(Refuse Storage and Disposal)
OAR 330-039-0035	(Food and Sanitary Food Service)
OAR 330-039-0040	(Emergency Medical Facilities)
OAR 330-039-0045	(Fire Protection)
OAR 330-039-0050	(Security Personnel)
OAR 330-039-0055	(Traffic)

## II. BACKGROUND

**A. Legal Parcel:** The subject parcel was created in its current configuration by Deed 72-1438, filed with the Wasco County Clerk on June 22, 1972. It is consistent with the definition of a (Legal) Parcel in Section 1.090 of the WCLUDO

**B. Site Description:** The 245 acre subject parcel consists of variable terrain and slopes ranging from approximately 2,800' to 2,600' in elevation. The most uneven slopes are from Dufur Valley Road up to the event site, which is generally flat but slopes down gently (less than 5%) from west to east. The parcel is slightly forested except for small pockets of denser trees and vegetation in the northwest and southeast. A strip of cleared land approximately 1,000' wide runs east to west along the northern half of the parcel.

Improvements include a 2,700 SF dwelling, two irrigation ponds, several barns, garages and smaller outbuildings. A portion of Wolf Creek Ditch runs through the subject property, and the parcel has a water right for three acre feet of water to be stored in the ponds.

**C. Surrounding Land Use:** The subject parcel is located on the seam between forest land and farm land. Lands to the west are largely forested with large tracts of Forest Service land beginning 1.2 miles due west. To the east, the adjacent parcels are forested but gradually transition to farmland.

**D. Public Comment:** A Notice of Public Hearing appeared in *The Dalles Chronicle*, and was mailed on April 19, 2013 to all owners of property within 750' of the subject parcel and a small interested parties list. No comments were received.

**E. Agency Comment:** On March 29, 2013, Staff emailed a "Request for Comments" to Oregon State Fire Marshal, North Central Public Health, Wasco County Public Works,

and the Wasco County Sheriff. The request also included an invitation to participate in an April 9, 2013 site visit. On April 4, 2013, Staff also contacted Oregon Department of Forestry and Dufur Volunteer Fire Department with a "Request for Comments" and invitation to attend the site visit.

The April 9 site visit was attended by Applicant, the owner of the subject property, and representatives from Oregon Department of Forestry, Oregon State Fire Marshal, Wasco County Public Works, and Wasco County Planning. Staff received comments from Oregon Department of Forestry, Oregon State Fire Marshal, Wasco County Public Works and North Central Public Health. These comments are on file at Wasco County Planning and are addressed throughout the report.

### III. FINDINGS:

#### A. Chapter 3 – Basic Provisions

*Section 3.120.C.13. An outdoor mass gathering as defined in ORS 433.735 (assembly of more than 3,000 people reasonably expected to continue for more than 24 consecutive hours but less than 120 hours within any three month period and which is held primarily in open spaces and not in any permanent structure) **OR** other gathering of fewer than 3,000 persons that is not anticipated to continue for more than 120 hours in any three month period. **NOTE:** A gathering described above is not subject to a land use decision or land use permitting. A Permit is required for outdoor mass gathering. Permit Application, notice, and fee, requirements are outlined in ORS 433.750-755, to protect health and safety.*

**FINDING:** Applicant is requesting approval for an Outdoor Mass Gathering for an annual music and art festival entitled, "What the Festival," July 25-28, 2013 on Wolf Run Ranch located at 78889 Dufur Valley Road, Dufur, OR.

Applicant estimates attendance at 4,000-5,000 people, with 5,000 attendees being Applicant's self-imposed ceiling for the event. There will be an estimated 600-800 staff and volunteers on-site before, during and after the event. Venue box office opens to early arrivals at 3:00pm on Thursday July 25, programming ends and attendees begin to leave at 6:00pm on Sunday July 28. Attendees must be gone by 2:00pm on Monday July 29. The time from 3:00pm on July 25 to 2:00pm on July 29 constitutes 95 hours.

Per the site plan and narrative submitted by Applicant, the event will be held primarily in open spaces and not in any permanent structure. Staff finds that this event, based on event characteristics, estimated number of attendees and schedule, constitutes an Outdoor Mass Gathering as defined in ORS 433.735.

Staff recommends a **condition** that attendance is capped at 5,000, plus staff and volunteers necessary to operate the event safely and effectively, as described throughout this report.

The applicable rules referenced in ORS 433.750-755 are addressed in **B**, below.

## B. Oregon Administrative Rules

### 333-039-0015 Water Supply

#### *(1) Required Amounts:*

- (a) A minimum of 12 gallons per person per day shall be available for the anticipated assembly;*
- (b) Storage facilities equal to one day's total water usage shall be provided, unless a greater or lesser amount, with a minimum of five gallons per person per day, is determined by the Division as sufficient or necessary, based on the availability and quantity of the reserve water supply and the required water demands for toilets, food vendors, camping areas and other facilities;*
- (c) A Division approved well or water system may be used as a source of water, or in addition to Division approved outside sources, to meet all requirements;*
- (d) An amount of water equal to one day's total usage shall be kept in reserve at all times.*

**FINDING:** Based on attendance estimates of 4,000-5,000, a minimum of 48,000-60,000 gallons of water per day will need to be available for attendees. Based on these same attendance estimates, water storage facilities of 20,000-25,000 gallons shall be provided and kept in reserve at all times.

Applicant states that the existing well is rated at 40 gallons/minute “with the ability to pull up to 80 gallons a minute if necessary.” Staff reviewed a 2005 State of Oregon Water Supply Well Report (WASC 51351) which confirms the well is approved for domestic water supply and is rated at 40 gallons/minute. Running continuously, 24 hours per day, a 40 gallons/minute well can supply 57,600 gallons/day.

Staff finds the existing well has the capacity to meet the water supply requirements for 4,800 attendees. Staff recommends a **condition** that Applicant provide evidence that the existing well is a water source approved by the Public Health Division (Division) of the Oregon Health Authority. Furthermore, Staff recommends a **condition** that, should attendees exceed 4,800, Applicant will provide written documentation that the existing well can achieve the increased flow rate required to meet increased demand OR will truck in water from a source approved by the Division to meet the demand.

#### *(2) Bacteriological and Chemical Requirements:*

- (a) All water provided shall give a negative result for the presence of coliform bacteria when subjected to standard laboratory test procedures for detecting the presence of coliform bacteria and shall be from sources and in containers approved by the Division;*

(b) *Water provided shall not contain the following substances in excess of amounts listed. The organizer shall provide a laboratory analysis report as evidence of this: Substance Concentration in mg/l:*

- (A) *Arsenic -- 0.1;*
- (B) *Cadmium -- 1.0;*
- (C) *Chloride -- 250.0;*
- (D) *Copper -- 1.0;*
- (E) *Cyanide -- 0.01;*
- (F) *Fluoride -- 1.7;*
- (G) *Iron -- 0.3;*
- (H) *Lead -- 0.05;*
- (I) *Selenium -- 0.01;*
- (J) *Nitrate (NO<sub>3</sub>) -- 45.0;*
- (K) *Total Dissolved Solids -- 500.0;*
- (L) *Zinc -- 5.0.*

**FINDING:** Applicant states the well is currently undergoing testing to meet the bacteriological and chemical requirements listed above, but based on historical testing he believes Wolf Run Ranch well water is free of contaminants. Staff recommends a **condition** that by July 1, 2013, Applicant submits test results to the Planning Department showing that the bacteriological and chemical requirements listed above are met. Testing shall be conducted by an Oregon Accredited Laboratory.

*(3) Construction, Maintenance, and Design:*

- (a) *All parts of the water supply system shall be constructed of non-toxic materials;*
- (b) *All water distribution lines and fittings shall be constructed of galvanized wrought iron, galvanized steel, copper, or NSF approved plastic pipe. All plastic pipe and fittings must bear the NSF seal;*
- (c) *Pressure tanks and storage tanks shall be constructed of non-toxic materials. Tanks which have previously been used to contain toxic substances shall not be used;*
- (d) *Prior to placing the water supply system into use, all portions of the system including storage tanks and distribution system shall be disinfected by adding a chlorine solution of not less than 50 mg/l and retaining the mixture within all portions of the system for at least 24 hours. Following disinfection, the system is to be thoroughly flushed of the chlorine solution;*
- (e) *Hydrants equipped with self-closing faucets shall be provided at a ratio of not less than one for every 250 persons or fraction thereof anticipated;*
- (f) *Each faucet shall be mounted on a minimum 36 inch riser. The riser is to be securely fastened to a supporting structure equal in strength to a four inch by four inch timber which is securely anchored in the ground;*

- (g) *Each faucet and riser shall be accompanied by a seepage pit located directly beneath the faucet which shall have a minimum inside diameter of 12 inches and a minimum depth of three feet and shall be backfilled with clean coarse rock;*
- (h) *All water distribution lines shall be installed at a minimum depth of 12 inches in the soil and shall be covered;*
- (i) *If camping and activity areas are separately designated, 60 percent of the total required faucets shall be located within the area designated for camping, and 40 percent of the total required faucets shall be located in the area designated for activities;*
- (j) *A minimum of one faucet shall be located not more than 25 lineal feet from each food service facility and a minimum of one faucet shall be located not more than 25 lineal feet from any emergency medical facility;*
- (k) *Garden hoses, flexible hoses, pipes, or similar devices shall not be connected to any faucet or any other portion of the water supply system for personal convenience or any other reason;*
- (l) *A minimum pressure of 20 pounds per square inch shall be maintained at all times and at all points within the water distribution system.*

**FINDING:** Applicant proposes storing 25,000 gallons of drinking water at two locations: 1) 10,000 gallons near the Wolf Run Ranch house (shown on site plan) to provide attendee drinking water; and 2) 15,000 gallons located near the entrance to the general admission parking area (shown on site plan) to provide drinking water to the camping areas. Staff finds this proposed split conforms to the required ratio of water available to activity areas (40%) and camping areas (60%).

Staff finds that the existing domestic water supply system, having been inspected and approved by plumbing inspectors from Mid-Columbia Council of Governments, is constructed of non-toxic materials. Per the submitted site plan, Applicant proposes locating food vendors clustered around the existing dwelling, on relatively flat land, in close proximity to the well. Staff finds it reasonable that the location of the existing water supply and proposed uses will facilitate compliance with the "Construction, Maintenance and Design" standards listed above.

However, Staff recommends a **condition** that all temporary and permanent expansions of, and extensions from, the existing water supply necessary to accommodate the Outdoor Mass Gathering shall comply with standards (3)(a) through (3)(l) listed above.

### **333-039-0020 Drainage**

- (1) *The site selected for the outdoor mass gathering shall have good natural drainage. Areas which are swampy, or areas known to be susceptible to flash flooding are not acceptable.*
- (2) *Roads at the outdoor mass gathering site shall be provided with culverts, tiles, and ditching wherever needed to protect such roads from erosion due to precipitation.*

**FINDING:** Staff walked the site on April 9, 2013, and did not observe any swampy areas. The elevation ranges from 2,800' at the western boundary to 2,600' at the eastern boundary. The most uneven slopes are from Dufur Valley Road up to the event site, which is generally flat but slopes down gently (less than 5%) from west to east.

The existing driveway from Dufur Valley Rd will provide secondary access to the event. Primary access will be provided by a new road approach, which has been permitted by Wasco County Public Works. Crestline Construction is the contractor. Public Works Director Marty Matherly states, in an April 23, 2013 email that Applicant plans to "use the new approach as the main entrance to the event. We have issued a permit to build and they are currently building the approach to our specifications and standards."

Staff finds the selected event site provides good natural drainage and roads will be provided with adequate protections from erosion due to precipitation.

### **333-039-0025 Sewerage Facilities**

#### *(1) Non-Water Carried Sewage Facilities:*

##### *(a) The construction and maintenance of earth pit privies shall comply with the following requirements:*

- (A) They shall be located at least 50 feet from a well, spring, or other source of domestic water supply, and at least 50 feet from any stream, river or lake, and at least ten feet from any property line;*
- (B) The pit shall have a minimum capacity of 50 cubic feet, and shall be at least five feet deep and shall be lined with lumber, concrete, steel, or other equivalently substantial material to prevent caving. The pit shall be covered by a building of substantial construction located on either a concrete or wood sill to make it as fly-tight and rodent-proof as possible from the outside. The floor and riser shall be built water impervious and fly-tight of wood, concrete, ceramic, stainless steel, or other equivalently substantial material;*
- (C) The seat opening shall be equipped with a self-closing lid hinged and so constructed that when closed it will exclude flies from the pit. Vents connected to the pit shall be covered with 16 mesh copper, aluminum, or plastic wire screen and shall have a total effective cross section of at least 50 square inches. The building shall be equipped with a tight fitting, self-closing door and shall be weather-proof;*
- (D) The contents of the pit shall not be permitted to overflow onto the surface of the ground or be exposed to flies or rodents;*
- (E) A minimum of one-half pound of chlorinated lime shall be deposited in each pit once every 24 hours;*
- (F) At the conclusion of the outdoor mass gathering, the contents of the pit shall be covered by backfilling with at least a two foot depth of earth.*



*(b) In areas where high water tables are encountered, concrete vault privies, pail privies, chemical toilets or incinerator toilets shall be used in place of earth pit privies for disposal of human excreta. All vaults and receptacles of such privies shall be water-tight and constructed of reinforced concrete, plastic, fiberglass or metal:*

*(A) The contents of vault privies, pail privies, and chemical toilets shall be removed by a registered sewage cesspool operator in accordance with state and local laws, ordinances, and regulations;*

*(B) Chemical toilets shall be serviced daily with respect to sanitation, removal of contents, and recharging of chemical solution;*

*(C) All earth pit privies, privies with water-tight receptacles, chemical toilets, and incinerator toilets shall be maintained in a sanitary condition at all times.*

**FINDING:** Applicant proposes using portable toilets provided by Bishops Sanitation Service rather than pit privies. Therefore, Staff finds that 333-039-0025(1) does not apply.

*(2) Water Carried Sewage Disposal Facilities: If water carried subsurface sewage disposal facilities are provided, they shall be governed by OAR 333-041-0001 through 333-041-0040, and by this reference are incorporated herein and made a part hereof.*

**FINDING:** Applicant proposes using portable toilets provided by Bishops Sanitation Service rather than a water carried sewage disposal facility. Therefore, Staff finds that 333-039-0025(2) does not apply.

*(3) Number and Location of Toilets and Privies:*

*(a) Seven privies or toilets or any combination thereof shall be provided for each 800 persons or fraction thereof anticipated;*

*(b) If camping and planned activity areas are separately designated, sixty percent of the total required toilets or privies shall be located within the designated camping area and forty percent of the total required toilets or privies shall be located in the designated planned activity area. If areas are not designated, location and spacing of toilets and privies shall be in accordance with anticipated crowd clustering or grouping, or spaced uniformly throughout the entire mass gathering site;*

*(c) All chemical toilets, if provided, shall be located so as to be easily and readily serviced by servicing vehicles.*

**FINDING:** Bishop Sanitation Services will provide 100 portable toilets, in approximately 15 groups of 6-7 toilets, and 15 handwashing units (one unit for each grouping of toilets). Based on attendance estimates of 4,000-5,000, this breakdown represents approximately 40-50 attendees per toilet, which exceeds the standard (7 toilets per 800 attendees or 114 attendees per toilet) listed above.

Bishop Services will station 1 x 800 gallon sanitation trucks, 1 x 3,500 septic truck and 1 x 5,000 gallon blackwater truck at the event. Applicant proposes having each portable toilet and handwashing unit pumped daily, and twice per day at peak attendance on Saturday 7/27 and Sunday 7/28.

Per the submitted site plan, Applicant proposes eight clusters of toilets will be located in proximity to camping areas with seven clusters in activity areas. Because there is no hard delineation between activity areas and camping areas, the entirety of the event site (except for the Forest Stage) is open and easily accessible, and Applicant proposes providing toilets at ratios exceeding the standard, Staff finds the location of the toilet facilities is acceptable.

*(4) Liquid Wastes not Containing Human Excreta:*

- (a) Facilities shall be provided for the disposal of all liquid wastes not containing human excreta such as, but not limited to, kitchen or cooking waste water, grease, dishwater, wash water, and bath water. These facilities shall be specifically identified by means of a sign which states **"Waste Water Disposal"**;*
- (b) Such facilities shall consist of a seepage pit having a minimum depth of three feet and a lateral area of not less than 32 square feet. The pit shall be backfilled with clean, coarse rock and be protected by a one-fourth inch screen which is removable and will effectively trap food particles and prevent other wastes from entering the backfilled rock;*
- (c) All food particles and other waste material shall be removed from the facilities at least once every 24 hours or at more frequent intervals if necessary to prevent fly and insect attraction;*
- (d) Such facilities shall be located or spaced so as to uniformly serve the participants of the outdoor mass gathering;*
- (e) One facility shall be provided for each 3,000 persons or fraction thereof anticipated;*
- (f) At least one facility shall be located not more than 50 lineal feet from each food service facility.*

**FINDING:** Applicant proposes two methods of greywater disposal. Food vendors will be supplied access to five 300 gallon greywater tanks to be pumped by Bishops Sanitation Services and trucked off-site to a local dumping facility as needed. Applicant proposes locating these tanks 75 feet from food vendors. Greywater from the temporary shower facility will flow to an on-site seepage pit that will be built to specifications listed in 333-039-0025(4)(b)

Staff recommends a **condition** that greywater tanks shall be located not more than 50 feet from the food vendors and labeled with a sign stating "Waste Water Disposal". The seepage pit shall be constructed and ready for inspection by July 1, and shall be at least three feet deep covering an area not less than 32 square feet. The pit shall be backfilled with clean, coarse rock and be protected by a one-fourth inch screen which shall be removed, with any waste being appropriately disposed, and cleaned every 24 hours during the event.

### **333-039-0030 Refuse Storage and Disposal**

- (1) All refuse and solid waste shall be stored in fly-tight containers constructed of impervious material.*
- (2) Containers for refuse and solid waste storage shall be provided at a minimum ratio of one 30 gallon container for each 16 persons or fraction thereof anticipated or one cubic yard of container capacity for each 125 persons or fraction thereof anticipated.*
- (3) All refuse and solid waste shall be removed from storage containers at least once every 24 hours and transported and disposed of in a manner which is authorized and complies with state and local laws, ordinances and regulations.*

**FINDING:** Applicant proposes collecting trash, recycling and compost at 11 stations throughout the site. A "Green Team" equipped with an ATV will collect waste from these stations and deposit at the eastern edge of the property. On-site storage is contracted through Mel's Sanitation Services and will consist of the 2 x 30 yard dumpsters for trash, 2 x 30 yard dumpsters for recycling and 1 x 20 yard dumpster for compost.

Staff finds that the proposed 60 yard for trash, 60 yards for recycling and 20 yards for compost exceed the required ratio of one cubic yard of container capacity for each 125 attendees. Staff recommends a **condition** that all containers at the 11 stations throughout the site are emptied at least once every 24 hours, and containers have closures or covers that seal tight to prevent flies and other pests from entering.

### **333-039-0035 Food and Sanitary Food Service**

- (1) Food service facilities, if supplied, shall be located in clean surroundings and shall be maintained in a clean and sanitary condition.*
- (2) Food service facilities, if supplied, shall be so constructed and arranged that food, drink, utensils, and equipment will not be exposed to rodents, insects, dust, dirt, or other contamination. If flies are present, screening shall be required.*
- (3) The water supply for food service facilities shall be adequate in amount to serve the requirements of the facility and shall be safe for human consumption. Storage tanks or containers, when used, shall be of smooth, easily cleanable material, and shall be cleaned and sanitized each time they are refilled. Water shall not be dipped from a receptacle for drinking or culinary purposes.*
- (4) Toilet or privy facilities which comply with these rules shall be available within the immediate area for use by the food service facility personnel.*
- (5) Hand washing facilities shall be made available for the food service facility personnel. In lieu of a handwashing sink, there shall be provided a pan with soap and water for washing of hands, and a pan of water containing a bactericidal solution of 50 mg/1 of available chlorine or its equivalent for rinsing of hands. Sanitary paper towels shall be provided. The use of a common-type towel is prohibited. Utensil washing vats shall not be used for handwashing.*

- (6) (a) *All multi-use utensils and all display cases or windows, counters, shelves, tables, refrigeration equipment, sinks, and other equipment used in connection with the operation of a food service facility shall be constructed as to be easily cleaned and shall be kept in good repair;*
- (b) *Utensils containing or plated with cadmium or lead shall not be used, provided, however, that solder containing lead may be used for jointing;*
- (c) *Food containers with seams which are not sealed flush with the surface shall not be re-used. Single service containers and utensils shall not be re-used.*
- (7) (a) *Single service paper plates, cups, and plastic or wood knives, forks, and spoons are recommended but not required. If multiple use dishes, utensils, or equipment are used, they must be subjected to one of the following methods of bactericidal treatment after cleaning and washing:*
  - (A) *Immersion for at least two minutes in clean, hot water at a temperature of at least 170° Fahrenheit. If hot water is used, a dependable thermometer shall be available at all times and shall be used. The pouring of scalding water over washed utensils is not acceptable as a satisfactory bactericidal treatment;*
  - (B) *Immersion for at least two minutes in a lukewarm chlorine bath. This bath shall be made up at a strength of at least 100 mg/1 of available chlorine. The bath shall not be used after its strength has been reduced to 50 mg/1;*
  - (C) *Immersion for at least two minutes in an approved quaternary ammonium bath containing at least 25 mg/1 as determined by a suitable field test.*
- (b) *In machine dishwashing, the hot water rinse shall be at least 170° Fahrenheit and shall be for a minimum of ten seconds;*
- (c) *In hand dishwashing, a three compartment sink shall be required. The first compartment shall be used for washing with a soap or detergent solution. The second compartment shall be used for clear water rinse, and the third compartment shall be used for the bactericidal solution and sanitizing bath.*
- (8) *If ice cream or frozen desserts are dipped and served at the food service facility, all scoops and dippers shall be kept in running water dipper wells.*
- (9) (a) *All refuse and solid waste shall be stored or collected in tightly covered, water impervious containers until removed from the food service facility. Such containers when emptied shall be washed to prevent them from attracting flies and rodents;*
- (b) *All dishwater and liquid wastes not containing human excreta shall be disposed of in accordance with OAR 333-039-0025(4)(a) to (f) of these rules.*
- (10)(a) *All readily perishable food shall be kept at or below 45° Fahrenheit except when being prepared or actually served. Readily perishable foods shall be stored in shallow containers under refrigeration until cooled below 45° Fahrenheit. When*

*such foods have been cooled below 45° Fahrenheit, they may be stored in deep containers. Food shall not be served which has been stored, handled, or otherwise cared for in a manner not in compliance with these rules;*

- (b) A dependable indicating thermometer shall be provided in each refrigerator;*
- (c) All ice shall be stored and handled in such a way as to prevent contamination. Ice scoops or tongs shall be used to place ice in glasses or cups. Ice shall be obtained only at sources which are licensed under ORS Chapter 624 or 627.*
- (11) All food products, raw, cooked, canned, or otherwise, shall be wholesome and free of spoilage during storage, preparation, and serving. All milk and milk products shall come from a source which is licensed and approved by the Oregon State Department of Agriculture. Home canned or home processed foods shall not be stored, prepared, or served by the food service facility.*
- (12) Pre-cooked foods or meats must be kept at or below 45° Fahrenheit at all times and subjected to continuously applied heat which will sustain the internal temperature of the food item to not less than 140° until such time as it is served.*
- (13) Bottled soda or fruit drinks may be cooled in tanks with water and ice provided the tanks contain not less than 50 mg/1 available chlorine. The tops of the containers shall not be submerged. Milk and milk products shall be kept at or below 45° Fahrenheit in dry refrigeration.*
- (14) Canned soda or fruit drinks may be cooled in tanks of ice and water provided that the water contains not less than 50 mg/1 available chlorine.*
- (15) All persons within the food service facility shall wear clean outer garments and shall keep their hands clean at all times while engaged in preparing or serving food and drink, or washing and storing utensils and equipment.*
- (16) All persons while within a food service facility shall refrain from any personal action or conduct which would directly or indirectly harm the quality or wholesomeness of the food.*
- (17) No live animals or fowl shall be permitted within the confines of any food service facility.*

**FINDING:** Applicant has not provided details on specific food vendors and food service standards. However, Applicant has repeatedly stated his intention to fully comply with applicable food safety and service regulations. Staff recommends a **condition** that all food vendors comply with the applicable food and sanitary food service requirements listed in 333-039-0035 (Attachment E), and make themselves available for inspection during the event. Furthermore, only vendors with valid licenses, as provided by the Oregon Health Authority, shall be contracted to prepare and provide food for the event.

Applicant made application to the Oregon Liquor Control Commission (OLCC) for a Temporary Sales License. The license was granted on April 3, 2013 and a copy of the OLCC approval was emailed to staff. Alcohol will be served only in the Splash Bar 10am-7pm each day and OMG Lounge 6pm-2am each day.

### **333-039-0040 Emergency Medical Facilities**

- (1) *There shall be present at the outdoor mass gathering site for emergency medical services, physicians and nurses in the following ratios:*
  - (a) *Daylight Hours -- At least one Oregon physician plus sufficient other physicians (licensed to practice medicine and surgery in any of the 50 states of the United States) to provide a ratio of one for each 10,000 persons attending or fraction thereof and one nurse for each 7,500 persons attending or fraction thereof;*
  - (b) *Nighttime Hours - (1 a.m. to 7 a.m.) -- At least one Oregon physician plus sufficient other physicians (licensed to practice medicine and surgery in any of the 50 states of the United States) to provide a ratio of one for each 20,000 persons attending or fraction thereof and one nurse for each 15,000 persons attending or fraction thereof.*

**FINDING:** Applicant has contracted with White Bird for medical/crisis coverage during the event. These services will be available through an on-site medical booth and holding tent, and also through dispatchable and roving teams throughout the property. A staff of up to 25 personnel will be utilized, including physicians, mental health professionals, crisis workers, nurses, EMTs and paramedics working at Advanced Life Support standards under a doctor's standing orders.

Staff recommends a **condition** that at least one licensed physician and one licensed nurse shall be present during the operating hours of the event.

- (2) *Facilities shall be provided in which physicians can provide patient care and treatment. The facility shall be enclosed, protected from the elements, and shall have chairs, examining tables with stirrups, and locked cabinets for equipment and medicine. All necessary medicine and instruments for conducting minor surgery and examinations shall be available.*
- (3) *Lighting within the emergency medical facilities shall be provided and shall be not less than 200 foot candles in areas where treatment and minor surgery are conducted.*
- (4) *Attending physicians shall keep accurate records of patients and treatment, and shall notify the local health officer of all cases involving a communicable disease.*
- (5) *Temporary holding facilities shall be provided for the sick and injured while awaiting transport to a hospital. The facility shall be enclosed, protected from the elements, and shall be furnished with one cot or bed for each 1,000 persons anticipated or fraction thereof.*
- (6) *Communication, either telephone or radio-telephone, shall be provided to summon aid or notify the nearest hospital, law enforcement, or fire protection agency, as required.*

- (7) Ambulances shall be provided at the outdoor mass gathering for emergency evacuation of sick and injured persons at a ratio of one ambulance for each 10,000 persons anticipated or fraction thereof.*

**FINDING:** Applicant proposes providing a 20' x 20' tent with side walls for a medical station, to be centrally located east of the existing permanent dwelling. Through White Bird, the on-site facilities will be equipped to handle a range of minor care to medical emergencies.

Applicant and White Bird are currently coordinating Life Flight accessibility and ambulance service through Dufur Volunteer Fire. Applicant will coordinate with services based in The Dalles or Maupin, if needed.

Staff recommends a **condition** that the medical tent shall contain the facilities listed in 333-039-0040(2)-(7), including five cots and emergency communications, and one ambulance shall be provided.

### **333-039-0045 Fire Protection**

- (1) Each camping space shall be a minimum of 1,000 square feet or large enough to accommodate a parked camping vehicle, tent vehicle or tent, as the case may be, and to maintain at least 15 feet separation from any other camping vehicle, tent vehicle or tent, building, structure, or property line.*
- (2) The organizer shall secure a written statement from the local fire protection agency having jurisdiction that fire protection complies with state and local laws, ordinances, and regulations, and is satisfactory with respect to anticipated crowds and location of the outdoor mass gathering.*

**FINDING:** The site plan provided by Applicant shows approximately 7.5 acres reserved for car and RV camping, and 12 acres for "GA Car Parking". Approximately 18 acres are identified as "Walk In Camping". Staff finds the combination of parking and camping is large enough to accommodate the estimated number of attendees and vehicles.

Additionally, Applicant has coordinated with the Oregon Department of Forestry (ODF), the only agency that provides wildland fire protection in the area around Wolf Run Ranch, to develop an acceptable Wildland Fire Prevention Plan. Adam Barnes, Protection Supervisor for ODF, submitted a letter on April 17, 2013 (**Attachment F**), outlining ODF's recommendations for on-site fire prevention during What the Festival. Applicant has agreed to include all recommendations from the April 17 letter into the What the Festival Fire Prevention Plan.

Consequently, Staff recommends a **condition** that Applicant comply with the Wildland Fire Prevention Plan detailed in the ODF letter (**Attachment F**).

### **333-039-0050 Security Personnel**

- (1) The organizer shall maintain an accurate count of persons attending the outdoor mass gathering and shall provide adequate security arrangements to limit further admissions to the outdoor mass gathering when the anticipated number of persons have been admitted.*



- (2) *The organizer shall secure a written statement from the chief law enforcement officer of the county in which the outdoor mass gathering is to take place that arrangements for security and the orderly flow of traffic to and from the outdoor mass gathering complies with state and local laws, ordinances, and regulations, and is satisfactory with respect to anticipated crowds and location of the outdoor mass gathering.*

**FINDING:** Applicant has contracted with Oregon Event Enterprise (OEE) to provide as many as 50 security personnel throughout the event site. There will be Oregon Department of Public Safety Standards and Training (DPSST) security staffed with non-DPSST certified security at a ratio of 1:5. Security personnel will be used to minimize conflicts, secure the event perimeter, and assist with on-site traffic management. If the event reaches its capacity of 5,000 attendees, OEE personnel will limit further admission to the event.

A second tier of security staff will also be on-site to reinforce messaging for patrons throughout the property. This second tier is comprised of volunteer "Rangers," who will be in plain clothes roaming the event. They will be in radio contact with OEE to report any security issues or incidents.

Applicant and Staff have been coordinating with Chief Deputy Sheriff Lane Magill and Chris McNeel, who both attended the April 9, 2013 site visit. Applicant plans to station at least one off-duty officer on site during peak hours, positioned at the access point to the property from Dufur Valley Rd.

Staff recommends a **condition** that Applicant secure a written statement from the Wasco County Sheriff that arrangements for security and the orderly flow of traffic to and from the event complies with state and local laws, ordinances, and regulations, and is satisfactory with respect to anticipated crowds and location of the event.

### **333-039-0055 Traffic**

- (1) *The organizer shall provide easily accessible roads of all-weather construction at the outdoor mass gathering site.*
- (2) *All roads shall be graded so as to be self-draining and shall be maintained in such condition that emergency and other required vehicles can move upon them unencumbered and can carry out their functions at all times.*
- (3) *An ungraveled dirt road shall not be considered as being an all-weather road.*
- (4) *No road or portion of any road constructed shall exceed a maximum grade of 12 percent.*
- (5) *The organizer shall acquire approval from the local agency having jurisdiction for fire safety that the minimum width of all roads complies with state and local laws, ordinances, and regulations, and is satisfactory with respect to anticipated crowds and locations of the outdoor mass gatherings.*

**FINDING:** As stated in 333-039-0020 Drainage, above, the primary access to the event from Dufur Valley Rd will be provided by a new road approach, which has been permitted by Wasco County Public Works. Crestline Construction is the contractor, and they are currently building the approach to Wasco County specifications and standards. On the April 9, 2013 site visit,

Glen Boyd, the property owner, drove Staff along the route of the new, unbuilt road. Public Works Director Marty Matherly, Project Manager Arthur Smith and DOF Protection Supervisor Adam Barnes also participated in the tour of the new road.

The existing driveway, which will serve as secondary/emergency access to the event site is an all-weather road that appears well-maintained. Staff finds that roads serving the event site meet the standards listed in 333-039-0055(1) through (5).

The potential exists that during peak attendee arrival and departure times, Dufur Valley Rd will become backed up with arriving and/or exiting vehicles. Applicant is creating contingencies to avoid this situation. However, Staff recommends a **condition** that Applicant submit application to Wasco County Public Works for an Operations and Special Events permit for operating within the public right-of-way of Dufur Valley Rd. Application materials require a traffic control plan (TCP) and narrative. Permit application and conditions have been provided to Applicant.

*(6) The organizer shall provide and designate a suitable area at the outdoor mass gathering for parking of motor vehicles:*

*(a) The total area provided for motor vehicle parking shall be based on the following ratio: 300 square feet for every four persons anticipated;*

*(b) Each motor vehicle parking space shall have a minimum width of ten feet and a minimum length of twenty feet and shall be clearly marked with lime;*

*(c) The motor vehicle parking spaces shall be arranged to eliminate blockage of parked vehicles and allow vehicles free access to exits at all times.*

**FINDING:** Based on estimates of 4,00-5,000 attendees, the total area required for motor vehicle parking is 375,000 square feet. As stated above, the site plan provided by Applicant shows approximately 7.5 acres (326,700 square feet) reserved for car and RV camping, and 12 acres (522,720 square feet) for "GA Car Parking". Staff finds the total area provided for motor vehicle parking is sufficient.

Staff recommends a **condition** that each vehicle parking space shall have a minimum width of 10' and minimum width of 20' and parking shall be clearly marked. Furthermore, parking shall be arranged to provide clear access to exits at all times.

## ATTACHMENT E – SANITARY FOOD SERVICE REQUIREMENTS

### **333-039-0035 Food and Sanitary Food Service**

- (8) *Food service facilities, if supplied, shall be located in clean surroundings and shall be maintained in a clean and sanitary condition.*
- (9) *Food service facilities, if supplied, shall be so constructed and arranged that food, drink, utensils, and equipment will not be exposed to rodents, insects, dust, dirt, or other contamination. If flies are present, screening shall be required.*
- (10) *The water supply for food service facilities shall be adequate in amount to serve the requirements of the facility and shall be safe for human consumption. Storage tanks or containers, when used, shall be of smooth, easily cleanable material, and shall be cleaned and sanitized each time they are refilled. Water shall not be dipped from a receptacle for drinking or culinary purposes.*
- (11) *Toilet or privy facilities which comply with these rules shall be available within the immediate area for use by the food service facility personnel.*
- (12) *Hand washing facilities shall be made available for the food service facility personnel. In lieu of a handwashing sink, there shall be provided a pan with soap and water for washing of hands, and a pan of water containing a bactericidal solution of 50 mg/1 of available chlorine or its equivalent for rinsing of hands. Sanitary paper towels shall be provided. The use of a common-type towel is prohibited. Utensil washing vats shall not be used for handwashing.*
- (13) (a) *All multi-use utensils and all display cases or windows, counters, shelves, tables, refrigeration equipment, sinks, and other equipment used in connection with the operation of a food service facility shall be constructed as to be easily cleaned and shall be kept in good repair;*
- (b) *Utensils containing or plated with cadmium or lead shall not be used, provided, however, that solder containing lead may be used for jointing;*
- (c) *Food containers with seams which are not sealed flush with the surface shall not be re-used. Single service containers and utensils shall not be re-used.*
- (14) (a) *Single service paper plates, cups, and plastic or wood knives, forks, and spoons are recommended but not required. If multiple use dishes, utensils, or equipment are used, they must be subjected to one of the following methods of bactericidal treatment after cleaning and washing:*
- (D) *Immersion for at least two minutes in clean, hot water at a temperature of at least 170° Fahrenheit. If hot water is used, a dependable thermometer shall be available at all times and shall be used. The pouring of scalding water over washed utensils is not acceptable as a satisfactory bactericidal treatment;*
- (E) *Immersion for at least two minutes in a lukewarm chlorine bath. This bath shall be made up at a strength of at least 100 mg/1 of available chlorine. The bath shall not be used after its strength has been reduced to 50 mg/1;*

- (F) Immersion for at least two minutes in an approved quaternary ammonium bath containing at least 25 mg/1 as determined by a suitable field test.*
- (b) In machine dishwashing, the hot water rinse shall be at least 170° Fahrenheit and shall be for a minimum of ten seconds;*
- (c) In hand dishwashing, a three compartment sink shall be required. The first compartment shall be used for washing with a soap or detergent solution. The second compartment shall be used for clear water rinse, and the third compartment shall be used for the bactericidal solution and sanitizing bath.*
- (8) If ice cream or frozen desserts are dipped and served at the food service facility, all scoops and dippers shall be kept in running water dipper wells.*
- (9) (a) All refuse and solid waste shall be stored or collected in tightly covered, water impervious containers until removed from the food service facility. Such containers when emptied shall be washed to prevent them from attracting flies and rodents;*
- (b) All dishwater and liquid wastes not containing human excreta shall be disposed of in accordance with OAR 333-039-0025(4)(a) to (f) of these rules.*
- (10)(a) All readily perishable food shall be kept at or below 45° Fahrenheit except when being prepared or actually served. Readily perishable foods shall be stored in shallow containers under refrigeration until cooled below 45° Fahrenheit. When such foods have been cooled below 45° Fahrenheit, they may be stored in deep containers. Food shall not be served which has been stored, handled, or otherwise cared for in a manner not in compliance with these rules;*
- (b) A dependable indicating thermometer shall be provided in each refrigerator;*
- (c) All ice shall be stored and handled in such a way as to prevent contamination. Ice scoops or tongs shall be used to place ice in glasses or cups. Ice shall be obtained only at sources which are licensed under ORS Chapter 624 or 627.*
- (11) All food products, raw, cooked, canned, or otherwise, shall be wholesome and free of spoilage during storage, preparation, and serving. All milk and milk products shall come from a source which is licensed and approved by the Oregon State Department of Agriculture. Home canned or home processed foods shall not be stored, prepared, or served by the food service facility.*
- (12) Pre-cooked foods or meats must be kept at or below 45° Fahrenheit at all times and subjected to continuously applied heat which will sustain the internal temperature of the food item to not less than 140° until such time as it is served.*
- (13) Bottled soda or fruit drinks may be cooled in tanks with water and ice provided the tanks contain not less than 50 mg/1 available chlorine. The tops of the containers shall not be submerged. Milk and milk products shall be kept at or below 45° Fahrenheit in dry refrigeration.*

- (14)Canned soda or fruit drinks may be cooled in tanks of ice and water provided that the water contains not less than 50 mg/1 available chlorine.*
- (15)All persons within the food service facility shall wear clean outer garments and shall keep their hands clean at all times while engaged in preparing or serving food and drink, or washing and storing utensils and equipment.*
- (16)All persons while within a food service facility shall refrain from any personal action or conduct which would directly or indirectly harm the quality or wholesomeness of the food.*
- (17)No live animals or fowl shall be permitted within the confines of any food service facility.*

# ATTACHMENT F – WILDLAND FIRE PREVENTION PLAN



# Oregon

John A. Kitzhaber, MD, Governor

## Department of Forestry

The Dalles Unit

3701 West 13th

The Dalles, OR 97058

541-296-4626

FAX 541-298-4993

[www.oregon.gov/ODF/centraloregon](http://www.oregon.gov/ODF/centraloregon)

April 17, 2013



"STEWARDSHIP IN FORESTRY"

## 2013 What the Festival Wildland Fire Prevention Plan-

The Oregon Department of Forestry (ODF) is the only agency that provides wildland fire protection on privately owned lands in the area of Township 2S Range 12E. ODF does not provide structural fire protection. The U.S. Forest Service provides wildland fire suppression for the adjacent federally owned forestlands to the South and West of the event site.

There is a significant potential for wildfires resulting from this proposed mass gathering. ODF would prefer that this event occur at a different time of year when the risk of wildfires is minimal, however if approved by the Wasco County Commissioners ODF would appreciate the Boards consideration in the following site conditions necessary to insure a safe mass gathering at the What The Festival (WTF) event being organized during the period of July 22-30, 2013.

## Primary ODF point of contact will be:

Adam Barnes  
Protection Supervisor- The Dalles Unit  
(541) 296-4626  
(541) 980-7240  
[abarnes@odf.state.or.us](mailto:abarnes@odf.state.or.us)

## The following provisions will be adhered to for the duration of the event:

- In the event of a fire 911 will be contacted regardless of incident size or status.
- Festival will employ a team of qualified wildland fire responders to be on site and available to respond 24 hours a day. Responders will be centrally located at a designated post or on patrol with suppression equipment.
  - o Staffing will consist of no less than 4 wildland firefighters during periods of peak fire danger (11:00 am to 9:00 pm) and no less than two wildland firefighters during off peak times. PPE must be provided according to OR-OSHA standards.
- Fire trailer, continually hitched to a vehicle capable of pulling the trailer, will be on site and staged at a central location.
  - o The trailer will consist of 500 gallon water tank and functioning pump, 500 ft. of one inch fire hose and nozzle. Required fire tools will be two shovels and two pulaskis. Additional fire tools are required for each firefighter on site.



- If Energy Release Components reach or exceed 55, during the week prior to the event a professional wildland contract engine, Type 6 resource, will be hired and staffed with two professional firefighters from 11:00 AM to 09:00 PM daily during the event.
- UTV's to be utilized during the event will have water tank and pump units installed to provide for fire suppression.
- Both Wolf Run irrigation ponds will have operating water pumps stationed at fill sites to provide a water source for fire suppression purposes. These pumps should have a minimum discharge of 1 ½ inch, contain 50' of discharge hose, suction hose, 1 fill spout, and 3 gallons fuel.
- All pumps and fire equipment will be tested daily to ensure proper operation.
- Existing road on property's North, East and West sides are to be brushed and clear of down woody debris. Must be passable by UTV.
- Removal of brush and down woody material around Forest Stage and throughout dispersed camping areas.
- Evacuation plan will be given to each attendee upon arrival by event greeters.
- Roads to be traveled by motorized vehicles will be clear of vegetation.
- Fire extinguishers will be co-located with all internal combustion engines, i.e. generators, ATV's, light plants, ect.
- No open flame policy: No campfires, No charcoal BBQ, No candles, No incense, No fireworks. Propane gas stoves or electric griddles are the only permissible cooking equipment.
- All vehicle parking areas will be mowed and thatched before the event. Irrigation will be maintained on fields 3-5 days prior to prevent drying and curing of vegetation.
- Non-irrigated parking areas will be mowed and thatched to remove flammable vegetation. Dry parking will be wetted down the five previous days to using parking area. During times when vehicles are being parked, fire personnel will patrol parking areas with suppression equipment. The dry parking area will have a fire break of no less than 2' wide dug down to bare mineral soil around the perimeter as a fuel break.
- Smoking will be allowed only within designated smoking areas.
  - Smoking areas should number no less than **eight** available sites dispersed throughout event grounds.
  - Designated smoking areas will consist of 15 by 20 fenced areas clear of flammable vegetation. Each area will have a fire extinguisher and cigarette receptacles at the entrances.
- ODF will conduct a pre-event inspection with WTF coordinators to ensure readiness and will have access to festival grounds for periodical inspections during the event.
- If chain saws or heavy machinery is used for preparing the site for use a permit to operate power driven machinery (PDM) will be obtained through the local ODF office to meet requirements regarding internal combustion engines.

The Oregon Department of Forestry thanks the Board of Commissioners in helping to ensure this event occurs in a safe and fire free manner.

Adam Barnes  
 Fire Manager  
 Oregon Department of Forestry  
 The Dalles Unit



# STAFF REPORT



May 1,  
2013

Board of Commissioners Hearing  
PLAOMG-13-03-0001 (What the Festival)

# Request



STAFF: Joey Shearer, Senior Planner

APPLICANT: Peter Clark, What the Festival

## Request

Outdoor Mass Gathering for a music and art festival entitled “What the Festival,” July 25-28, 2013.

Estimated attendance is 4,000-5,000.

# Background



## New Process for Wasco County

- ❑ Not a “land use decision”
- ❑ Process and rules outlined in ORS and OAR
- ❑ Our process exceeded statutory requirements regarding notice and transparency
- ❑ Relied heavily on the expertise of our partner departments and agencies
- ❑ We have learned lessons

# Process



## **Statutory Requirements for Notice (ORS 433.750)**

- (2) Notice of the application shall be sent to:
  - ▣ The county sheriff
  - ▣ The county health officer; and
  - ▣ The chief of the fire district with jurisdiction
- (4) The county governing body shall hold a public hearing
  - ▣ Notice of time and place shall be published 10 days before in a “newspaper of general circulation”

# Process



## Timelines

- March 28: Application deemed complete
- March 29: Notice sent to agencies
  - Oregon State Fire Marshal
  - North Central Public Health
  - Wasco County Public Works
  - Wasco County Sheriff
- April 4: Notice sent to agencies
  - Oregon Department of Forestry
  - Dufur Volunteer Fire

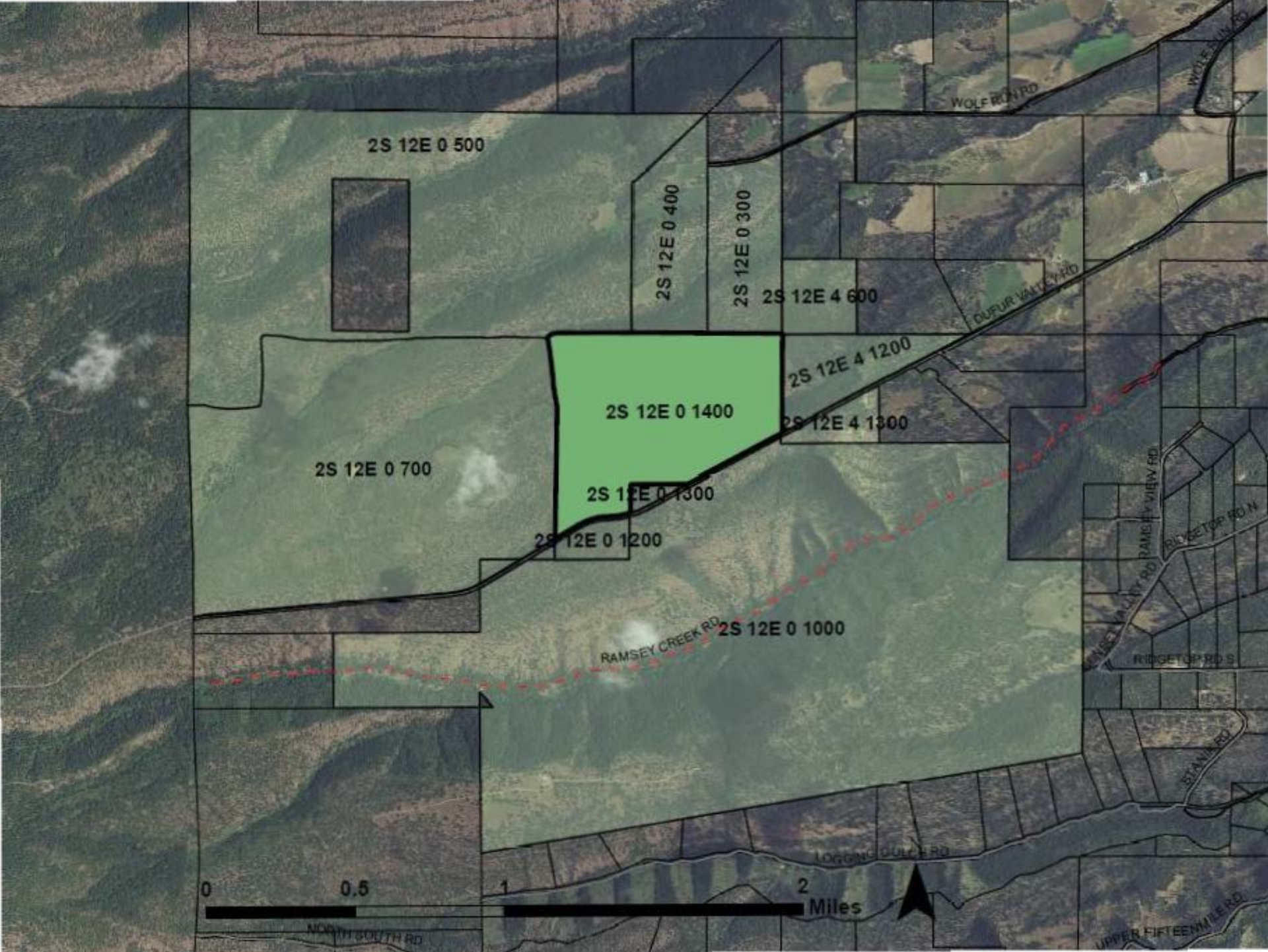
# Process, con't.



## Timelines

- April 9: Site visit attended by:
  - ▣ Oregon Department of Forestry, Oregon State Fire Marshal, Wasco County Public Works, Wasco County Planning, Commissioner Steve Kramer
- April 19: Notice of May 1 hearing sent to:
  - ▣ Owners of property within 750' of the subject parcel
  - ▣ Interested parties
  - ▣ Agencies
  - ▣ *The Dalles Chronicle*





2S 12E 0 500

2S 12E 0 400

2S 12E 0 300

2S 12E 4 600

2S 12E 4 1200

2S 12E 0 1400

2S 12E 4 1300

2S 12E 0 700

2S 12E 0 1300

2S 12E 0 1200

2S 12E 0 1000

0 0.5 1 2 Miles

NORTH SOUTH RD

LOGGING CULCH RD

WOLF CREEK RD

DUFUR VALLEY RD

RAMSEY CREEK RD

RAMSEY VIEW RD

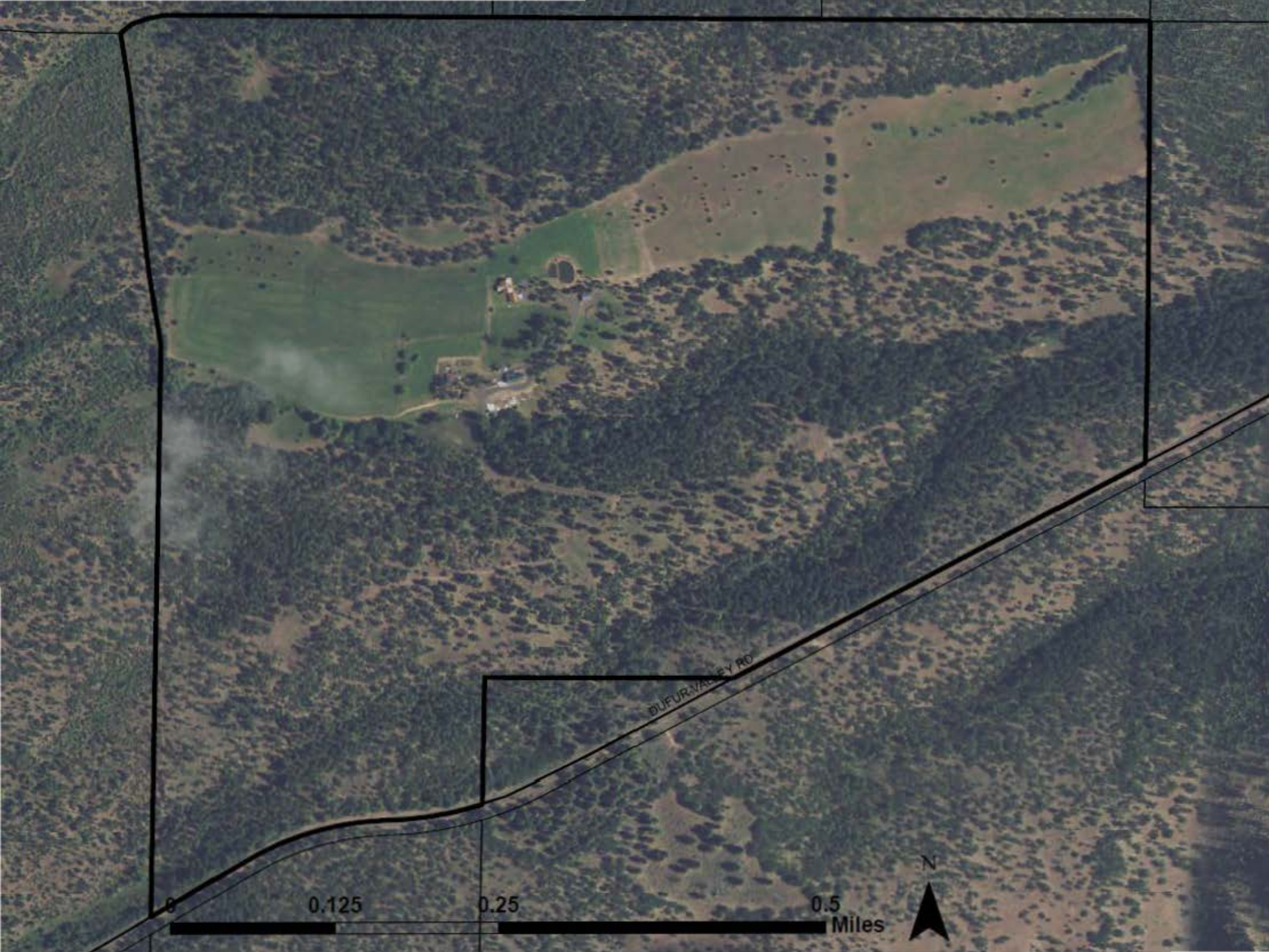
RIDGE TOP RD N

RIDGE TOP RD S

STANLEY RD

UPPER FIFTEEN MILE RD



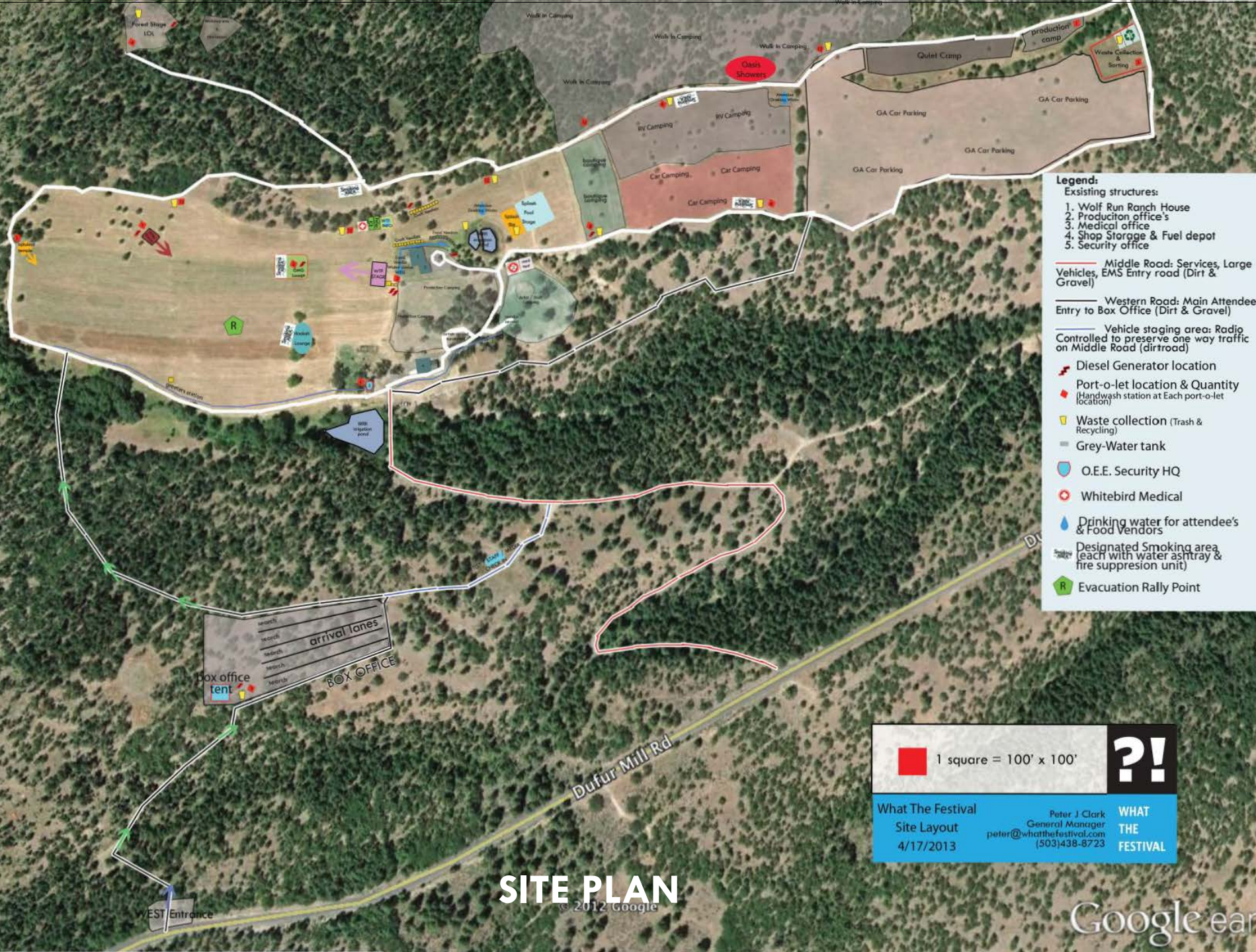


DUFUR VALLEY RD

0 0.125 0.25 0.5 Miles











# Site Plan — Central Activity Area



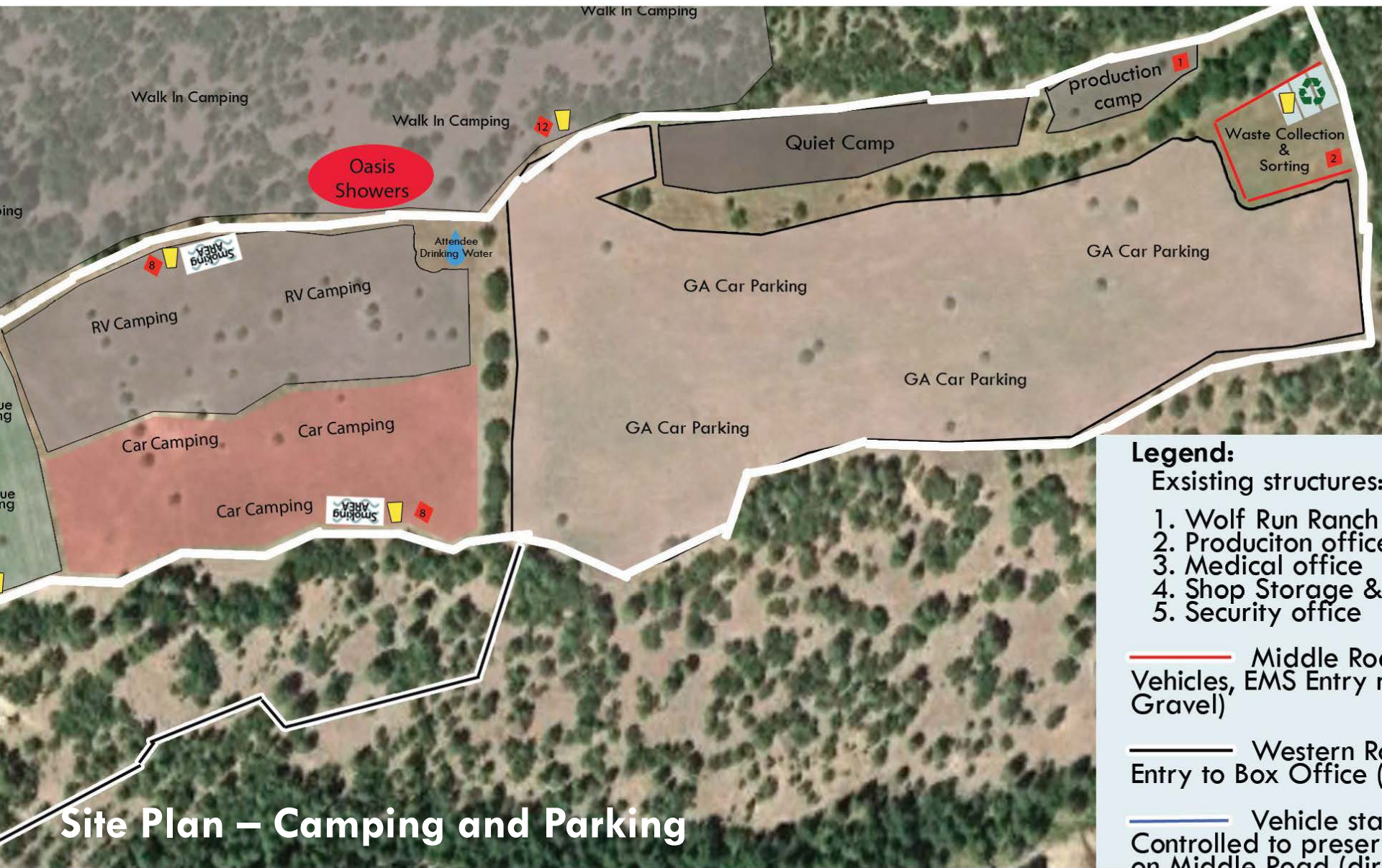


**Central Activity Area, between WTF Stage  
and Craft Vendors, looking East**



**Central Activity Area, looking west to  
OMG Lounge, smaller stages**





Site Plan – Camping and Parking

**Legend:**

Existing structures:

1. Wolf Run Ranch
2. Production office
3. Medical office
4. Shop Storage &
5. Security office

— Middle Road  
Vehicles, EMS Entry n  
Gravel)

— Western Road  
Entry to Box Office (

— Vehicle sta  
Controlled to preserv  
on Middle Road (dir





**From existing house,  
looking east to Car/RV Camping**





**Looking east to  
GA Car Parking**

# Standards Addressed



## **ORS 433.750(1)**

*The governing body...shall issue a permit upon application when the organizer demonstrates compliance with or the ability to comply with the health and safety rules governing outdoor mass gatherings to be regulated according to the anticipated crowd and adopted by the Oregon Health Authority.*




# Standards Addressed




## **Oregon Administrative Rule (OAR) 330 Division 39**

- ☐ OAR 330-039-0015 (Water Supply)
- ☐ OAR 330-039-0020 (Drainage)
- ☐ OAR 330-039-0025 (Sewerage Facilities)
- ☐ OAR 330-039-0030 (Refuse Storage and Disposal)
- ☐ OAR 330-039-0035 (Food and Sanitary Food Service)
- ☐ OAR 330-039-0040 (Emergency Medical Facilities)
- ☐ OAR 330-039-0045 (Fire Protection)
- ☐ OAR 330-039-0050 (Security Personnel)
- ☐ OAR 330-039-0055 (Traffic)





# Friends of the Columbia Gorge

[Home](#)
[About Us](#)
[About the Gorge](#)
[Hike the Gorge](#)
[Protect the Gorge](#)
[Events](#)
[Become a Member](#)

## Gorge Towns to Trails: Making the Connection

**Gorge Towns to Trails** is a vision for a comprehensive trail system that wraps around the Columbia Gorge, linking communities with recreation, benefiting tourism, and highlighting and enhancing the beauty and wonder of the Columbia Gorge. Friends of the Columbia Gorge is leading this effort and seeks input and partnerships from Gorge communities, citizens and elected officials.

### The Project

As the Columbia River Gorge Scenic Area reaches its 25th year, Friends of the Columbia Gorge is launching the first phase of Gorge Towns to Trails (GT2T). Our goal is to create nearly 60 miles of trail connecting Gorge urban areas to National Scenic Area lands.

**The goals of GT2T:**


- Create new trails, opening hidden vistas and waterfalls to Gorge recreation users
- Benefit Gorge economy by connecting trails to communities
- Support sustainable recreation through alternative transportation options
- Create contiguous parcels of protected lands that benefit wildlife

### The Trails

The first phase of GT2T will include the following trail segments:


#### Lyle, Washington

A six-mile trail connecting the urban area of Lyle to the top of the Cherry Orchard. Long-term potential to eventually connect the trail to Dallesport and Columbia Hills State Park.



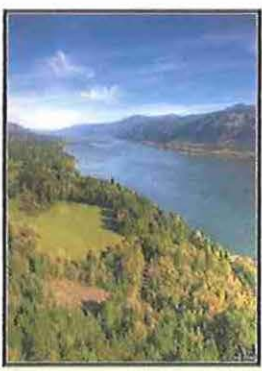
#### Hood River to The Dalles

A 20-mile trail vision connecting the Historic Columbia River Highway, Mosier Plateau, Tom McCall Plateau, Seven Mile Hill and the Columbia Gorge Discovery Center, as well as the communities of Hood River, Mosier, and The Dalles.



#### Washougal to Stevenson

A 34-mile trail vision connecting Steigerwald National Wildlife Refuge, Cape Horn (pictured at right), Pacific Crest Trail and Beacon Rock State Park, as well as the communities of Stevenson, North Bonneville and Washougal.



#### Protection

[Current Actions](#)  
[Issues & Campaigns](#)  
[Stop Coal Exports](#)  
[Gorge Towns to Trails: Making the Connection](#)  
[GT2T Partners and Supporters](#)

[Volunteer](#)  
[Land Trust](#)  
[Vic Clausen Youth Education Program](#)  
[Activist Tool Kit](#)  
[Kids for the Gorge!](#)

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## Articles about GT2T

- [The Trail Companion: A Newsletter of the Lewis & Clark National Historic Trail](#) (see pp. 8-15)
- [The Gorge magazine](#) (article begins on page 42)
- [The Columbian newspaper](#)

[Sitemap](#) / [RSS](#) / [Donate](#) / [info@gorgefriends.org](mailto:info@gorgefriends.org) /  
503.241.3762 / 522 SW Fifth Avenue, Suite 720,  
Portland Oregon 97204

## Supporting Organizations

**Gorge Towns to Trails Partner Organizations** help create grassroots support by communicating the vision of a loop trail that encircles the entire Gorge.

**Gorge Towns to Trails Supporter Organizations** lend credibility and support to the project by listing their organizations' name on Gorge Towns to Trails printed materials.

[View a list of GT2T Supporter Organizations](#)

Friends of the Columbia Gorge is committed to working with public land managers and communities to realize the GT2T vision.

For questions or comments, please contact Renee Tkach at [renee@gorgefriends.org](mailto:renee@gorgefriends.org) or 503-680-3119.





## Four Sisters: Another Conservation Purchase

Kate McBride, Land Trust Manager, [kate@gorgefriends.org](mailto:kate@gorgefriends.org)

Commitment to protecting the Columbia Gorge runs deep even in difficult economic times, and just recently another Friends member stepped up to acquire an important Gorge landscape to protect. In September, a generous anonymous conservation buyer purchased a 123-acre site southeast of The Dalles. The new owner has named the property Four Sisters, after the four huge basalt rocks that lie randomly scattered on the land.

The previous owners of the Four Sisters property – Bob and Janice Staver and Bruce Schwartz – were well versed in Gorge protection issues. Janice once served as a Wasco County representative on the Columbia River Gorge Commission, and the land they owned, originally purchased

for investment and later considered as a potential building site, has long been protected from grazing and kept relatively free of invasive plants. Many years ago, Friends founder Nancy Russell hiked the property and expressed a great desire to see it protected.

This past May, Bob Staver contacted Friends about the land. Someone looking for property to build on had recently approached him about the parcel, but he, Janice, and Bruce hoped to find a conservation buyer.

Friends staff immediately contacted a member who had expressed an interest in preserving land in the Gorge. She agreed to look at the property, which rolls up the hills behind Murray's Addition, just east of Sevenmile Hill Road. The land is

beautiful, with five vernal ponds – a rarity in the eastern Gorge. Balsamroot and lupine blanket the ground in spring, and camas is abundant near the ponds. As the ponds dry out in summer, pink Douglas's onion appears, followed by *Downingia* that covers the low areas in a sea of blue. This particular property is the only place in the Gorge where Howell's milk vetch, a Columbia Gorge endemic species, survives.

Although the land was dry and brown in summer at the time of the visit, pictures of the spring blooms showing the wonderful wildflower displays cinched the buyer's decision to protect the land.

For more information on protecting land by acquisition, contact Kate McBride at [kate@gorgefriends.org](mailto:kate@gorgefriends.org) or 541-386-5268. ■



# Land Trust Acquisition and Donation Protect Mosier Plateau



Mosier Plateau seen  
from Courtney Road

Photo: Kate McBride

Kate McBride, Land Trust Manager,  
kate@gorgefriends.org

A windswept plateau sloping down from the ridgeline just east of Mosier, Oregon is now permanently protected. Two land donations and a recent purchase by the Friends of the Columbia Gorge Land Trust ensure that these properties will not be blighted by trophy houses and wind turbine development.

Two spectacular properties totaling 44 acres were donated to the Land Trust in late December by Friends founder Nancy Russell. Nancy purchased the properties in 2005 knowing that such prime properties could be quickly snatched up by developers eager to

replace the small, unobtrusive houses on the properties with extravagant McMansions.

At the same time that details for Nancy's donation were being finalized, Land Trust staff also began working with an adjacent landowner to even further protect the bluff line from development.

The Mosier urban area extends up onto the eastern bluff (see map), which means urban-area development there is permissible; in fact, owners of the bluff property had considered building wind turbines on top of the bluff. Friends Land Trust purchased this critical 2.65-acre property, and eventually it

will be subdivided to protect the upper half while allowing sale of the lower portion for residential development.

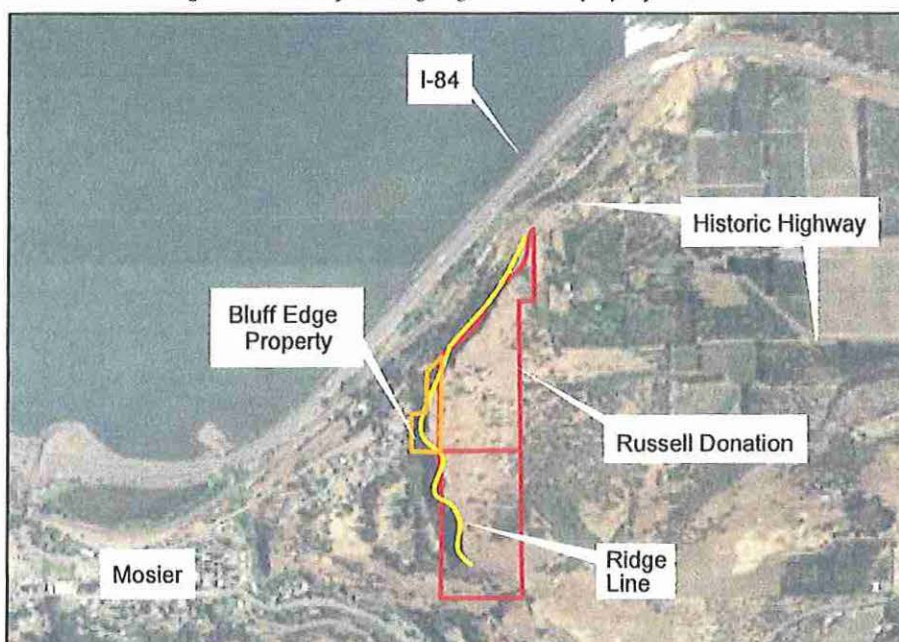
These acquisitions ensure protection of the ridgeline east of Mosier, which is highly visible from I-84, the City of Mosier, and the Historic Columbia River Highway, as well as Washington SR-14 and Coyote Wall across the river.

Land Trust staff will lead a spring hike on the property (see brochure for details), an easy walk with a 400-foot elevation gain. Join us to enjoy the views and learn more about the recreation potential of the property.

## Congress Funds \$1 Million for Gorge Land Acquisition

Congress has appropriated \$1 million in federal land acquisition funding to the Columbia Gorge, thanks to tireless efforts by Friends and others. The Forest Service's National Scenic Area office has pinpointed the Cleveland property at Cape Horn as a top priority. This four-acre property, purchased by the Land Trust in 2006, is a key component of our Campaign for Cape Horn. Surrounded by public land, it will provide a cliff-top public viewpoint honoring Nancy Russell's efforts to protect Cape Horn.

The north-south ridgeline runs nearly the length of this Mosier property. Map: Friends GIS/Kate McBride





# Scenic Landscape Preserved

## Trophy houses averted

Kate McBride, Land Trust Manager  
kate@gorgefriends.org



*View looking west from the Russell property near Mosier.*

Photo: Kevin Gorman

In addition to Friends of the Columbia Gorge Land Trust's property acquisition efforts, we are currently setting the stage to facilitate the donation and transfer of approximately 600 acres owned by Friends founder Nancy Russell to the Land Trust. Over a span of nearly two decades, Nancy purchased 35 different Gorge properties to ensure their protection. About one-third of those parcels have already been transferred or sold into public ownership of agencies including the U.S. Forest Service, Washington State Parks, and Oregon State Parks.

One of the more spectacular parcels Nancy currently owns is a 43-acre Oregon property she

purchased in 2005, adjacent to the east end of the city of Mosier. The land's open vistas provide views across the river west to Underwood Mountain and east toward Dalles Mountain Ranch.

This particular parcel sits directly across the river from Coyote Wall and is visible from numerous vantage points on Washington SR-14. Two small manufactured houses are currently on the property, but the real threat to this scenic parcel was the economic potential in replacing those dwellings with enormous "trophy" homes boasting million-dollar Gorge views. Instead, Nancy's intention was to protect the land, and her donation of this property to Friends of the Columbia Gorge Land Trust ensures that her intention will be honored.

The property also carries special meaning for Land Trust Manager Kate McBride. Kate's great-grandparents once owned the property and she fondly remembers many long walks on the land with her grandfather

when she was a child. Kate describes those formative walks as a motivating factor in her becoming an advocate for land protection.

The Land Trust will eventually remove the current structures, return the land to its natural state, and pursue possibilities for creating public park and trail opportunities in the future.

## Land Sales/ Donations and Conservation Easement Inquiries

If you are interested in joining Nancy Russell by donating property inside or outside the Gorge to Friends of the Columbia Gorge Land Trust, contact Kate McBride at 541-386-5268 or kate@gorgefriends.org.



The Russell property is visible for miles from both the Oregon and Washington sides of the river.

Photo: Friends of the Columbia Gorge GIS



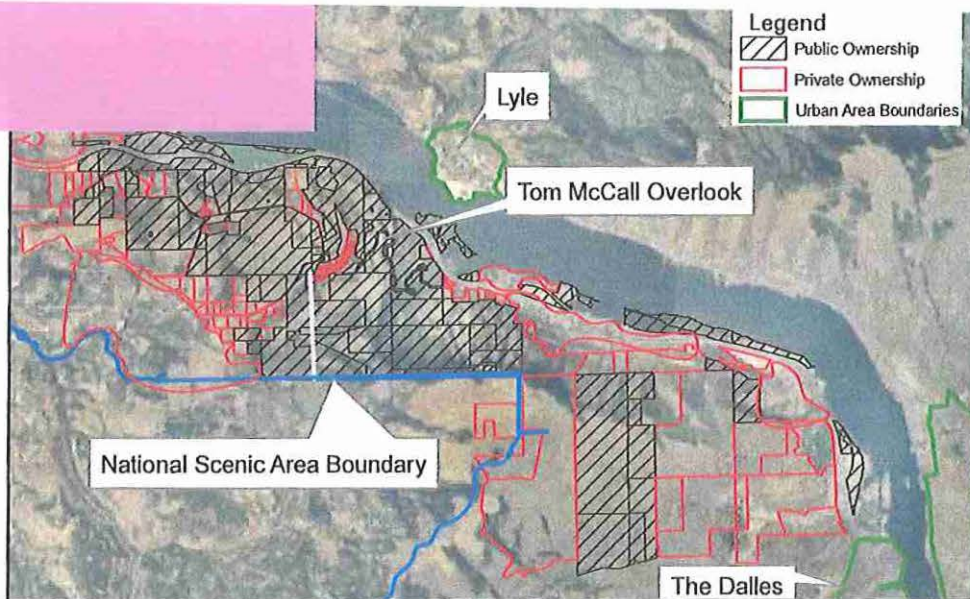
# Acquisition Focus: Memaloose to The Dalles

Kate McBride, Land Trust Manager,  
kate@gorgefriends.org

**F**riends of the Columbia Gorge Land Trust focuses acquisition efforts on Mt. Pleasant, Cape Horn, and Burdoin Mountain in Washington, and a stretch we call "Memaloose-to-The Dalles" in Oregon. This latter landscape covers an area in Wasco County extending from just east of the Mosier urban area, through Rowena and Sevenmile Hill, to the Columbia Gorge Discovery Center in The Dalles.

When the National Scenic Area Act passed in 1986, there was very little public land in the eastern Gorge. Land trusts and public agencies started from scratch, piecing together parcels from willing sellers to create the publicly owned landscapes we enjoy today, including Tom McCall Preserve and Columbia Hills State Park. However, much of the landscape remains in private ownership.

An extensive pattern of informal trails currently links the Memaloose Overlook on Oregon Hwy. 30 with Sevenmile Hill;



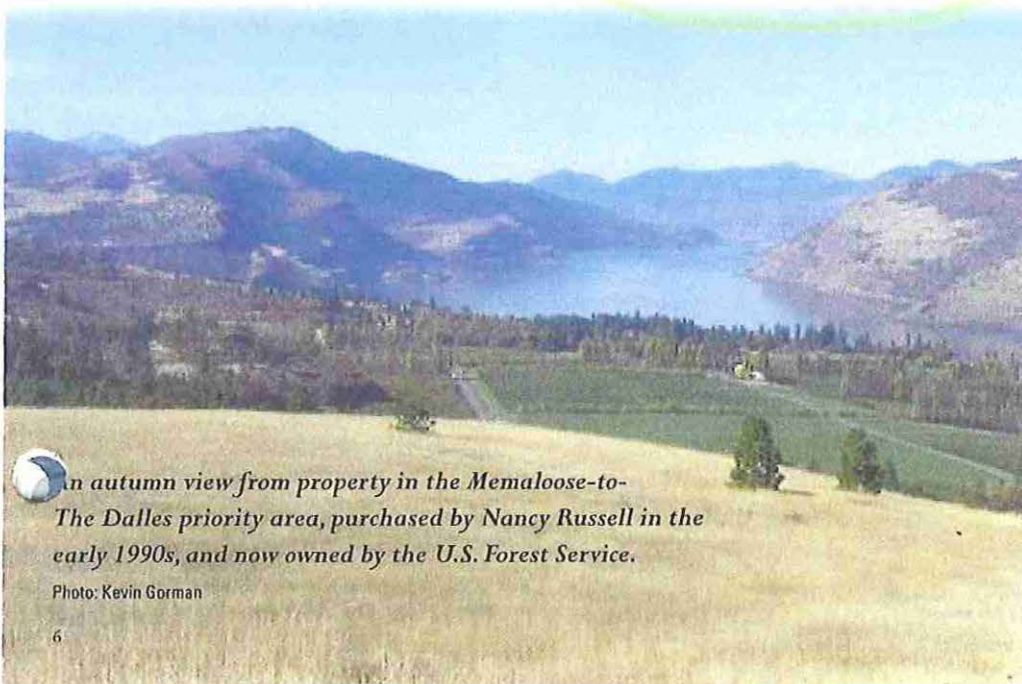
Memaloose-to-The Dalles Priority Area. Map: Friends GIS/Kate McBride

the U.S. Forest Service is considering formalizing this trail system in the future. In addition to the parcels already secured, a few key purchases or conservation easements could eventually allow a trail system that would extend from the Mosier area to The Dalles.

To date, some 5,200 acres in the Memaloose-to-The Dalles area have already been brought into public ownership, held by Wasco County, Oregon State Parks, Trust for Public Land, The Nature Conservancy, Columbia Land Trust, and the Forest Service. Friends founder Nancy Russell owns several parcels in this area totaling 115 acres, which she is holding for conservation purposes.

One of the Memaloose-to-The Dalles area's best-kept secrets is the easy access to walking trails and scenic viewpoints for all ages and abilities, where the public can enjoy spectacular wildflower displays in spring and fabulous autumn vistas. Nancy Russell's good-humored references to the Memaloose area as a "geriatric Dog Mountain" confirm this combination of breathtaking beauty and very easy access.

Friends' land trust board has made several site visits to properties that could help fill in the gaps for trail connectivity and protection of rim top vistas. The possibilities are exciting and we will continue our efforts in this area in the coming year. Stay tuned!



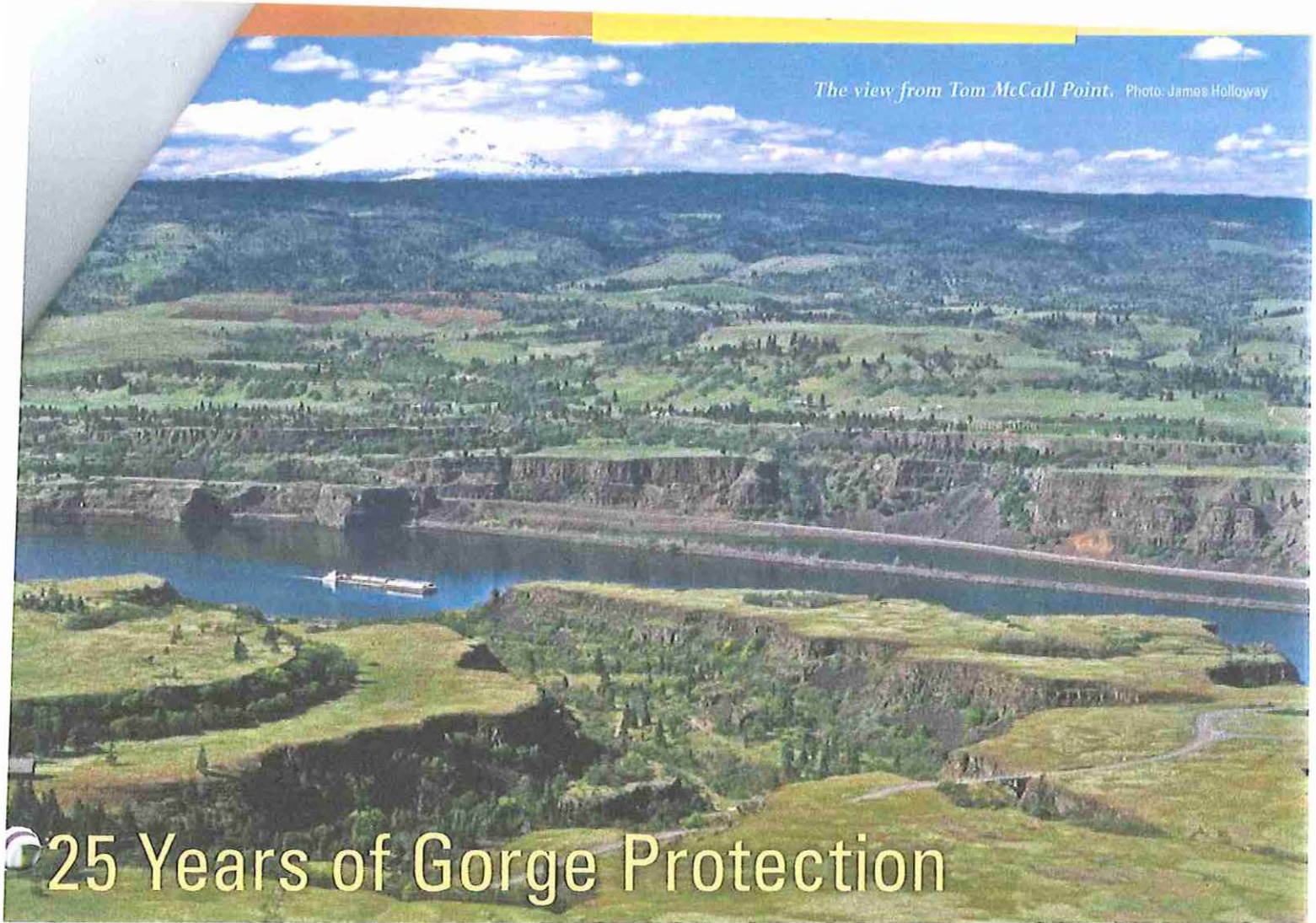
*An autumn view from property in the Memaloose-to-The Dalles priority area, purchased by Nancy Russell in the early 1990s, and now owned by the U.S. Forest Service.*

Photo: Kevin Gorman

## Cape Horn Update

**T**he U.S. Forest Service has started the legal process for public acquisition of our Land Trust's first purchase, the Cleveland property on top of Cape Horn. Assuming Gorge acquisition appropriations from Congress will be in place this winter, deconstruction of the house on the property will begin in spring, so that we may sell the property to the Forest Service in fall of 2008.





# 25 Years of Gorge Protection

Michael Lang, Conservation Director, [michael@gorgefriends.org](mailto:michael@gorgefriends.org)

In November 1986, the Columbia River Gorge National Scenic Area was created by Congress with strong bipartisan backing and broad public support. This groundbreaking legislation mandated that the scenic, natural, cultural, and recreational values of the Gorge be protected, while encouraging urban areas in the Gorge to flourish. This year marks the 25th anniversary of this tremendous achievement.

As we celebrate 25 years of Gorge protection it is also important to acknowledge the many challenges that ensued after passage of the National Scenic Area Act and recognize the challenges that lie ahead. Friends has been there every time to meet these challenges, defending the laws that protect the Gorge, and we will continue to perform this critical role in the years to come.

## First hurdles

After passage of the Act, opponents of Gorge protection regrouped and in 1990 filed the first legal challenge to the constitutionality of the Act. Federal courts upheld the Act's constitutionality, finding it within Congress' powers to protect an interstate region of such national importance.

The Scenic Area Act and its Management Plan have withstood several claims of unconstitutional takings of private property, when appellants were unable to demonstrate deprivation of the economic use of their property. This is due, in part, to "safety valves" in the Act and its implementing rules ensuring that private property retains beneficial economic use. In addition, opportunities for compensation or

relief have been available for property owners whose lands lie within the more protected Special Management Areas.

## Applying the standards

The Management Plan allows for ample development within the Scenic Area, thereby ensuring that property owners have opportunities for economic use of private land. Since 1986, more than 1,300 dwellings have been approved within the Scenic Area, outside urban area boundaries. Friends' analysis of buildable lands in the Scenic Area concluded that under existing rules up to 1,800 more dwellings and supporting development could be approved. However, permit-issuing agencies must require all new developments to protect scenic landscapes and avoid sensitive wildlife habitats.



Even with the Act, Gorge protection is required only if responsible agencies dutifully apply protection standards and enforce them in the case of violation. When agencies fail to enforce the Act, significant damage can result. One notable example is the case of the infamous Bea House. In 1996, Skamania County issued a permit for a modest house and outbuildings, stipulating 31 conditions of approval relating to size, location, building materials, and other factors. The landowner violated half of those conditions, constructing an enormous house on the most visible spot on the property and illegally removing all screening trees.

The case took several years to resolve. Finally, the Gorge Commission, Skamania County, and the landowners reached a settlement that required reducing the size of the house and planting numerous screening trees. Today the house is barely visible.

### Cumulative effects

The National Scenic Area Act requires new development to avoid cumulative adverse effects that degrade the scenic beauty and natural heritage of the Gorge. Yet, to date, a comprehensive evaluation for the cumulative effects of development has never been done. While the Act requires that projects avoid cumulative adverse effects, neither the Gorge Commission nor the counties evaluate these effects, even though they routinely approve new developments.

In 2004, Friends of the Columbia Gorge challenged the Gorge Management Plan for this ongoing failure to protect against cumulative adverse effects. The Oregon Supreme Court agreed with Friends and ordered the Commission to adopt relevant standards. In response, the Commission sidestepped the court's directive and adopted weak cumulative effects guidelines that fail to meet the court's requirement. Friends has appealed the Commission's new guidelines to the Oregon Court of Appeals.

### Challenge and commitment

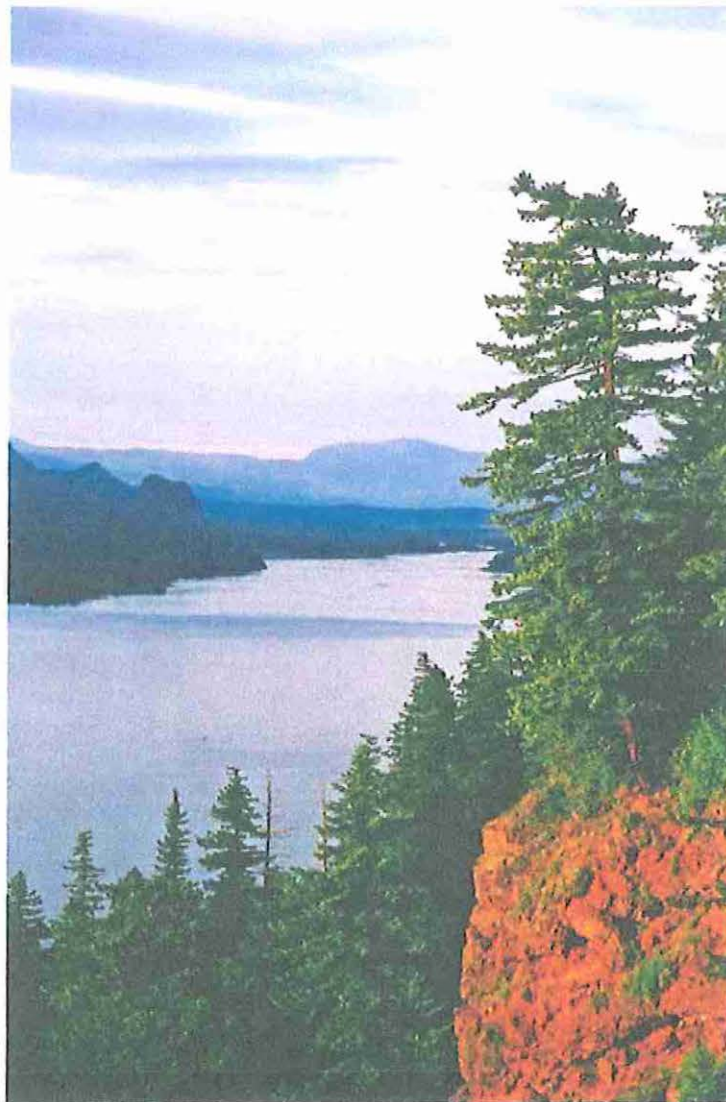
Perhaps the biggest challenge to Gorge protection lies ahead. The Gorge Commission has increasingly favored more development at the expense of the exceptional resources of the Columbia Gorge. Expanding commercial development — even approving a destination resort within the Scenic Area — has taken precedence over the mandated obligation to protect and enhance the scenic, natural, cultural, and recreation resources of the Gorge.

The courts have afforded the Gorge Commission significant latitude to interpret the National Scenic Area Act, and in this

Talk about MAUDIE  
THAT'S THE ACT  
in a NUT SHELL!

context, two possibilities for improving Gorge protection emerge. Those charged with appointing commissioners (governors of Oregon and Washington, and the six Gorge counties) can prioritize Gorge protection by appointing strong conservationists to the Gorge Commission. And the Scenic Area Act itself can be improved to better fulfill the Congressional intent of protection.

In the years ahead, the need for advocacy will remain high, and this much is certain: in every instance, continuing public vigilance and broad public support will be key to ensuring that protection for the Columbia Gorge remains strong far into the future.



*Exceptional scenic beauty and strong protections have made the Columbia Gorge one of National Geographic's Top Ten sustainable destinations in the world.*

*Photo: Ken Denis*





## Development Oversight and Litigation

While the Columbia River Gorge National Scenic Area Act was created to halt the spread of urban sprawl, the Act is only as strong as its implementation. As the only conservation organization focusing exclusively on the Gorge, Friends vigorously enforces the Act and other laws to protect this national treasure for our future generations.

**Land Use Oversight:** The Gorge's sensitive lands are under constant threat from overdevelopment. Friends serves as an environmental watchdog by reviewing and commenting on every land-use application in the National Scenic Area to ensure that development occurs in concert with Gorge protection.

**Litigation and Appeals:** When Gorge resources are threatened by unlawful decisions and violations, Friends exercises our right to file legal challenges. In recent years, Friends has appealed less than 2% of the 250+ annual development applications. Similarly, when Gorge decision-makers protect Gorge resources by upholding the law, Friends helps defend the decisions against challenges by development interests. Visit our online docket of [current legal cases](#), or peruse our compilation of [past legal cases](#).



Urban sprawl halts at the Sandy River, the western border of the National Scenic Area.

### More legal resources:

[Statutes, Ordinances, Rules, and Regulations](#)  
[Case Law](#)  
[Government Bodies and Agencies](#)  
[Land Use and Development Applications and Decisions](#)  
[Maps, Photos, and GIS](#)  
[Key Viewing Areas](#)  
[Species](#)

### Protection

#### Current Actions

#### Issues & Campaigns

- [Stop Coal Exports Through the Gorge](#)
- [Supporting Public Land Acquisition](#)
- [Stop the Whistling Ridge Energy Project](#)
- [Improving Gorge Air Quality](#)
- [Gorge Towns to Trails](#)
- [Proposed Destination Resort](#)
- [SUCCESS: Gorge Casino Stopped!](#)
- [SUCCESS: Condit Dam Breached!](#)
- [Development Oversight and Litigation](#)

- [Legal Docket](#)
- [Past Case Law](#)
- [National Scenic Area Act and Management Plan](#)

#### Stop Coal Exports

#### Gorge Towns to Trails: Making the Connection

#### Volunteer

#### Land Trust

#### Vic Clausen Youth Education Program

#### Activist Tool Kit

#### Kids for the Gorge!

- |                                     |    |
|-------------------------------------|----|
| <a href="#">Donate</a>              | >> |
| <a href="#">Volunteer</a>           | >> |
| <a href="#">Take Action</a>         | >> |
| <a href="#">Hike With Us</a>        | >> |
| <a href="#">Plan a Hike</a>         | >> |
| <a href="#">Sign up for Updates</a> | >> |



# Lyle Cherry Orchard: All the Best of the Eastern Gorge

Kate McBride, Land Trust Manager, [kate@gorgefriends.org](mailto:kate@gorgefriends.org)

*Natural benches on the slopes east of Lyle, midway in the distance, are part of the Cherry Orchard property, seen from Rowena Plateau.*

Photo: Greg Lief

*Columnar basalt cliffs and wide plateaus mark the largest landscape yet donated to the Friends of the Columbia Gorge Land Trust. Given to the Land Trust in 2009 by the estate of Friends founder Nancy Russell, the property lies adjacent to Lyle, Washington and includes part of the town itself. The property covers more than 500 acres, etched by the Lyle Cherry Orchard Trail.*

In 1990 Nancy and Bruce Russell began purchasing land east of Lyle. Over the next fifteen years, they acquired twelve separate tax lots comprising what is now called the Lyle Cherry Orchard. An old homestead at the east end bears testament to the remains of what was once a pioneer orchard. The property also holds remnants of a century-old "convict road." Worked on by convict labor in 1910, four years before the Historic Columbia River Highway was begun, the road was never completed.

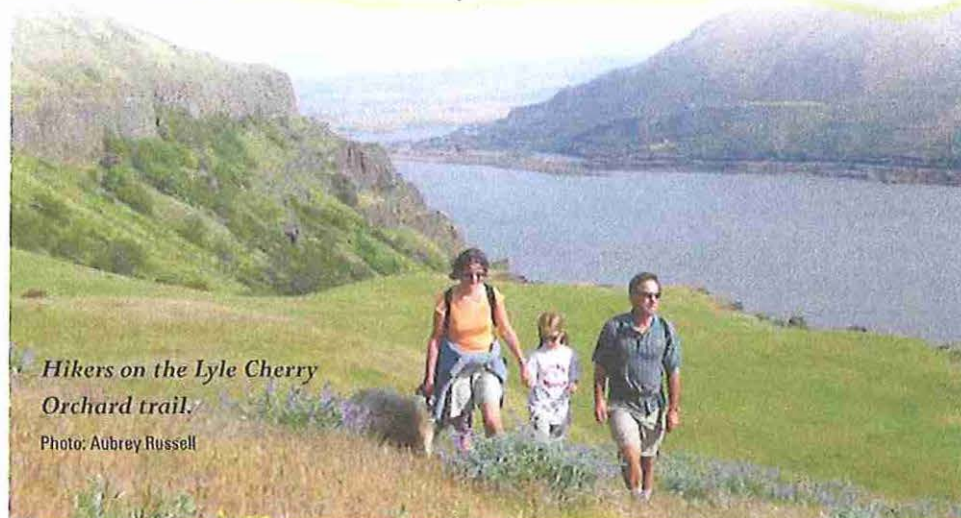
With sprawling oak woodlands, the Cherry Orchard provides ideal habitat for deer, turkey, and western gray squirrels, but Nancy's primary intention was to preserve access to panoramic views and

create a public trail to the top. She started the project in the 1990s and later hired trail-builders to open a new route up from the pull-out on Washington SR 14, east of the Lyle tunnels. The new route traverses the hills rather than climbing directly up the steep slope.

Friends of the Columbia Gorge has led spring hikes on the property for nearly two decades, and two hikes are scheduled this season (see brochure). The land boasts abundant wildflowers from late March to early May, and stewardship teams are working to eliminate star thistle, an invasive plant that is new to the property.

Excellent views of the Cherry Orchard can be seen from across the river at Tom McCall Preserve and Rowena Plateau, just above the Historic Columbia River Highway east of Mosier. From this vantage point, the entire Cherry Orchard, including 1000-foot cliff walls scoured into shape by ice age floods, is in full view.

The Land Trust's priorities for this spectacular property are to keep it open to the public for hiking, preserve habitat for wildlife, and protect its scenic vistas for generations to come. See our hiking brochure or check [www.gorgefriends.org/hikes](http://www.gorgefriends.org/hikes) for this spring's outings at the Cherry Orchard.



*Hikers on the Lyle Cherry Orchard trail.*

Photo: Aubrey Russell



## **Fifteenmile Watershed Council Meeting**

**Barlow Ranger District Office, Dufur**

**April 2, 2013**

**6:30 – 8:30 PM**

### **MINUTES**

#### **Attendees:**

Phil Kaser, <i>co-chair</i>	Anna Buckley, <i>coordinator</i>	Natasha Bellis, <i>Freshwater Trust</i>
Julie Koeberle, <i>NRCS Snow Survey</i>	Shilah Olson, <i>SWCD</i>	Chris Rossel, <i>USFS</i>
Bob Wood, <i>OWRD</i>	Kate Conley, <i>Columbia Land Trust</i>	Rosemary Furfey, <i>NOAA NMFS</i>
Stan Ashbrook	Deanna Ashbrook	Ron Graves, <i>SWCD</i>
Gay Melvin	Bill Hammel, <i>co-chair</i>	Gene Underhill
Mike Kelly	Janeen Tervo, <i>USFS</i>	Jim Stafford
Bill Ferres		

#### **Introduction & Review of Minutes**

Phil Kaser called the meeting to order around 6:30. Phil introduced the new watershed coordinator, Anna Buckley and asked attendees to introduce themselves. The Council approved the February meeting minutes as written. Phil reviewed the agenda and said that the Freshwater Trust would be discussing the Fifteenmile Action to Stabilize Temperatures (FAST), which is a voluntary plan to mitigate Endangered Species Act (ESA) liability.

#### **Presentation on the region's snowpack data (6:40- 7:35)**

Julie Koeberle, hydrologist, 503-414-3272/Julie.Koeberle@or.usda.gov  
NRCS Oregon Snow Survey Program, 1201 NE Lloyd Suite 900, Portland, Oregon 97232

Julie presented snowpack data, graphs, and forecasting reports that Oregon's snow survey program collects and makes available. See power point presentation on the Wasco SWCD watershed council webpage for Fifteenmile: [http://wascoswcd.org/wcswcd\\_026.htm](http://wascoswcd.org/wcswcd_026.htm). In her presentation she explained acronyms, what data were collected, the equipment that collected it, stations in our region, and forecast products available from the website (<http://www.or.nrcs.usda.gov/snow/>) including water supply, basin outlook reports, streamflow projections, and where to find historic data.

Fifteenmile is located within the Hood, Sandy, Lower Deschutes basin. She showed that current snow water equivalent percent of normal for April 2, 2013 and pointed out that our region was at 105% of normal (based upon 1980-2010 normals). However, she also noted that on April 2, 2009, the snowpack was better than it is this year. She also showed examples of daily streamflow forecasts that they produce. She emphasized that most of their snow monitoring sites melt out by July 1<sup>st</sup>, after which point air temperature has more of an influence on streamflow.

She said that although Fifteenmile doesn't have any long term gage data (>10 years), the Hood River at Tucker bridge gage might be a useful reference. When she compared the limited flow data available from the two new gages on Fifteenmile, it tracked well with the Hood River at Tucker bridge gage--although the actual streamflow value and magnitudes of the highs and the lows were different. A cautionary comment was made that although the climatic influence on the hydrograph might be comparable between the Hood River site and 15-mile, there would be differences in how the water was being managed through diversions and extractions between Hood River and Fifteenmile. She also shared other potential resources: NOAA Climate Center three-month outlooks for weather and the US Seasonal Drought outlook.

During her presentation, she answered clarifying questions, and saved some time at the end to answer any additional questions. Bob Wood indicated that he found NRCS's forecasting tools very useful to regulate water rights. He mentioned that if NRCS ever added new SNOTEL sites, one on Lookout Point would help improve the accuracy for the area.



**Finalization of the Fifteenmile Action to Stabilize Temperatures (FAST) (7:35 – 8:15)**

The Fifteenmile Watershed Council has been working on this voluntary flow plan since the 2009 fish kill with the goal of minimizing ESA liability for irrigators. After the NOAA Special Agent's visit to the Watershed Council in 2010 and the ESA Workshop in 2012, the Watershed Council decided its first priority was to protect irrigators from liability. One way to reduce liability would be to prepare some kind of voluntary emergency plan that would be ready to go in case of extremely low stream flows and high temperatures in the future. This plan not only could help prevent a fish kill, it also could demonstrate to NOAA that irrigators are proactively doing what they can to protect steelhead.

The Freshwater Trust has helped to develop the plan (link to the draft - [http://wascoswcd.org/linked/15m\\_draft\\_flow\\_plan.pdf](http://wascoswcd.org/linked/15m_draft_flow_plan.pdf)). Natasha Bellis introduced a draft of the plan during the February meeting and provided a status update and identified some of the remaining questions. She passed out a one page table identifying the elements of the plan including who would participate. This one-page table will be posted on the Fifteenmile Watershed's Project page: [http://wascoswcd.org/wcswcd\\_026.htm](http://wascoswcd.org/wcswcd_026.htm).

She walked the council through the plan. Starting with irrigation season planning, irrigators and agency staff would review the forecasts, share irrigation plans, and identify opportunities for in-stream leasing and get a sense of what the water availability might be. For instance, Julie mentioned that the 2009 snowpack was better than the current one, although we know that air temperature will be the biggest driver once the snow melts.

Natasha then discussed the predictive model. She said that the ODFW model accurately predicts the water temperature 5 days out within a 0.5 degree. The predictions are based upon a combination of data loggers and forecasts. The idea is that when the stream temperatures are predicted to reach the trigger thresholds, irrigators can voluntarily leave more water in the stream to avoid lethal temperatures.

It will be helpful to do a trial run to see that it works. The forecast comes out daily from ODFW. When flow is really low, only about 10 senior water rights users are able to irrigate. The contingency plan would be triggered when the voluntary self-regulation doesn't bring the temperatures down. This could involve rotation agreements amongst senior users or other minimum flow agreements. She proposed a subcommittee to finish up the plan.

Some of the remaining limitations of the plan have to do with funding for the plan implementation. Natasha plans on applying for an OWEB endowment fund this fall. The other potential funder is the Columbia Basin Water Transaction Program. Because the FAST is innovative, it doesn't fit neatly into any existing funding agencies. She will need to do some outreach to sell the plan to funding agencies. Rick Craiger, from OWEB, seemed to express support at the last meeting. Rosemary Furfey, NMFS, said she would be willing to work with OWEB to market the plan, since they receive Federal Pacific Salmon Recovery Plan dollars from NOAA. Ron Graves asked if Rosemary would be willing to write a letter of support for the plan and she said that she would see what she could within the constraints of her agency's policies. A general letter of support might be acceptable.

Another issue is the valuation piece since the typical compensation provided for instream leasing wouldn't adequately compensate, she would like to explore a compensation model similar to crop-insurance, in which the irrigator would be compensated for yield loss as a result of not irrigating to maintain streamflows. The details still need to be fleshed out since it's unclear how to exactly translate water use to crop yield. It was suggested that an agronomist might be able to help.

Phil asked for input from the more senior water rights holders that were present and emphasized the difference between water rights regulation administered by OWRD and ESA regulation administered by NOAA National Marine Fisheries. Mike reminded folks that the idea is that if you volunteer to follow the plan, you will get compensated for your losses and minimize your ESA liability.

The final issue is staffing the implementation of the plan. An Americorps volunteer was suggested as an option.



### *Subcommittee to finalize the plan*

After much discussion, the council moved to have a subcommittee meet to finalize the details of the plan. Water rights holders senior to 1909 would be key to the plan development and implementation. The reason is that during the 2009 fish kill, the Watermaster had shut off all of the water rights users junior to about 1909 and Freshwater Trust's compensation program is for irrigators with water rights 1909 or earlier, at this time.

The subcommittee meeting would be held in the evening within the next couple of weeks. Natasha said that she would make sure that the questions would be provided in advance so participants would have a chance to prepare. The senior water rights users (Gene Underhill, Stan Ashbrook and Bill Ferres) that were present agreed to come to the subcommittee meeting and emphasized that they wanted other senior water rights users to participate as well. The council agreed to invite all the senior water rights holders (1856 to 1909) to the upcoming subcommittee meeting to finalize the plan. The Council members would be notified of the meeting date/time and could participate if they wanted to. Mike Kelly said he would participate.

### **Updates/Announcements**

The county needs to update their list of watershed council appointments. The list from 2011 was passed around to the council to make sure it was still accurate. Since Mike Hernandez had retired from the USFS and Janeen Tervo was Acting District Ranger, it was decided to replace Mike's position on the council with Janeen. Some discussion occurred regarding the USFS's policy on whether they could be a voting member or not and that each of Wasco County's five watershed councils have different by-laws and have treated USFS membership differently—advisory vs. a voting member. It was concluded that the USFS membership would continue as it had and that the new Ranger would be a voting member.

The council agreed to add their names to a letter of support from the Network of Oregon Watershed Councils to Senator Merkley for the Pacific Coast Salmon Recovery Fund, a major funding source for OWEB and, ultimately, watershed councils.

Anna mentioned that Jon LaMarche, a hydrologist from OWRD, would like to come to a future watershed council to talk about the additional flow monitoring and modeling they would be doing with a recently awarded OWEB grant.

Chris Rossel announced the USFS Annual Fishing clinic at Camp Baldwin on May 11 from 8-1:00. They usually have about 80-100 kids.

### **Next Meeting**

The next meeting was scheduled for **Wednesday, May 29, at 6:30 PM, at the Barlow Ranger District office.**

The meeting adjourned at 8:25



# Fifteenmile Watershed Council

## Fifteenmile Action Plan to Stabilize Temperatures

### Subcommittee Meeting Announcement

Wednesday May 1, 2013

6:00 PM – 8:00 PM

USFS Barlow Ranger District Office (780 NE Court Street, Dufur)

A Fifteenmile Watershed Council subcommittee in partnership with The Freshwater Trust will meet to resolve the remaining questions to implement a voluntary plan to reduce Endangered Species Act liability for irrigators. The plan is called the Fifteenmile Action Plan to Stabilize Temperatures (FAST). A draft of the plan and a summary table can be found here on the watershed council's website: [http://www.wascoswcd.org/wcsxcd\\_012.htm](http://www.wascoswcd.org/wcsxcd_012.htm). The questions are embedded within the draft and listed below for convenience. Please bring your comments and questions, as well.

### Discussion Questions

#### A. Predictive Model questions (pg. 5)

1. What sites do the model predict for and what additional sites are needed ?
2. The predictive model forecasts for average stream temperature only but maximum temperature is likely 2-3 degrees higher than the average reported. Should the trigger temperature be altered to account for this? Or are 15M steelhead resistant to this?
3. How long does stream temperature need to be raised before it is lethal for salmon?
4. Should the watershed irrigators form a "low flow" group that takes at least partial responsibility for the predictive model and implementation of the Plan?

#### B. Response to Forecast Alert comments/questions (pg. 7)

1. Need to make sure that senior users attend the pre-irrigation season meeting since these users are essential to planning and implementing the year-specific Action Plans.
2. Should year-specific Action Plans be drafted before the irrigation season only or throughout the season as forecasted alerts are received ?
3. Should there be an after-alert meeting with senior irrigators to hear how things went and fine-tune the plan?
4. Posting forecasts in a public place may be time consuming. Other options?

#### C. Alert and Irrigator Notification questions (pg. 8/9)

1. Who will do the notification and how much time should be spent on it ?
2. Which form(s) of notification should occur ?
  - Email notification: when/to whom/how often ?
  - Website update: how often and who will maintain ?
  - Call list: who is on the list ? who will call whom ?
  - Public posting: where/how often ?
3. How should voluntary self-regulation be implemented ? Should the WC notify the irrigators ?
4. How to notify implementation of year-specific Action Plans? Should this be concurrent with voluntary self-regulation?

#### D. Compensation questions (pg. 10)

1. Is compensation needed just for the first few years while the watershed figures out how to adjust to the implementation of the plan and how to avoid its implementation?
2. What type of compensation would be best? (potential options listed on pg. 9)

Fifteenmile Watershed Council

c/o Wasco County Soil and Water Conservation District, 2325 River Road, Suite 3, The Dalles OR 97058. [www.wascoswcd.org](http://www.wascoswcd.org)  
Questions? Comments? Contact Anna Buckley, Watershed Council Coordinator at (541) 296-6178 x119

# **Fifteenmile Action Plan to Stabilize Temperatures (FAST)**

March 2013

Prepared by:  
Fifteenmile Watershed Irrigators

In cooperation with:  
The Freshwater Trust  
Fifteenmile Watershed Council  
Oregon Water Resources Department  
Oregon Department of Fish & Wildlife  
Confederated Tribes of Warm Springs  
Wasco County Soil & Water Conservation District  
Wy'East RCD  
Oregon Department of Environmental Quality  
National Oceanic & Atmospheric Administration



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## I. Background

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In addition to supporting a robust agricultural community, the Fifteenmile watershed provides key habitat for many aquatic species including threatened winter steelhead, Coho, Chinook, Pacific lamprey and other native fish. During mid-late summer months, irrigation withdrawals exacerbate naturally low base flows, reducing available habitat and hindering mobility for juvenile and adult fish. Decreased water levels also raise water temperature and diminish dissolved oxygen levels, increasing aquatic species' susceptibility to disease and predation.

All major Fifteenmile watershed planning documents list low streamflow as a primary limiting factor for viable fish populations and prioritize specific actions to restore the natural hydrograph to the Fifteenmile watershed in order to provide sufficient flows during critical periods. Recommended restoration actions include 1) reducing irrigation withdrawals through the implementation of on-farm efficiency projects, instream water right transfers and leases, the reduction of irrigated acreage and substitution of surface water for ground water irrigation; and 2) increasing natural water storage through the adoption of no-till farming practices and floodplain restoration. The Middle Columbia Steelhead Recovery Plan also identifies a specific flow-related objective for the watershed that includes meeting a flow target of about 7 cfs at the mouth of Fifteenmile Creek for the month of August.

Lead by the efforts of the Fifteenmile Watershed Council and its members, local restoration groups, tribes, and state and federal agencies are taking a comprehensive and cooperative approach to tackling the recommended actions identified in the planning documents. Watershed Council partners recently installed 5 new staff gages and metered all significant irrigation diversions as part of its Fifteenmile Watershed Flow Monitoring Project. This will promote efficient and fair regulation of irrigation withdrawals and help paint a complete picture of water movement throughout the watershed. The Flow Monitoring Project also assessed water savings from irrigation efficiency upgrades and together with partners from Wasco County Soil & Water Conservation District, Natural Resources Conservation Service and Wy'East Resource Conservation & Development Area Council offered irrigators a variety of assistance programs for implementing these improvements. Using this assistance, Fifteenmile irrigators reduced water withdrawals—and saved energy—by installing new pumps and sprinkler hardware and by upgrading to center pivot systems. In addition, The Freshwater Trust continues to offer financial compensation to Fifteenmile irrigators who lease part or all of their water rights for instream use through the Fifteenmile Creek Instream Lease Program.

In 2009, amid these efforts, low flows and extended high air temperatures combined to kill an unknown but significant number of juvenile fish in Fifteenmile Creek, including threatened steelhead. As a result, an enforcement official from the National Oceanic and Atmospheric Administration (NOAA) investigated claims that the watershed violated the Endangered Species Act (ESA), an offense that carries both civil and criminal penalties. Although NOAA's investigation did not result in an enforcement action, the official strongly recommended that irrigators develop a strategy to address future low flow/high air temperature events. The official also cautioned that NOAA must enforce the provisions of the ESA regardless of climate conditions and that someone would be held accountable if a similar event occurs in the future. Since then, the Watershed Council has prioritized raising awareness of irrigator liability under the ESA, including working with NOAA representatives to determine how best to reduce this liability. While restoration actions have increased in the watershed since 2009, low flows are still a primary limiting factor for fish and the potential for another fish kill remains high.



The goal of the Fifteenmile Critical Low Flow Plan (the "Plan") is to reduce irrigator liability under the ESA by preventing future fish kills in the Fifteenmile watershed. Although low flows present multiple problems for aquatic species in the watershed (e.g. dewatering critical rearing and spawning habitat, cutting off fish passage) this Plan is aimed solely at reducing stream temperatures lethal to fish by temporarily restoring streamflow to Fifteenmile Creek and its tributaries under the specific circumstances outlined below. The CLP is a contingency plan that provides only a bare amount of relief for aquatic species. The Fifteenmile watershed recognizes that it must continue to pursue the restoration actions recommended in the planning documents in order to permanently realize long term streamflow restoration and restore the natural hydrograph to the subbasin.

Section II of this document explains the underlying criteria and predictive model that will trigger the initiation of the Plan. Section III outlines the actions the Fifteenmile watershed will take when a low flow/high air temperature event triggers this Plan.

## **II. Predictive Model**

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While the Fifteenmile watershed supports at least 18 species of fish, the implementation of the CLP during any given year is contingent on the presence of specific conditions tied to the biological needs of two focal species: threatened steelhead and Pacific lamprey. The watershed chose these two species primarily because of their legal status in the watershed; steelhead are listed as a threatened species under the ESA and Oregon Department of Fish and Wildlife identify Pacific lamprey as a vulnerable species. However, these species have particularly sensitive habitat requirements and management strategies aimed at benefitting these species will likely improve the habitat for all aquatic species.

Derrek Faber, ODFW steelhead research project leader for Fifteenmile watershed, used streamflow and air temperature data collected in the watershed to develop a model to make near-term predictions of stream temperature. Faber based the model on current flow measurements, air temperature, and predicted weather conditions from the National Weather Service. The model predicts water temperatures for seven days using location-specific climate predictions generated by the National Weather Service (NWS). The model pulls localized climate predictions (including air temperature, dew point, and humidity) from the NWS website daily, in addition to instantaneous Fifteenmile Creek discharges posted on the Oregon Water Resources Division website and uses these data in a mixed-model framework (McLean et al, 1991) to generate the daily average water temperature prediction. Each measurement site has a unique set of covariates (including geology, riparian cover, groundwater penetration, and water sources), and while the mixed-model framework is an excellent tool for predicting long-term data with various inputs, it is ultimately bound to weather predictions.

Faber will monitor the accuracy of the model over time by validating model predictions of water temperature measured by temperature-loggers at each site. If model predictions do not accurately represent actual water temperature, model covariates can be adjusted to produce more reliable predictions. Currently, this model makes stream temperature predictions for two sites on lower Fifteenmile Creek: Fifteenmile Creek at the mouth of Eightmile Creek (200 ft elevation) and the Fifteenmile valley near Emerson-Roberts Rd crossing (900 ft elevation). To date, the model effectively predicted water temperatures for these two sites to within one-half of a degree. Faber plans to further refine the model and apply it to two additional Fifteenmile Creek monitoring sites in the Dufur valley: one at the city of Dufur and another at the Fifteenmile Creek confluence with Ramsey Creek. Modeling



these four different sites on Fifteenmile Creek will yield a comprehensive forecast for water temperature gradients throughout the watershed.

The watershed will use this predictive model to determine when high stream temperatures will increase risk of salmonid and lamprey mortality. The literature on critical temperatures for steelhead finds a range between 22°C-24°C (71°F-75°F) causes lethality, not accounting for cold water refugia. From field observations in the Fifteenmile watershed by ODFW, it is very likely that the 900 ft elevation has very low densities of juvenile steelhead during the summer. Instead steelhead migrate to higher elevations with lower stream temperatures, or into areas of upwelling such as the Dufur Valley. In these areas, the high densities of fish may be more vulnerable to higher stream temperatures. For example, during the 2009 fish kills, the average water temperature in the Dufur Valley (1200 ft elevation) was between 21.5°C-22.5°C (71°F- 72°F), at the lower end of the lethal range.

For this reason, this Plan articulates different temperature triggers depending on location and field observations. When the model predicts that water temperatures will reach over 23° C (73° F) at the mid-valley site (900 ft elevation) and 21.5° C (71° F) at the Dufur Valley site (1200 ft elevation), the watershed will follow the implementation steps outlined in the next section.

#### ***Fifteenmile Stream Temperature Triggers***

200' elevation	23° C (73°F)
900' elevation	23° C (73° F)
1200' elevation (Dufur Valley, forthcoming)	21.5° C (71° F)
? elevation elevation (Ramsey Creek confluence, forthcoming)	21.5° C (71° F)

The Fifteenmile Watershed Council will operate and maintain a computer dedicated to running the predictive model and issuing reports.

#### **Questions for the group:**

- Need to verify with ODFW what sites the model predicts for and what additional sites are needed...some inconsistencies in plan.
- The predictive model forecasts for average stream temperature only and the maximum stream temperature is likely 2-3 degrees higher than the average reported. Should we alter the temperature triggers to account for this? Need to find balance between precautions and practicable. Want to avoid is seeing a fish kill where no warning was sent. Also need to take in to account that 15M steelhead may have some resistance to high temperature.
- How long does stream temperature need to be raised before it is lethal for salmon? Obviously no days with lethal stream temperatures are desirable but could salmon tolerate one day? Two days?
- In terms of liability, the most compelling part of this Plan is that it is voluntary and watershed-driven. In that vein, should the watershed irrigators form a "low flow" group/entity that takes at least partial responsibility (possibly in partnership with the WC) for the predictive model and implementation of the Plan? And eventually funding (see compensation section below)?



### III. Plan Components

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The following steps represent actions Fifteenmile irrigators will take to prevent fish mortality in the Fifteenmile watershed. The watershed will take a two-prong approach: 1) irrigation season planning, and 2) a year-specific Action Plan (e.g. 2013 Action Plan). The primary goal of the watershed is to reduce the occurrence of high stream temperature events through planning and appropriate reduction of water use. The secondary goal is to develop a practical action Plan based on irrigators' land management plans.

#### A. Irrigation Season Planning

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The Fifteenmile Watershed Council will convene two meetings prior to each irrigation season. The first meeting will focus on reviewing current snowpack conditions, long-term weather forecasts and predicted water availability for the coming irrigation season, including a projected summary of water protected through instream transfers and leases. Irrigators can use this information to solidify land management plans. Depending on the forecast, irrigators may choose to modify management plans to use less water. Modifications may include switching to crops that use less water, rotating crops, or letting pieces of less productive land go fallow for part of the season and leasing the water rights for instream use during the remainder of the season. For example, if the forecast is for a dry summer and snowpack is low, it might make sense for an irrigator to plant wheat in the spring/early summer and enter into a split-season lease for the rest of the season. To the extent practicable, irrigators will share land use plans with the group and the Fifteenmile Watershed Council representative will document these plans. The focus of this meeting is on using the long-term forecast to inform land management decisions that are consistent with predicted water availability.

The planning meeting will take place annually within the first two weeks of March. The Fifteenmile Watershed Council will coordinate with NRCS and the Watermaster to produce an irrigation season planning report (snowpack conditions, long-term weather forecasts and predicated water availability for the coming irrigation season). The Watershed Council will distribute this information to irrigators in time to review prior to the meeting.

#### B. Response to Forecast Alert

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The second meeting will focus on the development of an Action Plan using the information gathered in the first meeting. While it is important to note that each forecast alert will have a unique set of circumstances shaping the watershed's response (time of season, priority date regulation, land use management, warning location, etc.) some variables are fairly consistent and predictable from season to season. Data from 2004-present shows that high stream temperatures and water availability share an inverse relationship. As stream temperatures rise, regulation tightens and the number of irrigators able to use water declines, indicating less water is available for diversion. During the 2009 fish kills, for instance, temperatures at the 1200' elevation gage spiked to between 71-72°F from July 28-August 3. During this same time period, the Watermaster's priority date regulation proportionally increased from 1912 on 7/29 to 1909 on 7/31, and finally to 1908 on 8/3. Prior to 7/28, the Watermaster regulated for 1960 priority dates.

This represents a traditional regulation pattern where priority date regulation is responsive to flows in real time. Under Oregon Law, Watermasters have little flexibility on when to begin regulation—when water is physically flowing, the law requires the Watermaster to distribute that water according to priority. However, traditional regulation practices are not responsive enough to achieve the goals laid



out in this document. The predictive model gives the watershed the ability to proactively regulate to help avoid or lessen the intensity of high air temperature/low flow events. Because the Watermaster may not have legal authority to regulate proactively according to the predictive model, this manner of regulation must be voluntary (voluntary self-regulation). Voluntary self-regulation will form the backbone of the yearly FAST Plan and represents the first line of defense to a forecasted alert, year-to-year.

The second meeting will culminate in the identification of specific actions that irrigators can take to temporarily restore flow to the Creek, in the event that voluntary self-regulation does not avert high stream temperatures. The watershed will draft year-specific action plans (i.e. 2013 Action Plan) using the planning information collected in the first meeting. The watershed may draft several plans for implementation depending on the specific circumstances of the alert. The following are examples of tools to include in the Action Plans:

### **1. Rotation Agreements**

Irrigators coordinate with neighbors and take turns bypassing water.

### **2. Minimum Flow Agreements**

Irrigators agree to jointly manage water use and delivery systems to ensure a specified volume of water remains instream at a specified point during a specified period of time.

### **3. Curtailed Use**

Irrigators agree to forego the use of some or all of their water for a specified period of time.

The Action Plan will also identify how other, non-irrigating water users can support these actions including agreeing not to divert bypassed water, etc. Although the burden of implementing these year-specific action plans will fall heavily on more senior water users, all irrigators have a role to play.

The Fifteenmile Watershed Council representative will draft the Action Plan(s), which participants can elect to sign, indicating their voluntary willingness to abide by the actions identified in the document. The Fifteenmile Watershed Council representative will distribute the Action Plan via email, website, and posting at a pre-determined public place in Dufur (post-office, Kramer's, other?). The Fifteenmile Watershed Council representative will also make a good faith effort to distribute the Action Plan to any irrigators that did not attend the meeting.

### **Questions for the group:**

- Need to make sure that senior users attend the pre-irrigation season meeting since these users are essential to planning and implementing the year-specific Action Plans.
- Should year-specific Action Plans be drafted before irrigation season or throughout the season as we receive forecasted alerts?
- In looking back at the stream temperature data I received from Derrek from the previous 20 years, we need to be aware that forecasted alerts may occur several times a year. Is this ok? We may be able to refine this process long term after we get a few years under our belt.
- Is it useful to also have a post-alert meeting with senior irrigators to fine-tune the year-specific action plans? It may seem like a lot of meetings but having a paper trail in the event of a fish kill is helpful in diminishing liability.
- Posting forecasts in a public place may be too time-demanding. Other options?



#### IV. Plan Implementation

##### A. Alert & Irrigator Notification

Interested parties can view the 7-day predicted stream temperature, in addition to the daily weather forecast and current Fifteenmile Creek discharge measurements (Fifteenmile Creek Water Temperature Forecast or Forecast; see example below), in one of three ways:

- 1) Email: The Fifteenmile Watershed Council representative will send a group email with the daily Forecast beginning ?.
- 2) Website: The Fifteenmile Watershed Council representative will maintain a website with daily postings of the Forecast, links to FAST and other pertinent information.
- 3) Call list:
- 4) Public posting: The Fifteenmile Watershed Council representative will post the daily Forecast in one or more easily accessible public places [seems infeasible]

When the model predicts that water temperatures will reach over 23° C (73° F) at the mid-valley site (900 ft elevation) and 21.5° C (71° F) at the Dufur Valley site (1200 ft elevation), known lethal temperatures for steelhead and lamprey, the appointed representative The Fifteenmile Watershed Council representative will issue an alert and collaborate with the Watermaster to 1) analyzing alert details to determine where, when and how much water is needed, accounting for loss and travel time, and 2) identify the water users that are currently irrigating and can potentially supply this water. The Fifteenmile Watershed Council representative will issue a voluntary self-regulation date based on the outcome of this analysis.

Notification of the voluntary self-regulation will be available via the means described above. In addition, The Fifteenmile Watershed Council representative will develop a call list and assign Watershed Council members and/or other Fifteenmile watershed members to help notify irrigators and applicable agency representatives of the alert and voluntary self-regulation.

##### Forecast Example

Fifteenmile Creek Weather and Water Temperature Forecast								
Day	Fifteenmile Ck at Eightmile Ck Confluence (200 ft elevation) Degrees C	Fifteenmile Ck at Dufur (1200 ft elevation) Degrees C	Low/High Air Temperature (F)	Chance of Precip (%)	Snow Level (ft elev)	Dewpoint (F)	Fifteenmile Discharge, Daily Avg (cfs)	
Sunday, July 26, 2009	23.5	20.5	71/98				5.1	
Mon, July 27, 2009	25.1	21.5	72/102					
Tues, July 28, 2009	25.6	22.2	68/108				4.8	



Wednesday, July 29, 2009	25.8	22.4	72/103					Fish Kill Observed
Thurs, July 30, 2009	24.9	21.9	66/105					Fish Kill Observed
Friday, July 31, 2009	25.5	22.1	73/104					Fish Kill Observed
Saturday, Aug 1, 2009	25.6	22.3	74/103					Fish Kill Observed

#### Questions for group:

- Thoughts on how to implement voluntary self-regulation? Notification to irrigators from WC?
- How to notify implementation of year-specific Action Plans? Should this be concurrent with voluntary self-regulation?

#### B. Compliance

If irrigators have legal entitlement to use water, the Watermaster has no authority to shut them off for instream benefit to cool the stream. For this reason, participation in the Action Plan is strictly voluntary and individual compliance, in the absence of any instream leases or transfers, must be an irrigator-driven process. Fortunately, Fifteenmile's system of gauges allows for tight monitoring of instream and out-of stream water use, which will aid in the efficient and targeted implementation of the Action Plan.

All major diversions from Fifteenmile and Eightmile Creeks have totalizing flow meters installed. This will allow for independent verification of an irrigator's compliance with the voluntary self-regulation and Action Plan. Furthermore, there are three continuously recording gauges on Fifteenmile Creek (one at RM 1.75, 6, and Fifteenmile Creek at Ramsey confluence) that will allow for the tracking/accounting of water movement downstream.

#### C. Compensation

The Freshwater Trust is committed to seeking funding for compensating irrigators who voluntarily shut-off or curtail their water use as a result of Plan implementation. Although the form of compensation has yet to be determined, payments will likely be modest and aimed at alleviating the inconvenience of interrupting water use. *The primary benefit to irrigators modifying water use during times of critical low flow is reducing personal liability under the ESA.* Furthermore, the watershed anticipates this Plan will raise awareness of critical low flow events, encouraging irrigators to proactively manage their water use in ways that reduce the occurrence of these events.

#### Options

1. *Event-based Payment:* calculate, on average, how often high air temps/low flow events occur in Fifteenmile watershed. Sign several year deals with participating irrigators based on this figure (ie: if event occurs twelve times every three years, pay irrigator for use of water for twelve days over a three year contract).
2. *Slush Fund:* the watershed creates a critical low flow "slush" fund using small contributions from participating irrigators for payments to water users, should the need arise. A self-supporting system like this would strengthen the watershed's case for ESA compliance.
3. *Crop insurance/endowment:* Watershed looks to a major funder (i.e. OWEB) to "endow" the Plan. Irrigators are paid based on crop loss they experienced due to implementing the plan.



Question for the group:

- Is compensation really needed? Is reducing liability enough? Especially given that the Creek reaches lethal temperatures often.
- Perhaps compensation is needed just for the first few years while the watershed figures out how to adjust to the implementation of the plan and hopefully how to avoid its implementation?
- What type of compensation is best?

D. Yearly Report

The appointed representative will produce a yearly CLP report summarizing the implementation of the CLP for the given year. Any Action Plan(s) implemented for the year will be included in the report. The appointed representative will be responsible for distributing copies of this report to participating irrigators, agencies (including NOAA) and restoration groups, as well as posting the report on the CLP website.

In subsequent years, the pre-irrigation season meeting can also serve as a forum to review the Action Plan of the previous year and share any lessons learned.

## Fifteenmile Action Plan to Stabilize Temperatures (FAST)

	Elements	Participants	When	Why
<b>Irrigation Season Planning</b>	<ul style="list-style-type: none"> <li>Review of current snowpack conditions, long-term weather forecasts, predicted water availability for irrigation season</li> <li>Share irrigation plans</li> <li>Explore opportunities for instream leasing</li> </ul>	<ul style="list-style-type: none"> <li>15Mile irrigators</li> <li>WC</li> <li>OWRD</li> <li>SWCD</li> <li>ODFW</li> <li>NRCS</li> </ul>	Early March meeting	Decrease likelihood of implementing contingency measures by using the long-term forecast to inform land mgt decisions that are consistent with predicted water availability
<b>Predictive Model</b>	<ul style="list-style-type: none"> <li>Model makes near-term predictions of stream temperature for sites on Fifteenmile Creek</li> <li>Plan implementation tied to lethal temperature triggers in forecast ("alert")</li> <li>Forecasts shared with irrigators via email, phone, and website</li> </ul>	<ul style="list-style-type: none"> <li>15Mile irrigators (read forecasts)</li> <li>WC (run model and publish forecasts)</li> </ul>	Throughout irrigation season	Provides a tool to trigger actions to attempt to mitigate lethal temperature events
<b>Voluntary Self Regulation (VSR)</b>	<ul style="list-style-type: none"> <li>Triggered by alert</li> <li>Irrigators proactively regulate water use to help avoid lethal stream temperatures</li> <li>First line of defense to forecasted alert</li> <li>100% voluntary</li> </ul>	WC to coordinate with OWRD to determine who is irrigating. WC will notify those irrigators of alert and initiation of VSR	In response to forecast alert; throughout irrigation season	The predictive model gives irrigators the ability to proactively self regulate (curtail or diminish use) to avoid high stream temperature events. By law, OWRD regulation is responsive to flows in real time only.
<b>Yearly Action "Contingency" Plan</b>	<ul style="list-style-type: none"> <li>Used in the event that VSR does not abate forecast alerts</li> <li>Specific actions to restore streamflow involving specific irrigators</li> <li>Examples: rotation agreements, minimum flow agreements, curtailed use</li> </ul>	<ul style="list-style-type: none"> <li>15Mile irrigators</li> <li>WC</li> <li>OWRD</li> </ul>	Mid-season (?) meeting to determine actions; implemented throughout irrigation season	As the season progresses, the number of irrigators and streamflow diminishes. Forecast alerts during this time can involve more targeted responses.
<b>Limitations</b>	<ul style="list-style-type: none"> <li>Funding (plan implementation, personnel)</li> <li>Coordination (meetings, personnel, yearly action plan)</li> <li>Documentation</li> <li>Compliance</li> </ul>			



# Central Oregon District



Thunder Storm North of Henkle Butte Lookout Photo by Ben Duda

## Annual Report 2012



## FROM THE DISTRICT FORESTER

Dear Reader,

It is my pleasure to present the Central Oregon District's Annual Report for 2012. This report documents the District's accomplishment and challenges of the past year. I hope you find the information contained in the report interesting and useful. My thanks go to the Prineville Unit staff for compiling this report and to Linda Lee for pulling it all together.

A wet spring delayed the onset of extreme burning conditions this past summer but hot dry weather came and stayed. By mid-August and well into October the district experienced near record high burning indices throughout the district (Figure 1). Despite these conditions, solid fire prevention efforts, aggressive initial attack and a little bit of luck resulted in the total number of fires being well below the ten-year average (64%) and the acres burned way below the average (15%). In these pages you will read about several of the challenging fires we had during the 2012 Fire Season. Of particular note is a fire that did not burn ODF protected lands but was a direct and significant threat; it was the 26,000+ acre Pole Creek Fire, southwest of Sisters. The fire made multiple runs at private lands but due to the engagement of the landowners, District and agency staff with the National Forest and Incident Management Team, no private acres were burned.

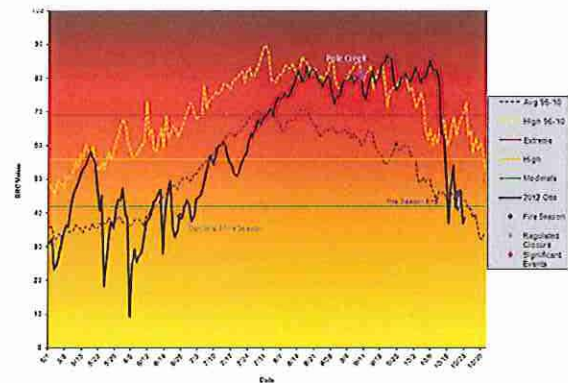


Figure 1

2012 was a year of rebuilding for the Private Forests Program after several years of budget and staffing reductions. For Central Oregon District this meant the restoration of a Stewardship Forester in Prineville. This forester works at the district level and provides support to all the Units to help balance workload issues as well as increasing our GIS and fire danger analysis capabilities. This additional capacity is well timed since our other five Stewardship Foresters are getting busier because of the improved economy and markets.

This year I want to specifically recognize all the hard work done by people behind the scenes that help make Central Oregon District successful. Our administrative staff, communication specialist, and the folks that keep our motor pool rolling are essential to our efforts to provide the highest level of service to our customers.

I think 2013 will be a very interesting year. The possible passage of the *Wildfire Protection Act* will make us more successful in reducing large fires and provide much needed rate relief to our landowners. At the same time, although fire seasons are hard to predict, I feel this fire season could be very challenging based on the onset of drought conditions in some parts of the District and long-term forecasts calling for below normal precipitation. But whatever comes we'll be ready; and with the critical and on-going support of our landowners and cooperators, I know we will be successful.

All the Best,  
George Ponte

PROTECTION FROM FIRE - DISTRICT IN REVIEW

Once again the Central Oregon District had a below average year for stat fires, however seeing an increase from 2011. Total district acres burned were 1318.58 from 102 statistical fires. Due to a dry fall, all units experienced late season fires in October and early November.

## COD Fires the last 10 years

## 2012 Fires by Cause

Year	Stat Fires	Acreage	Type	Stat Fires	Acreage
2012	102	1,318.58	Lightning	47	29,287.22
2011	130	632.28	Railroad	1	60.00
2010	88	5,160.84	Equipment Use	11	8.13
2009	153	3,947.68	Recreation	8	78.20
2008	173	4,513.29	Smoking	6	.30
2007	192	41,329.54	Debris Burning	16	50.04
2006	220	5,807.60	Arson	4	2.18
2005	94	772.10	Juveniles	2	.11
2004	143	235.34	Miscellaneous	7	3.23
2003	167	3,213.55			
AVERAGE	146	6,693.08	TOTALS	102	29,489.41

*“....Protection is what we do and we do it well....”*



## PROTECTION FROM FIRE— PRINEVILLE / SISTERS

The Prineville-Sisters Unit Protection Program consists of six engines and a five person hand crew stationed in Sisters as well as four engines and a dozer stationed in Prineville.

In the Spring, prior to our fire season, we took advantage of several opportunities to send both permanent and seasonal unit personnel to fires in Colorado, Utah, Wyoming, South Dakota and Montana. We are looking forward to more opportunities like this in the future to gain invaluable experience helping our neighbors and bringing those experiences back to the unit.

The fire season of 2012 was a fairly quiet one. Our lightning storms were few as well as wet. During the early stages of the Pole Creek Fire, ODF was able to offer assistance to the Interagency Incident Management Team providing local as well as move-up resources. DOC Crews from the Deer Ridge Facility in Madras were assigned to the Pole Creek Fire at which time we provided a local liaison. With ODF assistance the team was successful in keeping the fire from spreading to private timber lands.

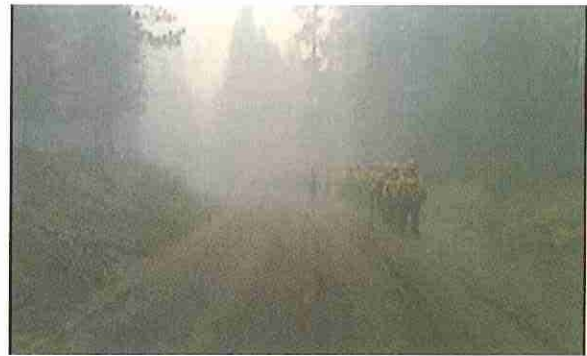


ODF air tanker making retardant drop on the Pole Creek Fire. Photo by David Jacobs.

Other notable fires included the Geneva XII fire (12 state protected acres 1,325 acres other ownership), Old Truck Meadows (.83 acres) and 28 assists to other agencies. The unit also provided support for larger fires throughout COD including The Dalles, John Day and Monument. In addition to supporting larger fires within COD we provided several overhead personnel for the Cache Creek Incident in NEO District.

While not fighting fire, there were opportunities for our

crews to keep sharp with "back to basics" training. The Sisters employees were also active in the landscaping of the new Sisters Office. As in prior years there were opportunities for our crews to meet with land owners and answer questions regarding the requirements of the Wildland Urban Interface Act of 1997 (SB 360). We continue to see great value in the program and the landowners are excited to learn about how they can proactively protect their homes from wildfire.



Deer Ridge Corrections Crew (Madras) on Pole Creek Fire in

The Prineville crews also were involved with a fuels reduction cooperative project with State Parks at the Ochoco View Point State Park. Approximately 30 acres were treated (thinning, limbing, and piling), as part of the project on the state park, which included a fire break on the access road as well as along the state highway. This cooperative was completed as a part of a larger project involving the Oregon State Parks, Crook County Fire and Rescue, and Crook County.

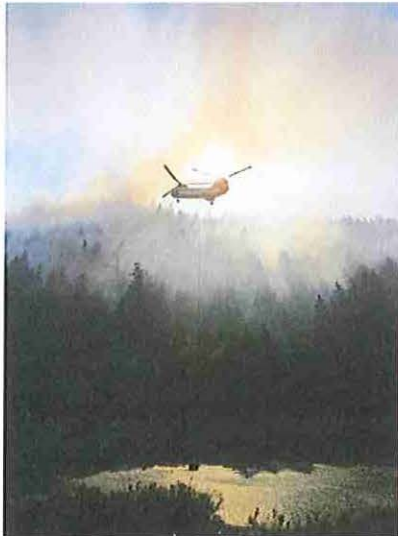


Wes Buell & Mike Carlsen on the Pole Creek Fire. Photo by David Jacobs



## PROTECTION FROM FIRE—THE DALLES

The Dalles had an average number of responses in 2012 and below average acres burned. The unit had 41 responses with 25 of those being statistical fires and burned 52.56 stat acres.



Columbia Helicopters 1CH dipping from the Columbia River.  
Photo by Matt Hoehna

On September 25<sup>th</sup> the Mile Post 66 Fire started just East of Hood River. Resources responded just before 9 PM to find the fire burning in steep, inaccessible terrain. Crews from ODF, Columbia River Gorge National Scenic Area, Wy'East,

Hood River and West Side Fire Departments worked through the night to find locations to put handline down the flanks.

Around 3 AM the fire spotted across the Historic HWY 30 trail and doubled the fire size by 10 AM, burning mostly on federal ground above the trail.

The Mile Post 66 Fire demonstrated the success of the interagency cooperation in the Gorge and allowed for multiple training opportunities and a qualifying incident for several firefighters.



Bucket drop being made on the Mile Post 66 Fire photo  
by Matt Hoehna



Mile Post 66 Fire on the first night. Photo taken from the Washington side of the river by unknown photographer

## PROTECTION FROM FIRE—JOHN DAY/ FOSSIL UNIT

### **FOSSIL**

The Fossil Sub Unit had a slightly lower than average fire season with 23 fires. Most of the fires were from a lightning event that moved through the area, starting July 7<sup>th</sup>, 2012, and continued for the next few days. The most significant of these fires was Briley Mountain at 751 acres. Briley Mountain was managed under an ODF Type 3 team as the local Interagency Type 3 team was already committed to another incident. The crews also assisted by the Forest Service and Rural Fire Departments on various fires.

The season provided many on- and off-unit training opportunities for the fire crews. The crews were able to get various task books signed off such as FFT1, IC5, IC4, ENGB, and HEQB. The crews helped with project fires throughout the state such as Parish Cabin and Pole Creek.



First heavy drop of the season on Briley Mountain Fire. Photo by Brian Reel.



Fossil Sub Unit fire Crew

### **JOHN DAY**

The John Day unit was busy during Winter/Spring 2012. A number of fires caused by escape debris burning occurred from March 4<sup>th</sup> to April 1<sup>st</sup>.



John Day Fire Crew



Fire season came on strong on July 7, 2012 when a dry lightning storm ignited the Steward Ditch II fire near Dayville, Oregon. The fire quickly spread to 230 acres of protected lands and threatened several structures. Initial attack was made difficult by limited access and lack of aircraft available to support the incident. The Steward Ditch II incident was managed by the John Day Interagency Type III team on July 8, 2012, which completed line construction and mop-up of the incident. The Steward Ditch II incident burned in grass, juniper and pine.

On July 10, 2012, the unit had the Canyon Creek Fire that burned 1.5 acres. One structure and several out buildings burned. The incident was caused by a structure fire that spread to wildland. The incident threatened multiple structures and out buildings beyond the ones that were lost. Quick response by ODF and John Day Rural Fire Department including the use of a helicopter kept the incident to 1.5 acres.

The Unit also had a number of small fires during the remaining summer and fall months. With below normal lightning events, the Unit had a fewer number of fires than normal.



John Day Crew 92 preparing to ride across the North Fork of the John Day River to assist in lining the Elk Grove Incident.



John Day Crew 92 constructing hand line on Elk Grove Incident

John Day Unit did assist the Malheur National Forest with the Parish Cabin Fire, August 28, 2012, that threatened private land in the central part of the Unit. John Day Unit provided overhead and resources during initial attack and extended attack, and assisted with transition from a Type 2 team managing the fire to the local John Day Interagency Type 3 team. The fire consumed approximately 6275 Federal acres.



Both of the above photos are of IA on the Parrish Cabin Fire



## FACILITIES

It was a relatively quiet year for facilities related projects on the district. We started the process for disposition of our old John Day compound. There has not been a lot of interest for purchasing this property. We signed a contract with a local realtor to help with the sale effort of this site. In Sisters, we did get a lot of interest in the old compound. In the end, the property was sold to a local person who plans to fix the place up for a residence, trying to keep the historic look and feel. The funds from that sale will go into our Facilities Maintenance account which will allow us to continue with necessary upkeep of our older facilities across the district (which includes offices, shops/warehouses, guard stations, lookout towers and mountaintop radio sites).



Photo of old Sisters Compound

## MOTOR POOL

The District has been tracking vehicle replacement needs which included receiving 2 engines in 2012 and ordering 2 more for arrival in 2013. This is lower than our historic replacement rate but continues our effort to have front line engines that are in good working condition during fire season. Regarding our large equipment, the FEPP dozer located in John Day was shut down in 2012. It would be too costly to pay for repairs to get it running again. Hence, we will look to acquire other FEPP dozers for strategic placement across the district as these resources are essential in fire suppression efforts during fire season.



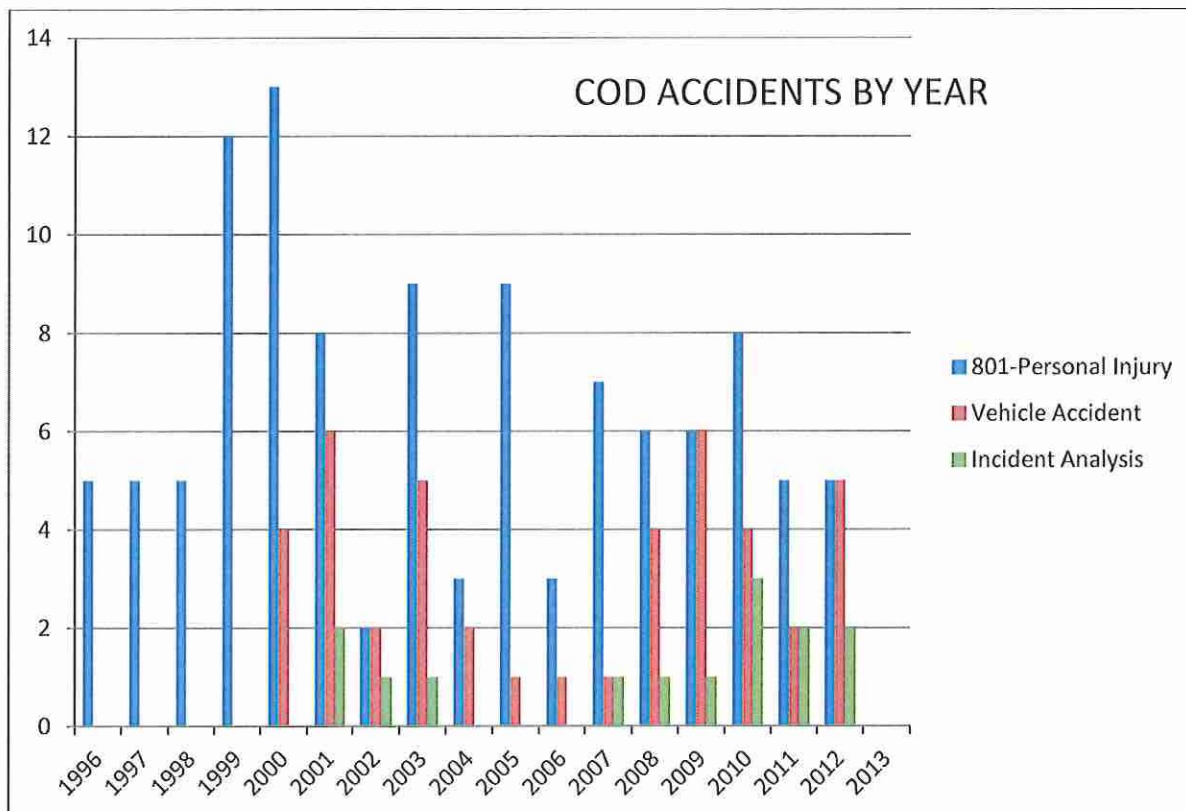
The Dalles 2012 engine

## COMMUNICATIONS

In March of 2012, Central Oregon District hired a new radio tech. He jumped right into training, radio installs and maintenance work in preparation for fire season. Several small projects were completed across the district for ODF, ODFW, OPRD and Walker Range which continues to strengthen the communications system for the agency and our partners. The tech deployed a portable repeater on the Briley Mountain Fire outside Monument and also assisted with the Geneva 12 Fire Communications needs on that multijurisdictional fire. Moving into the future, the radio tech will assist the district with planning for and installing fire detection cameras across Central Oregon.

## SAFETY

Documented safety incidents were up slightly in 2012 and over the 10 year average. Knee strains were the most common injury. Understanding how these incidents occurred and sharing the lessons learned where applicable is an ongoing effort at the district level. The key to discussing accidents is not to point fingers or pin blame. Emphasis is on learning from others so mistakes are not repeated. In 2012, we continued to reach out to OSHA by having compound inspections done at our offices in The Dalles and Sisters. We continue to fix issues identified in these reports to create a safe work environment for our employees. In addition, wellness is an important part of a safe work environment and monthly safety messages highlight various ways employees can focus on their personal wellness.





## PREVENTION ACTIVITIES

### John Day

In 2012 the John Day Unit participated in Team Teaching in the schools, the Grant County Fair and Hunter's Booth as part of the Grant-Harney Fire Prevention Co-op.

Team teaching involves ODF, USFS, Local Fire Departments, OSFM and local Schools. This year's focus was on campfire safety.

At the Grant County Fair the Co-op focused on highlighting the fire regulations and IFPL's of each agency. The booth was set up as a standalone booth stocked with handouts from ODF and US Forest Service.

This year the Co-op re-located the Hunter's booth from the John Day ODF Office to the parking lot at the City Hall in Mt. Vernon. This move increased the visibility of the booth as well as the number of visitors. Over the three day period prior to the first hunting season we had around 30 visitors at the booth. Not only did we have hunters coming to the booth, but a number of locals visited to ask questions on the fire danger levels, burn permits and wood cutting.



Decorating crew for the John Day Light Parade

### The Dalles

This year The Dalles prevention staff participated in events such as the Hood River and Wasco County Fairs, local Hunters Booth, Safety Fair, and Team Teaching. The cooperative Team Teaching program reached over 1250 first and second grade students in Oregon, and an additional 650 in Washington. The Dalles Unit also maintains an active membership in the Mid-Columbia Fire Prevention Cooperative with Kiel Nairns, Permanent Forest Officer in The Dalles, serving as President. The Co-op has become more active over the past few years and has started movie PSA's in local theaters. The co-op is working with the community of Rowena-Dell in the

development of the gorges first Firewise Community. Mel Gard has also been managing multiple grants in both Hood River and Wasco Counties to help fund fuels reduction projects. During 2012 The Dalles Unit issued 435 burning permits, 1 citation, and 1 warning. Our main prevention focus will be the continuing arson problem, equipment use, and debris burning, as well as campfires during Regulated Use Closure

### Prineville

The Prineville unit began 2012 prevention activities with Hunters Education, reaching 927 participants and parents through multiple classes. As Tannerite (Exploding Targets) have become popular we added the fire hazards of using these products to our presentation. As in previous years team teaching was a large focus of the prevention efforts reaching students in Crook and, Jefferson Counties and Paulina and Mitchell Schools as well. Over all we had contact with over 1300 students. The Prevention Co-op and Prineville/Sisters employees supported the Spring Home and Garden Show held in Deschutes County, which provides information about Fire Free Plants, Fuels Reduction and information about Senate Bill (360). Fin & Feathers is a program that is provided each year by the USFS, Crook County Schools, Oregon State Parks and Oregon Department of Fish & Wildlife which exposes the children of Crook County to a variety of outdoor and wildlife activities. This program reaches in excess of 300 children. July and August bring the annual participation in the local county fairs, which include Deschutes, Crook and Jefferson Counties. The Prineville Unit provided an engine to participate in the Crooked River Round up parade while the Sisters sub unit provided an engine as representation in the 4<sup>th</sup> of July Parade in Lapine. A new prevention message that was provided to Central Oregon in 2012 was Debris Burning PSAs that ran in the Pine Theater in Prineville as well as the theaters in Bend. As always the end of September brought with it the Hunters Booth both in Crook and Deschutes Counties. In Crook County alone there were 753 contacts made with people stopping by for maps as well as camp fire restrictions and information. The Deschutes County Hunters Booths, Sisters and Lapine reached over 580 people as well



## FOREST LAND CLASSIFICATION— THE DALLES

The Joint Hood River/Wasco Forestland Classification Committee wrapped up their work in 2012 for Wasco County. The Committee held three public forums, then a public hearing in which testimony was taken concerning the process. A 30 day appeal window was opened and no comments were submitted for the Classification.

On September 4<sup>th</sup> 2012 the Committee met for the final time and officially approved the Wasco Classification acres. The Dalles Unit office has been working this past winter to assure the acres and landowner information is correct before submitting it to the Wasco County Assessor's office for inclusion in the 2013 landowner tax statements.

This has been a long process having started in February 2010, the Committee has met 34 times since then and the District is very proud of all the work they have accomplished.

## WASCO COUNTY TOTALS

	CURRENT ACRES	RE-CLASSIFIED ACRES	DIFFERENCE
<b>DIRECT BILL TIMBER</b>	24855.00	23740.5	-1114.5
<b>DIRECT BILL GRAZING</b>	13291.65	13676.24	384.59
<b>PRIVATE TIMBER</b>	62564.09	89309.37	26745.28
<b>PRIVATE GRAZING</b>	62136.60	57242.98	-4893.62

## FOREST LAND CLASSIFICATION— PRINEVILLE

On October 18, 2012, the Prineville Sisters Unit finalized the formation of Crook County Forest Land Classification Committee for the purpose of classifying all "forestlands" within Crook County. The last time a Forest Land Classification Committee was formed dates back in the early 1970's. Several changes in the landscape have occurred over this period of time and the District felt the time was right to revisit and review all lands to provide a fair and equitable approach to lands ODF does and should be protecting.

The committee has been meeting regularly since October and is in the process of producing their preliminary classification findings for future public review. The committee came up with several "sideboards" for ODF to use in the actual digitizing of the maps to be reviewed by the committee. Each meeting then allows for the committee to request additional edits as needed.

To date the committee has reviewed and edited several townships in northwest Crook County and continues to move forward to complete their preliminary findings by the fall of 2013.



Class 2 or Class 3 Land

The committee plans to hold public forums to explain the process and answer questions from landowners affected by the classification prior to holding an official hearing on the newly classified lands.



Class 3 Land

### CROOK COUNTY FORESTLAND CLASSIFICATION COMMITTEE

**CHAIRMAN**

TIM DEBOODT — OSU EXTENSION SERVICE REPRESENTATIVE  
CROOK COUNTY EXTENSION AGENT

**SECRETARY**

KEVIN BENTON — ODF REPRESENTATIVE UNIT FORESTER FOR  
PRINEVILLE SISTERS UNIT

KEN FAHLGREN — CROOK COUNTY REPRESENTATIVE CROOK  
COUNTY COURT

JOHN MORGAN — CROOK COUNTY REPRESENTATIVE PARTNER —  
OCHOCO LUMBER COMPANY

CHUCK McGRATH — CROOK COUNTY REPRESENTATIVE  
LANDOWNER AND INTERESTED CITIZEN

CASEY KUMP — OREGON STATE FIRE MARSHALL REPRESENTATIVE



## SENATE BILL 360 FORESTLAND/URBAN INTERFACE FIRE PREVENTION

It has been a good year for the program in Central Oregon District where Harney County was the sixth to implement the program in 2012. Harney County is the first of several counties in the John Day Unit to implement SB 360. The county is extremely rural and highly independent, however, working with Harney County Court turned out to be a positive experience. The court is very progressive, provided excellent support and made our work much easier.

The John Day Unit is planning on implementing SB 360 in Morrow County in 2013 which will be the seventh SB 360 county completed in COD.



House fire in Eagle Crest, the fire was caused by a bag of hot ashes. Photo submitted by Tom Andrade

The Prineville Unit has been working with Jefferson County to incorporate SB 360 treatment standards into their building code. Additionally, both Jefferson and Wasco (The Dalles Unit) Counties are on track for reclassification and notification in 2013.

The District continues to work with Real Estate Companies to provide certification packages to new owners of properties that are protected by the department. We are making slow but steady progress with this educational effort.

During the past year we provided interface fire training to four groups which included a class tailored specifically for the City of Bend Fire Department. We added twenty three assessors to our district roles. The district plans to put on a second class for Bend Fire in 2013. This program continues to help landowners protect their homes and property from the spread of wildfires.

Doing so is essential in high fire environments such as Central Oregon but it takes effort by landowners to make it so successful. Once landowners understand the dynamics of the program, they find it makes a lot of sense and quite often, they are already doing the right thing to protect their investments.

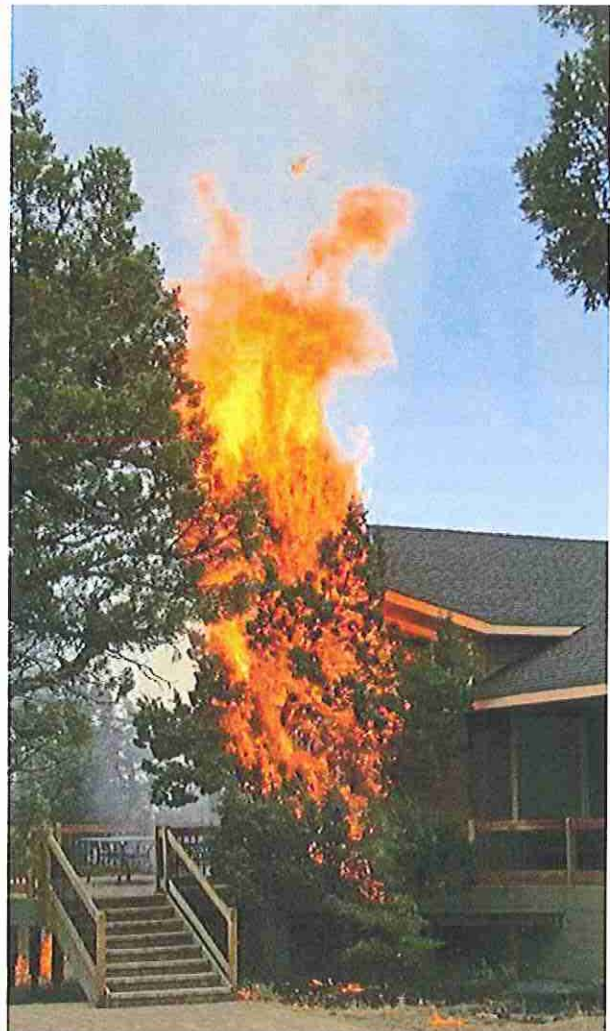


Photo submitted by Tom Andrade

The above photo was from a propane explosion which sparked several spot fires across the site. Fortunately, the foreground had been extensively treated four months prior. The treated area previously consisted of a continuous surface fuel load of three to four feet high bitterbrush and sage with interspersed dried annual and perennial grasses. A very good example of how interface vegetation treatment works to limit spread from a structure to adjacent properties.



## PRIVATE FORESTS PROGRAM

The Central Oregon District's (COD) Private Forests Program provides a variety of services to forest landowners, operators, and communities in all or parts of Crook, Deschutes, Jefferson, Gilliam, Grant, Harney, Hood River, Malheur, Morrow, Umatilla, Wasco and Wheeler Counties. This area covers approximately two million acres of intermixed agricultural (timberland), and range lands, as well as publicly owned and tribal lands. It also includes significant areas of Wildland Urban Interface throughout COD.



Acres having been thinned photo by Kirk Ausland

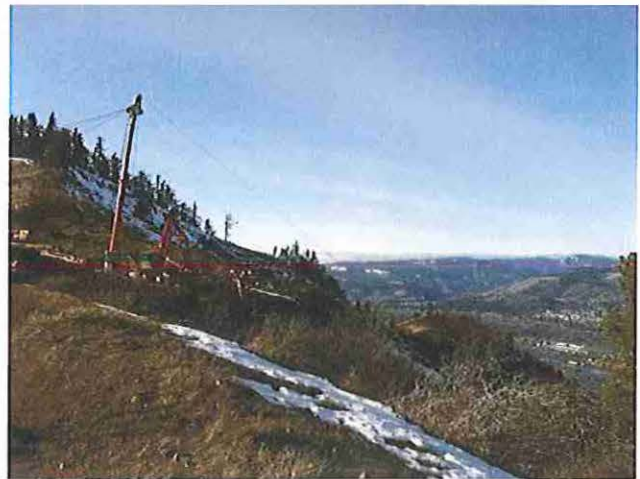
Services provided by Stewardship Foresters include notification reviews, education, best management practices recommendations and enforcement of the Oregon Forest Practices Act, insect and disease assistance, harvesting, reforestation, road construction, and management planning to assist landowners in reaching their forestry goals.



Free-to-grow: A mosaic of free-to-grow doug-fir in the foreground, a second growth stand being cable logged by Hood River County Forestry toward the middle, and Mt. Hood in the background. Photo by Chet Behling

Stewardship Foresters work with landowners providing Fire Equipment inspections, monitoring fire danger conditions, conducting slash hazard ratings, burn plan review, and management roles during fires season. National Fire Plan, NRCS and Bark Beetle Grant funds are being administered by Stewardship Foresters to landowners to minimize that risk of wildfire and insect outbreaks.

Stewardship Foresters of the Central Oregon District were also involved in providing technical assistance to Soil and Watershed Districts, Watershed Councils, Federal and State agencies, OSU Extension, community wildfire groups and also local schools and colleges. This year Stewardship Foresters began a new program provided through the National Resource Conservation Service, Environmental Quality Incentives Program for Forestry. Funding for these practices comes from the US Department of Agriculture under the Farm Bill.



An operation by Wayne Stone Logging out of Sandy, OR. One of the larger yarders seen in the area with a height of 72'. Photo by Chet Behling

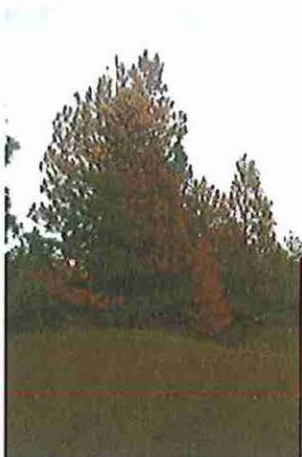
Timber prices were up and down in 2012, causing some private forest landowners to put their harvesting operations on hold due to the low log prices. Chip and hog fuel prices hit rock bottom as well, thus for a period of time, leaving very limited option for landowners to manage their forestland. Both log and chip prices were starting to gain values by the end of 2012, and will hopefully continue throughout 2013. Because of limited infrastructure in Central Oregon.

Transportation of forest products is a major cost and very concerning to private forest landowners. Stewardship Foresters in the Central Oregon District continue to provide private landowners with expertise and technical assistance to manage their forestlands and to correct any problems, with the goal that these forestlands will then contribute to clean water, clean air, wildlife habitat, forest products and to our economy that all Oregonians enjoy.



**2012 STEWARDSHIP HIGHLIGHTS****2012      2011**

Forest Practices Notifications	450	330
Violations	9	0
Stewardship Plans Acres	5360	6550
Insect & Disease Assistance Acres	401	211
Reforestation Acres	1800	266
Fisheries Habitat Enhancement Lineal Ft.	83025	34224
Non-Commercial Thinning Acres	4100	1805
Slash Reduction Acres	7400	3240
Fuels Reduction acres	2312	808



Ips attacking a stand of Ponderosa Pine near The Dalles

Photos of California Ips Beetle infestation and treatment provided by Chet Behling The Dalles Unit



An example of how Ips can spread



Working with landowners to fall and dispose of trees before the Ips flight period which in this area can be as early as April 1<sup>st</sup>.



Classic signature of Ips killing smaller trees & attacking large trees from the top down



Landowner chose to burn most of the tree material, which is one of the safer options when disposing of beetle infested trees.



Some articles suggest that it's best to de-bark firewood rounds and/or cover with thick plastic over the summer to dry out the wood and prevent beetles from spreading.

## ADMINISTRATION

The Central Oregon Administrative staff is responsible for the operation of a variety of business management functions. In addition to the many day-to-day requirements of their jobs, they provide abundant support for the Protection Program. This support consists of everything from preparation for hiring and training with our seasonal work-force to final preparations for our EFC audits.

The 2012 fire season had three larger fires, Briley Mt, Geneva 12 and Milepost 66. Many ODF, USFS and contract air and ground resources worked these fires. Fire work time and other expenses needed to be tracked and audited for accuracy. Geneva 12 and Milepost 66 were multi-jurisdictional fires, which resulted in cost shares with the USFS. Cost shares mean extra auditing of ODF and USFS expenses to ensure that costs are being shared correctly between all agencies. The District also had some employees on out-of-state and local USFS fire assignments, which requires the Administrative staff to collect the

appropriate paperwork and audit wages to ensure our billings are correct for reimbursement.

The Central Oregon District Administrative staff performs at a high level of efficiency and accuracy, which results in detailed tracking of all Protection expenditures.



Tracy Wrolson, Dana Tenold, Linda Lee, Tegan Shermikas, Laura York, Shelly Speakman. Not pictured Sherry Rose

## PERSONNEL CHANGES AND SERVICE AWARDS

### *2012 Service Awards*

*Sherry Rose – 5 Years*  
*Tyler Wright – 5 Years*  
*Erick Castaneda – 5 Years*  
*Tim Seitz – 5 Years*  
*Kirk Ausland – 10 Years*  
*Mark Hansen – 10 Years*  
*David Meyer – 25 Years*

### *2012 Promotions*

*Boone Zimmerlee – Sisters Permanent Forest Officer to COD NRS -2*

### *2012 Hires*

*Isidro Haole-Valenzuela – Communications Systems Analyst 2*

### *2012 Developmental Assignment*

*James Short – Central Oregon District Business Manager*





Photo of Boone & Kristin for agency Achievement Awards

### **Agency Awards 2012**

***Boone Zimmerlee – Technical Achievement Award for Fire Environment Working Group participation***

***Kristin Cotugno – Working Guidelines Award & Technical Achievement Award for Private Forests Monitoring Riparian Stream Study Project***



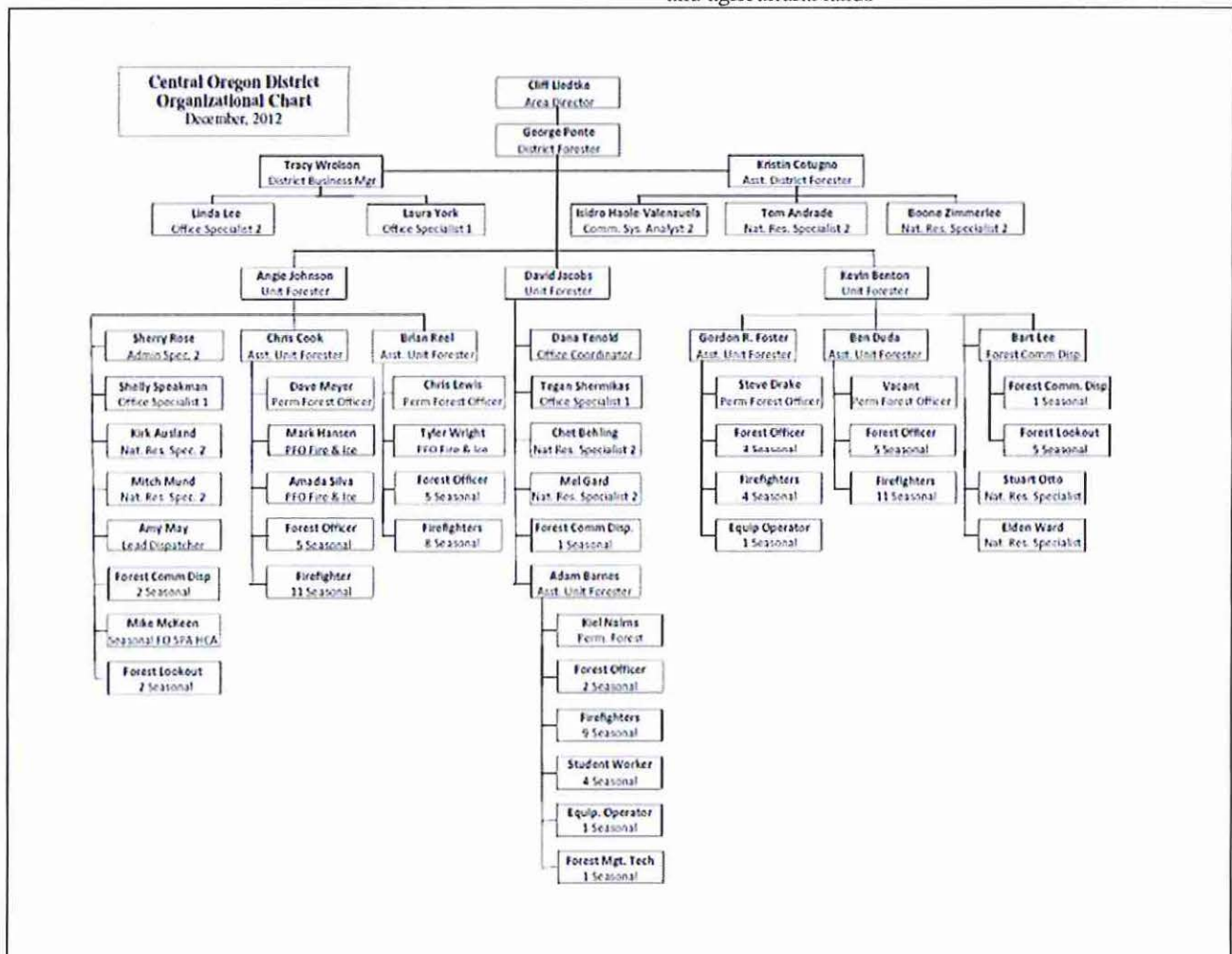
## OREGON DEPARTMENT OF FORESTRY

The 2012 Central Oregon District  
Annual Report was brought to you by  
Prineville Unit

The COD Budget Committee members are a valuable part of the budget process. We appreciate their input and support of the District activities.

### The 2011 Budget Committee Members are:

- **Mike Templeton**, Crook County, Budget Chair, Landowner and retired ODF District Forester
- **John Aaron**, Wheeler County, Land Manager for Three Valley's Ranch
- **Dan Bishop**, Grant County, Land Manager for D.R. Johnson and Prairie Wood Products
- **John Breese**, Crook County, rancher and landowner of the Breese Ranch
- **Fritz Ellett**, Wasco County, Christmas tree farmer, forest landowner
- **Doug Thiesis**, Hood River, Hood River County Forester
- **Bill Swarts**, Deschutes County, Forester / Resource Manager for Cascade Timberland
- **John Morgan**, Crook County, Forester / Resource Manager for Ochoco Lumber Co.
- **J. C. Oliver**, Grant County, Rancher and landowner
- **Archie Osborn**, Grant County, Rancher and landowner
- **Jack Stover**, Hood River, Field Forester for Longview Timberlands
- **Ron Sorenson**, Wasco County, Retired, owner of forest and agricultural lands



Central Oregon District  
**FY 14 Proposed Budget Overview**

**Budget Objectives**

- Provide adequate level of protection.
- Improve detection capability.
- Minimize increases to landowners.
- Restore previous cuts in critical areas.

**FY12 Ending Balances**

Timber	Grazing
\$ 1,094,205	\$ 331,020

**FY 13 Spending Projections**

- FY 13 was very lean budget.
- Little or no carry-over anticipated.
- Very active spring could make matters worse.

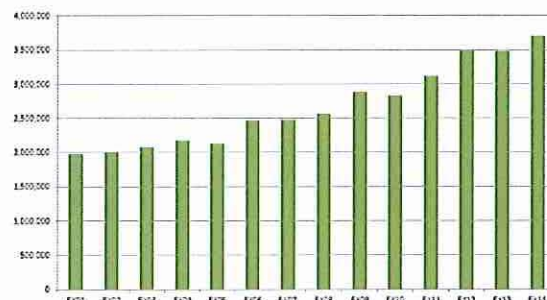
**FY14 Budget Assumptions**

- No savings in current fiscal.
- Southwest Oregon District payback of \$153,316 included.
- Possible WPA rate relief was not a consideration in budget development.

**Personal Services**

	FY14	% Change from FY13
Wages	\$2,092,028	6%
Overtime	\$253,000	9%
Special Pay	\$45,800	0
OPE	\$1,312,205	7%
Total Cost	\$3,703,033	6%

**Personnel Services History**



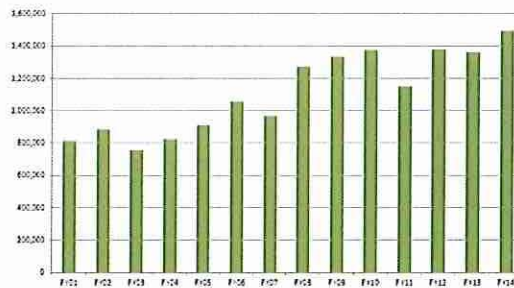


Central Oregon District  
FY 14 Proposed Budget Overview

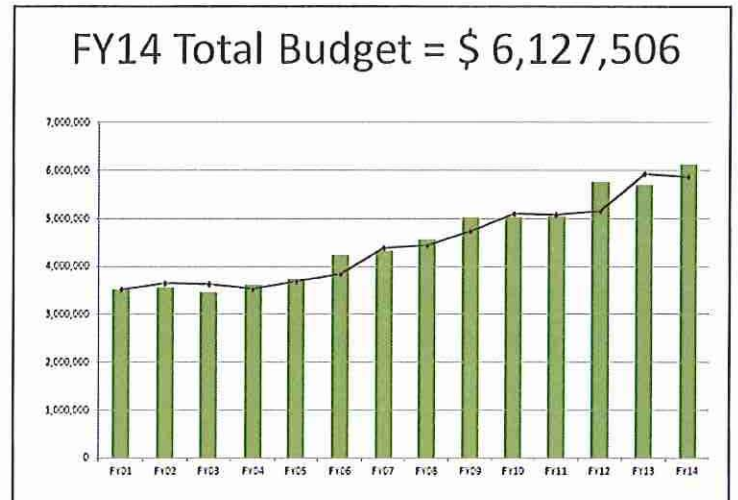
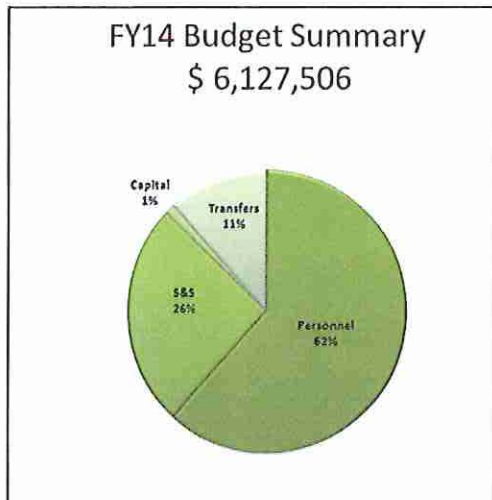
Service & Supply

- Budget for motor pool, aircraft, district severity is up 17% to 40%
- Increase due to normal inflationary pressures and decision to increase budgeted amounts.
- Includes new funding for investment in smoke detection cameras.
- Provides for construction of two new engines.
- Facilities maintenance balance is healthy due to revenue from property sale.

Service & Supply History



Budget Summary and Year to Year Comparison



Central Oregon District  
FY 14 Proposed Budget Overview

Proposed FY14 Rates

## FY14 Rates per Acre\*

	Private Lands		Public Lands	
	Timber	Grazing	Timber	Grazing
No WPA	\$ 1.6568	\$ 0.6241	\$ 3.3135	\$ 1.2482
WPA Credit	\$ 0.1928	\$ 0.1928	0	0
With WPA	\$ 1.4639	\$ 0.4313	\$ 3.3135	\$ 1.2482

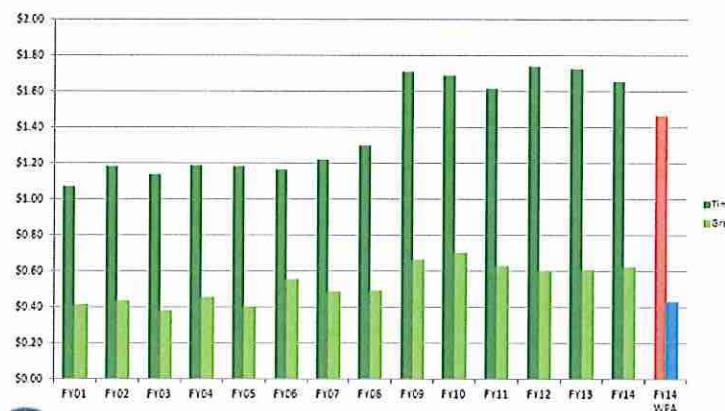
\* Rates do not include 7.5¢ / acre Oregon Forestland Protection Fund assessment

## Rate Comparison FY13-FY14

Private Lands			
	FY13	FY14	%Δ
Timber	\$ 1.7258	\$ 1.6568	-4.1%
Grazing	\$ 0.6075	\$ 0.6241	+2.7%

Public Lands			
	FY13	FY14	%Δ
Timber	\$ 3.4515	\$ 3.3135	-4.0%
Grazing	\$ 1.2135	\$ 1.2482	+2.8%

## Rate History









## Recap: HB 2050 and the General Fund (annual amounts):

- **\$800,000 in new GF** (1.6M for the biennium), matched with \$200,000 of existing annual funding, would produce \$1 million to address eastside protection costs.
- **The GF would leverage an additional \$3 million in new landowner funds** for aircraft and other tools for use during peak severity, helping stop fires at the smallest size and limiting overall cost and resource loss.
- **Total potential GF exposure for large-fire costs (insurance deductible) would fall**, but exposure would occur as expenses are incurred, rather than after landowners' share has been met (diagram below).
- **New authority would allow future investment in new strategies**, such as fire-detection cameras.
- **Over the long term, greater certainty in maintaining the insurance policy would protect the GF from large costs in catastrophic fire seasons.**

Oregon Department of Forestry

# HB 2050: Wildfire Protection Act

**Healthy forests. Safe communities. Controlled costs.**

The state's largest fire department, the Department of Forestry protects **16 million acres**, a **\$60 billion asset** covering more than half of Oregon's forest landbase. The system protects public safety and forest values of broad public benefit, such as jobs, clean air and water, wildlife habitat and recreation.

The cornerstone of the Department's fire protection is **quick response**. Putting out fires at the **smallest possible size** saves costs, limits damage and protects Oregonians. Landowners and the state share protection costs, in recognition of the public interest in effective wildfire protection.

## A closer look at annual large-fire exposure

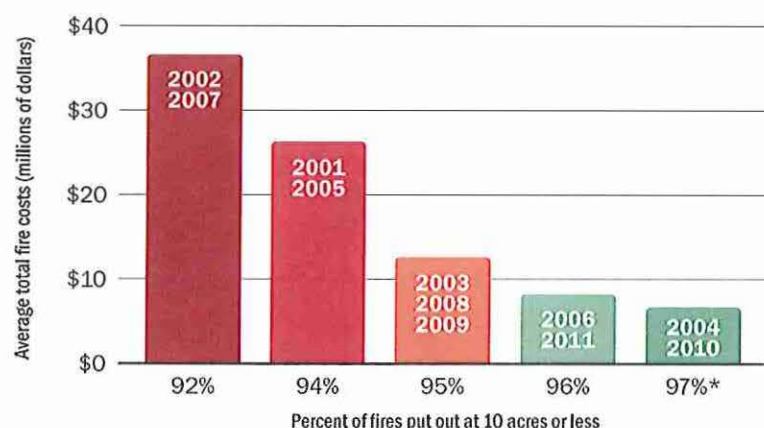
General fund Landowner funds

HB 2050 would change the way in which the General Fund and Oregon Forestland Protection Fund (landowner dollars) share a lower combined obligation.



## Keeping fires small means big savings

Fire seasons 2001-2011



## To learn more:

**Nancy Hirsch**

Chief, Fire Protection

503.945.7204

nhirsch@odf.state.or.us

**Travis Medema**

Deputy Chief, Fire Protection

503.945.7271

tmedema@odf.state.or.us

## The system needs strengthening for the long term

The Wildfire Protection Act addresses key challenges at a time when warm, dry climate trends and other factors are driving up fire severity and cost.

- **Large fires, high cost, resource damage.** Although few fires grow large, even one can cause major damage and cost millions to put out. A small General Fund (GF) investment would leverage new landowner dollars, more than doubling existing severity capacity to keep fires small and reducing the GF's overall large-fire risk by \$5 million a year.

- **Large-fire cost sharing.** Through the Oregon Forestland Protection Fund (OFLPF), landowners have paid most costs of putting out the largest fires in recent years. The Act would phase in a 50-50 sharing of these costs, the same ratio used to fund base-level wildfire protection.

- **Fire-prone, lower productivity forests.** Added firefighting capacity and an offset to landowners' costs would help protect these lands and keep them in working forest use.





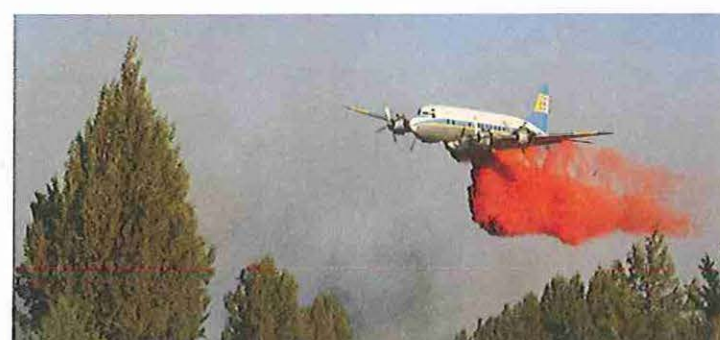
*Like preventive health care, investing up front to keep wildfires small saves in the long run.  
Robust initial attack means fewer fires grow large, extremely costly, damaging and disruptive.*

## The Fire Protection System

**Large-fire funding.** A wildfire insurance policy, unique to Oregon, provides \$25 million in coverage. With more firefighting capacity under HB 2050, the current \$25 million deductible would drop to \$20 million and continue the assurance of this policy.



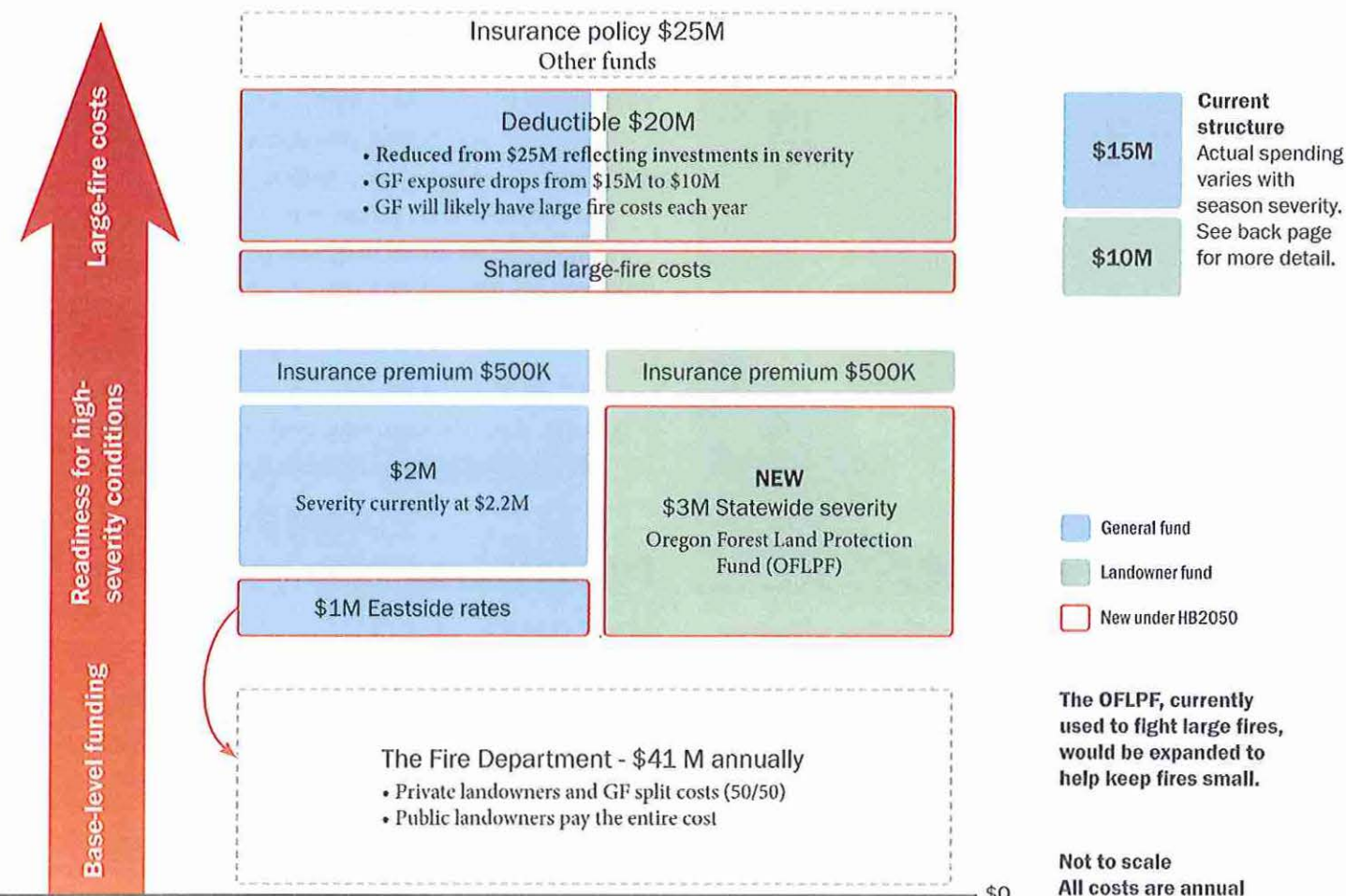
**Heavy, mobile firefighting tools (aka "Severity").** Air tankers, helicopters and other critical assets are positioned around the state wherever fire danger is most severe, a proven approach to keeping fires small. (Used on numerous fires each year)



**Base-level protection.** The heart of the "fire department" fights approximately 1,000 fires each year, averaging 20,000 acres are burned annually.



## Improvements under HB 2050 (annual exposure)



## Fire Facts

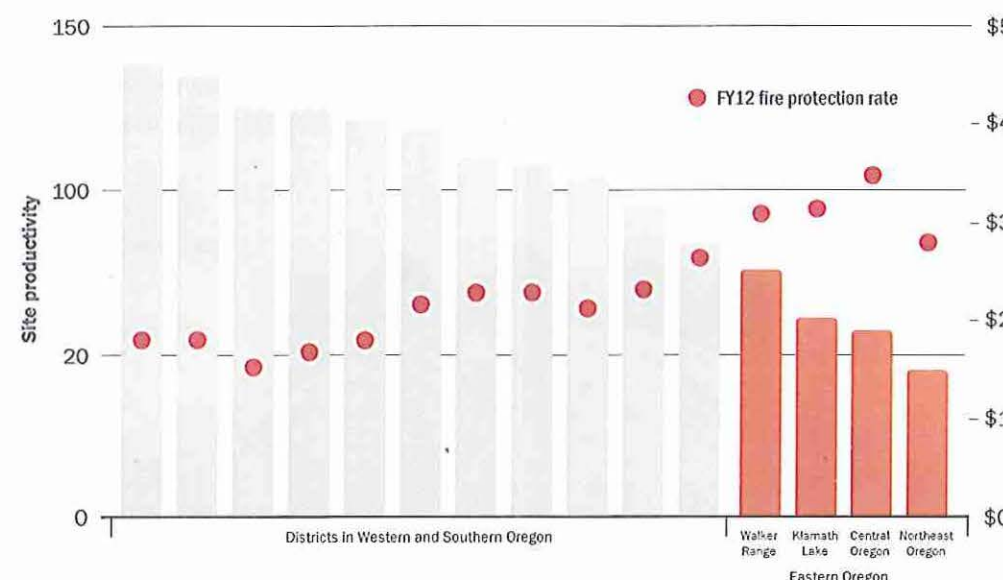
**Dwellings scattered across 3.5 million acres of forest land** make wildland firefighting more costly and complex.

**State-protected forests are primarily private**, but also include some public lands, such as state forests and, by contract, U.S. Bureau of Land Management forests in western Oregon.

**Oregon is the only state with a catastrophic wildfire insurance policy**, a reflection of the state-landowner commitment to keeping fires small. The policy protects the General Fund in catastrophic fire seasons.

**Warm, dry climate trends** mean more days when the risk of fires growing large is very high. The average number of such days per year in the John Day area:

1987-1998: **20**  
1999-2012: **46**

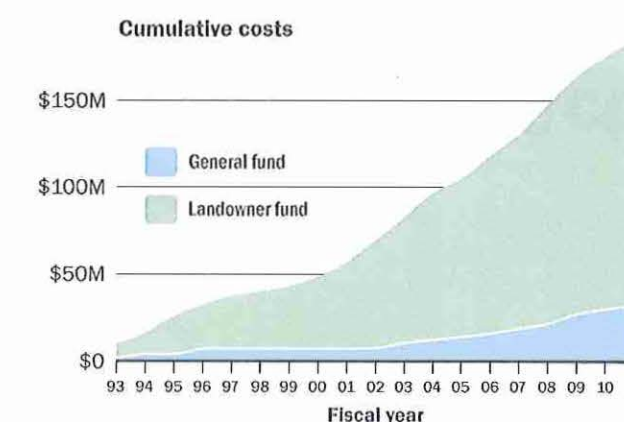


**Productivity and cost**

Lower productivity eastside forests are challenged to generate sufficient revenue to address their higher fire occurrence and costs.

**Large-fire and severity costs**

Basic protection costs are shared 50-50, but this approach has not carried through to large-fire costs.







#2

# Wasco County Planning Department

"Service, Sustainability & Solutions"

2705 East Second St. • The Dalles, OR 97058  
Phone: (541) 506-2560 • [wcplanning@co.wasco.or.us](mailto:wcplanning@co.wasco.or.us)  
[www.co.wasco.or.us/planning/planhome.html](http://www.co.wasco.or.us/planning/planhome.html)

File Number(s): PLAPAR-13-04-0005

Fee:

1689Receipt # 1415Associated  
M37 File #Date Submitted: 4/16/13Planner Initials: DBDate complete: 4/29/13Planners Initials: DB

## Applicant/Owner Information:

Applicant(s) Kate McBride, Mgr.Property Owner(s) Ulrich Wingens

Friends of the Columbia Gorge Land Trust

c/o Eva Meig

Mailing Address 205 Oak Str., Ste 17Mailing Address 1525 Norland Dr.Heald River, OR 97031Sunnyvale, CA 94087

Phone (H)

(W) 541.386.5268 <sup>ext 113</sup> Phone (H)(W) cell 561.707.6572Email Kate@gorgefriends.orgEmail uwingens@aol.com

Requested Structure(s)/Use(s):

property line adjustment or partition

## Property Information

Map # 2N13E 18Tax Lot# 100Acct # 1335Acreage 399

Zoning

O-5 (GMA)  
A-1 (100) GMA  
AG-5 Special GMA2N13E 1730012.82/1896130.47A-1 (100) GMA +  
AG-5 Special (GMA)Property location: SW of Hwy 30 & Dalles Country Club

Property Address:

Tax Status:

FarmWater Source: none - proposedSewage: none - proposedPower: none proposed

Contiguous Ownership:

yes Ulrich Wingens to South Forest Service East & WestLegal Access: will be via permanent trail easementCurrent Use of Property: open space mostlyUse of Adjacent Properties: agriculture



File Number: \_\_\_\_\_

# WASCO COUNTY PROPERTY LINE ADJUSTMENT/REPLAT APPLICATION

## AREA & WIDTH REQUIREMENTS

Required standards of zone:	Size	Width	Depth		
	Parcel #1	Parcel #2	*Parcel #3	Parcel #4	Parcel #5
Map & TL Number	2N13E18100	2N13E17300			
Existing Size	399 acres	130.47 acres			
Proposed Size	122 acres	407.47 acres			
Existing Width					
Proposed Width					
Existing Depth					
Proposed Depth					

Complies with required size, depth, and width?

☐ NO ☒ YES

\*Only a replat can involve more than two properties.

## APPROVAL STANDARDS:

1. Will the proposed PLA/REP result in a new tax lot(s)?

☒ NO ☐ YES

Please note, this is only allowed if you are dividing an existing subdivision lot. If you are dividing a parcel in a partition you are required to submit a Partition application.

2. Will the proposal render any property unusable, or will the usefulness, utility or viability of the property be reduced from the designated purpose statement of the zoning district in which the property is located? Describe as necessary.

☒ NO ☐ YES

3. Will property which presently conforms to the lot size requirements of the zoning district in which it is located become nonconforming as a result of the PLA/REP? If yes describe.

☒ NO ☐ YES

4. Will the property line adjustments/replat with a nonconforming property result in greater nonconformity? If yes, indicate how the public interest will be served by approving the request. Attach additional documentation as needed.

☐ NO ☐ YES

5. Will the adjusted property lines cross zoning district boundaries?

☐ NO ☒ YES

If yes, will the PLA/REP increase the number of parcels or lots which could potentially be created based on the density requirements of the applicable zoning district? Describe zoning and additional number of properties that could be created.

☒ NO ☐ YES

2. Basic Provisions and Design Standards

- a. Conformity with Zoning Chapter: Parcel/lot size, width, shape and orientation shall be appropriate for the location of the PLA/REP and for the types of use permitted within the zone. Parcel/Lot dimensions shall not include part of existing or proposed streets. All Parcels/Lots shall be buildable, except a public utility lot.

(1) Minimum Parcel/Lot Size and Width for Zone N/A

All of the proposed Parcels/Lots comply with this standard?

☐ NO ☒ YES

- (2) Fire Safety: If the PLA/REP is for residential use and at least one of the existing or proposed Parcels/Lots are vacant, a Fire Mitigation Plan is required identifying all home sites, building envelopes and access as necessary to demonstrate compliance with all applicable fire standards.

The PLA/REP is for residential use, at least one of the existing or proposed Parcels/Lots is vacant and a Fire Mitigation Plan has been submitted that shows all the proposed parcels will be able to meet all of the applicable fire safety standards?

☒ NO ☐ YES

(3) Setbacks

Front Yard \_\_\_\_\_

Side Yard \_\_\_\_\_

Rear Yard \_\_\_\_\_

Agricultural \_\_\_\_\_

If the PLA/REP is for residential use and at least one of the existing or proposed Parcels/Lots is vacant, an evaluation must be done for each proposed Parcel/Lot which shows based on the above setbacks, on site septic requirements, on site water requirements and the fire safety requirements referenced above, future residential development will be able to be accommodated without the need for a variance.

The PLA/REP is for residential use, at least one of the existing or proposed Parcels/Lots is vacant and a residential evaluation has been done and is included with the application?

☒ NO ☐ YES

3. Redevelopment Plan:

Based on the current zoning, will any of the proposed Parcels/Lots be eligible for further division?

☒ NO ☐ YES

If yes public road right of way may be required to be dedicated which conforms to the number of future Parcels/Lots and extended to the boundary of the PLA/REP. Parcel/Lot dimensions shall not include part of existing or proposed streets.

4. Access Requirements: Each proposed Parcel/Lot shall be required to have access by way of a street, either private or public. Indicate how all of the proposed Parcels/Lots will have legal access.

- a. Direct Access: The unit of land has frontage along a public street or road. Will all or some of the proposed Parcels/Lots have direct physical access from a publicly dedicated street or road?

☒ NO ☐ YES

If yes indicate the publicly dedicated street or road and which Parcels/Lots will have direct physical access from it.

For future trail access only.

The preliminary plat includes the required public road dedication?

☐NO ☐YES

5. Utility Lines: Easements for sewers, water mains, electrical lines, or other public utilities shall be dedicated whenever necessary. The easements shall be at least twelve (12) feet wide and centered on lot lines where possible, except for utility pole tieback easements which may be reduced to six feet in width.

Are utility easements required?

☒NO ☐YES

If yes are they located on the preliminary plat map?

☐NO ☐YES

7. Water Courses: If a PAR/REP is traversed by a water course such as a drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of the water course, and such further width as will be adequate for the purpose. Streets or parkways parallel to major water courses may be required.

Are there any watercourses which traverse the PAR/REP?

☒NO ☐YES

If yes is a storm water easement or drainage right of way located on the preliminary plat map?

☐NO ☐YES

9. Environmental Hazards: If a PAR/REP contains known hazards resulting from potential for flooding, land movement, high water tables, erosion, or similar natural phenomena, the Approving Authority may require dedication of protective easements for uses that would minimize aggravation of the environmental hazard.

Does the proposed PAR/REP contain any known hazards such as floodplain or geological movement? ☒NO ☐YES

If yes indicate the hazard and describe any proposed dedications that would minimize aggravation of the hazard.

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10. Survey: Please note, all PLA/REP's require a final plat map created by a professional surveyor licensed in the state of Oregon meeting all of the requirements of WCLUDO Section 21.100(B). However, if all of the Parcels/Lots are less than 10 acres in size an onsite survey is not required.





**WASCO  
COUNTY**

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## Letter from Forest Service

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Kate McBride <Kate@gorgefriends.org>  
To: Dawn Baird <dawnb@co.wasco.or.us>  
Cc: Ben Beseda <BBeseda@tennesoneng.com>

Fri, Apr 19, 2013 at 12:58 PM

Dawn,

Here is the letter from the forest service that we needed for the first PLA application.

Kate

Kate McBride

Land Trust Manager

Friends of the Columbia River Gorge

205 Oak Street, Suite 17

Hood River, OR 97031

Office 541-386-5268 EXT 113

Direct Line 971-634-2037

Cell 541-490-4813

[www.gorgefriends.org](http://www.gorgefriends.org)



usfs wingens.pdf

1115K

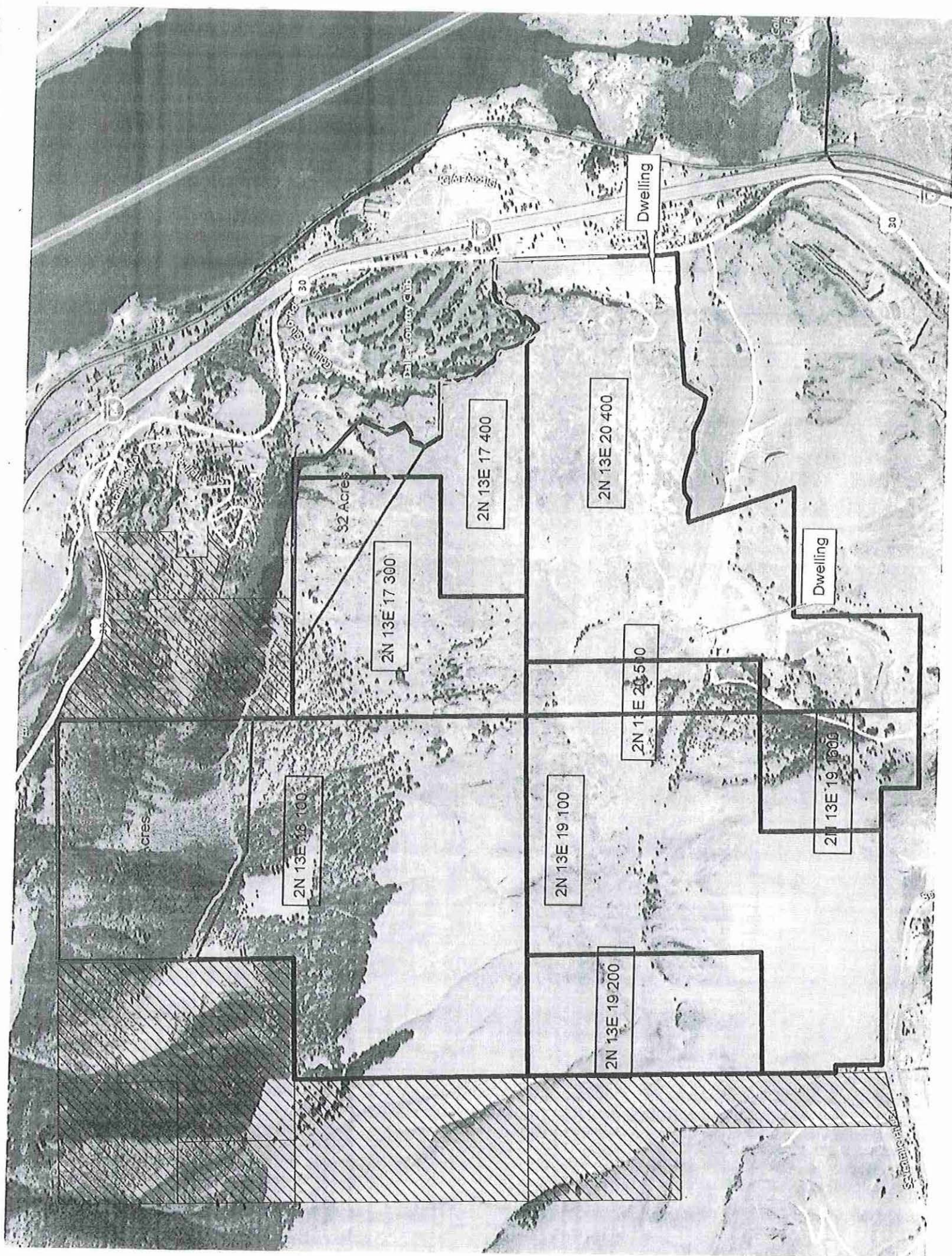
If you have any questions, please contact Amy Linn at (541) 308-1712 or [ajlinn@fs.fed.us](mailto:ajlinn@fs.fed.us), or Pam Campbell at (541) 308-1714 or [pcampbell@fs.fed.us](mailto:pcampbell@fs.fed.us).

Sincerely,

A handwritten signature in black ink, appearing to read 'Lynn Burditt', with a large, stylized circular flourish at the end.

LYNN BURDITT  
Area Manager







# PROPOSED

Owner: Ulrich Wingens

C/O Eva Merg

1525 Norland Dr.

Sunnyvale, CA 94087

Applicant: Friends of the Columbia Gorge LandTrust

Kate McBride, Manager

205 Oak Street, Suite 17

Hood River, OR 97031

Surveyor: Tenneson Engineering

Ben Beseda

3313 W. Second Street, Suite 100

The Dalles, OR 97058

April 16, 2013

Scale 1:20,000

North

122 acres proposed

Proposed new lot line

Rock outcropping area

Zones: Special Management Area

Agriculture and Open Space

Primarily Pine Oak Habitat Area with slopes to the north

2N13E17TL300

407.47 acres proposed

Dallas Country Club

## Legend

Wingens Ownership

Forest Service

Dwelling

Dwelling

Property line between new TL 2N12E 18 TL100 and 2N13E 17 TL 300 will be fenced.



Wasco County  
Permit Receipt

RECEIPT NUMBER 00001415

Account name: 0009902

Date: 4/19/2013

Applicant:

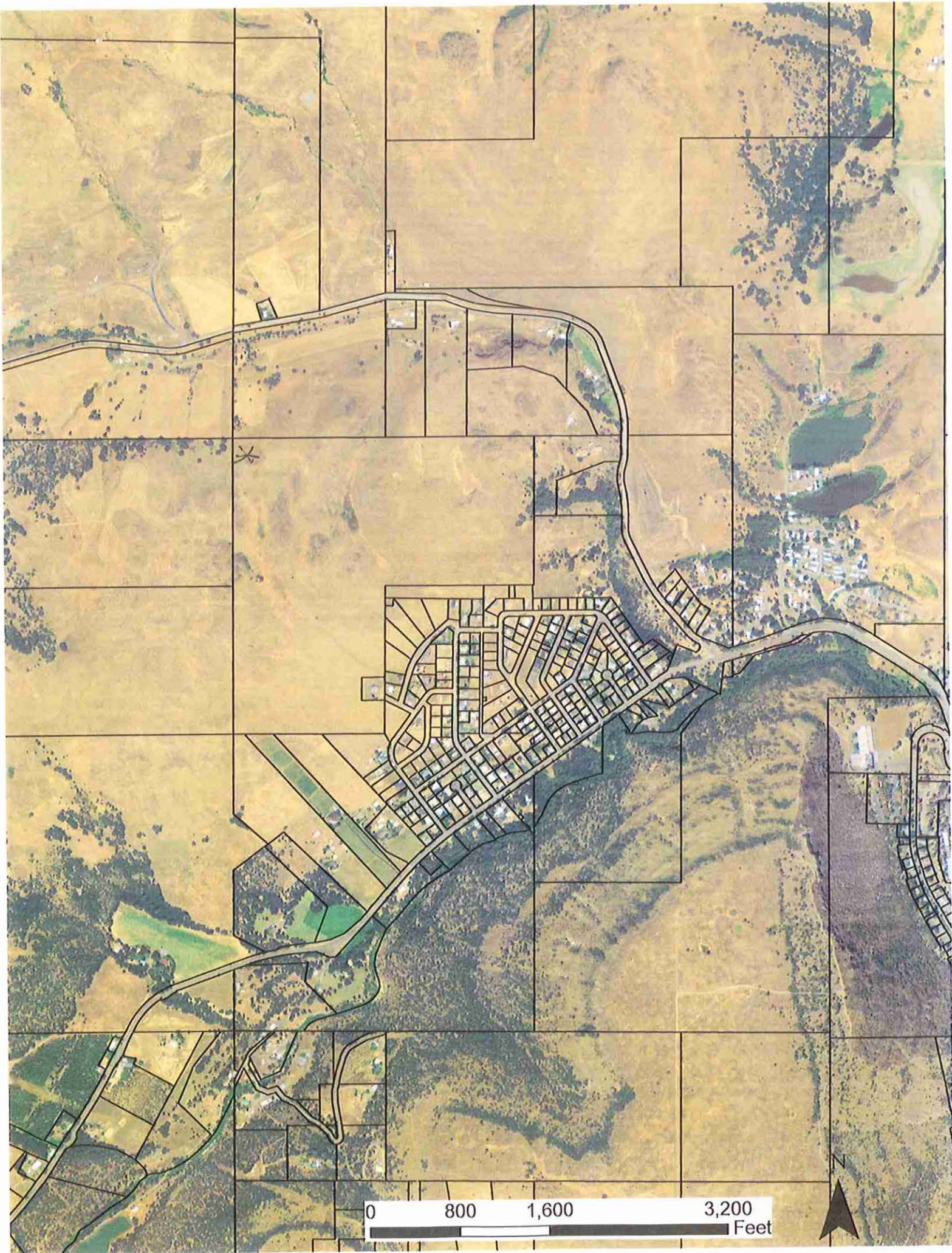
*Friends of the*  
COLUMBIA LAND TRUST

Type:

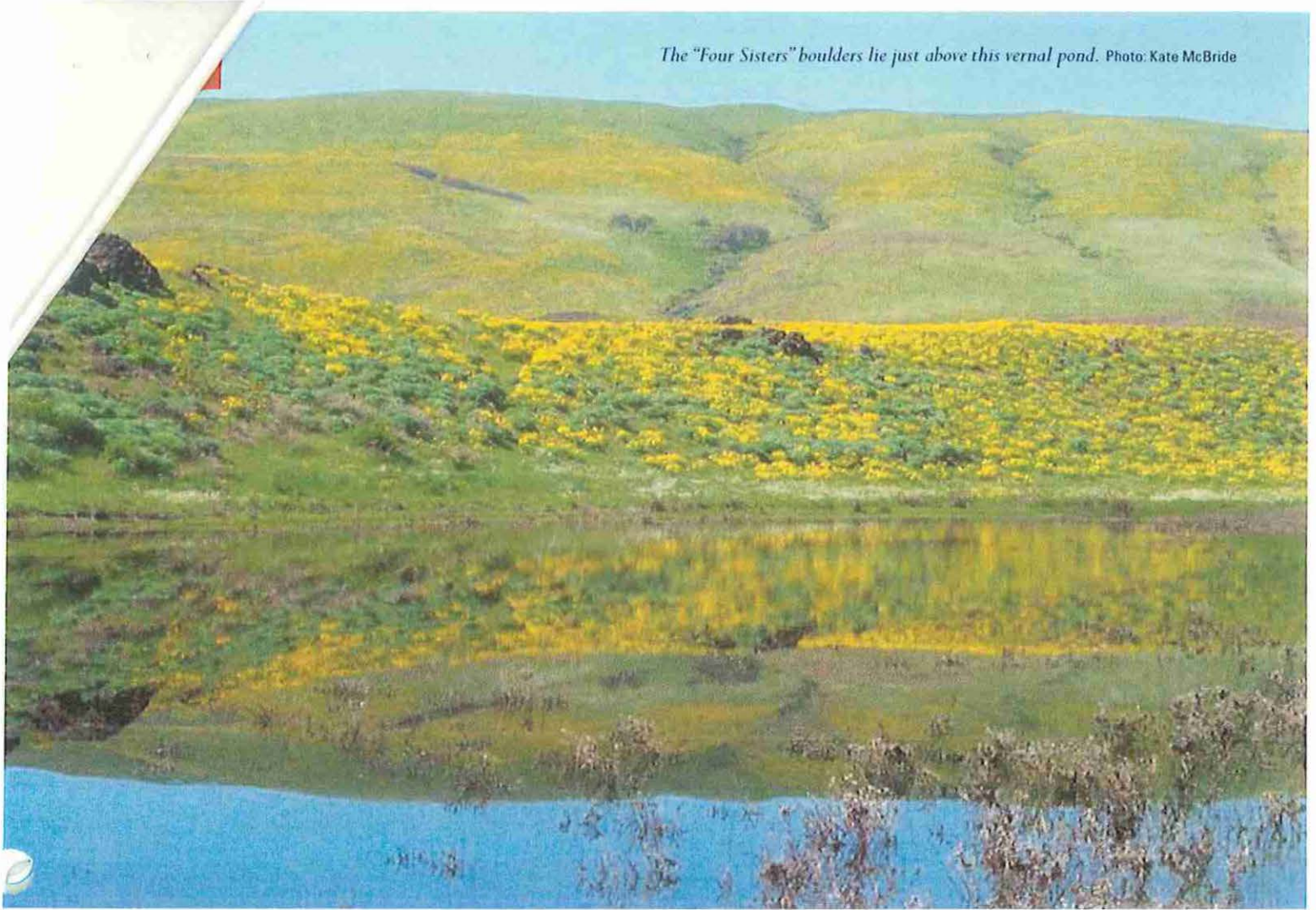
check *Gorge*  
# 1764

<u>Permit Number</u>	<u>Fee Description</u>	<u>Amount</u>
PLAPAR-13-04-0005	PROPERTY BOUNDARY CHANGE	850.00
PLAPAR-13-04-0005	SURVEYOR	400.00
PLAPAR-13-04-0005	ASSESSOR	250.00
PLAPAR-13-04-0005	CLERKS RECORDING FEE - plats	189.00
Total:		1,689.00









## Four Sisters: Another Conservation Purchase

Kate McBride, Land Trust Manager, [kate@gorgefriends.org](mailto:kate@gorgefriends.org)

Commitment to protecting the Columbia Gorge runs deep even in difficult economic times, and just recently another Friends member stepped up to acquire an important Gorge landscape to protect. In September, a generous anonymous conservation buyer purchased a 123-acre site southeast of The Dalles. The new owner has named the property Four Sisters, after the four huge basalt rocks that lie randomly scattered on the land.

The previous owners of the Four Sisters property – Bob and Janice Staver and Bruce Schwartz – were well versed in Gorge protection issues. Janice once served as a Wasco County representative on the Columbia River Gorge Commission, and the land they owned, originally purchased

for investment and later considered as a potential building site, has long been protected from grazing and kept relatively free of invasive plants. Many years ago, Friends founder Nancy Russell hiked the property and expressed a great desire to see it protected.

This past May, Bob Staver contacted Friends about the land. Someone looking for property to build on had recently approached him about the parcel, but he, Janice, and Bruce hoped to find a conservation buyer.

Friends staff immediately contacted a member who had expressed an interest in preserving land in the Gorge. She agreed to look at the property, which rolls up the hills behind Murray's Addition, just east of Sevenmile Hill Road. The land is

beautiful, with five vernal ponds – a rarity in the eastern Gorge. Balsamroot and lupine blanket the ground in spring, and camas is abundant near the ponds. As the ponds dry out in summer, pink Douglas's onion appears, followed by *Downingia* that covers the low areas in a sea of blue. This particular property is the only place in the Gorge where Howell's milk vetch, a Columbia Gorge endemic species, survives.

Although the land was dry and brown in summer at the time of the visit, pictures of the spring blooms showing the wonderful wildflower displays cinched the buyer's decision to protect the land.

For more information on protecting land by acquisition, contact Kate McBride at [kate@gorgefriends.org](mailto:kate@gorgefriends.org) or 541-386-5268. ■

Congress of the United States  
Washington, DC 20510

September 4, 2012

Mr. Kent Connaughton  
Regional Forester  
Pacific Northwest Region  
Forest Service  
333 SW First Avenue  
Portland Oregon 97204-3440

Dear Mr. Connaughton,

We are writing to express our enthusiastic support for the *Gorge Towns to Trails* ("GT2T") proposal. Developed by the Friends of the Columbia Gorge and supported by entities as diverse as the National Park Service, Beacon Rock State Park, the city of North Bonneville and the Skamania County Chamber of Commerce, the GT2T proposal offers a unique combination of benefits: recreation, economic development and wild lands preservation. We urge that you give it your most serious consideration.


As you are well aware, the Columbia River Gorge National Scenic Area Act ("Act") seeks to establish the right balance between the twin purposes of the Act--preservation of the Gorge and the sustainable economic development within its communities.

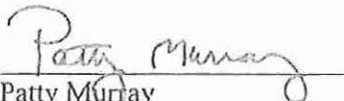
The GT2T proposal is a unique opportunity to advance both goals. Specifically, the GT2T proposal would:


1. *Expand recreational opportunities in the Gorge.* The GT2T proposal could add more than 60 miles to new trails.
2. *Promote economic development.* The GT2T proposal would strengthen the connections between the Gorge's towns and recreational opportunities by siting trailheads closer to those towns.
3. *Preserve the Gorge landscape.* With booming population growth in the communities near the Gorge, the Scenic Area is under increasing pressure to offer greater recreational opportunities, leading to a dramatic increase in the number of unauthorized -- and ecologically damaging -- trails. The GT2T proposal would relieve pressure from the overcrowded trail system and stem the expansion of unauthorized trails.
4. *Acquire critical lands.* The Act authorized the federal government to acquire acreage from willing sellers to preserve the Gorge and promote recreation activity. The GT2T proposal recognizes that the Forest Service has already purchased thousands of acres of land and identifies key lands that are essential to establishing a trail system to create a stronger tie between Gorge communities and the recreation opportunities in the lands that surround them.


We look forward to working with the Columbia River Gorge National Scenic Area management staff and you to make the *GT2T* proposal a reality. Our success will leave an important legacy that generations to come will enjoy.

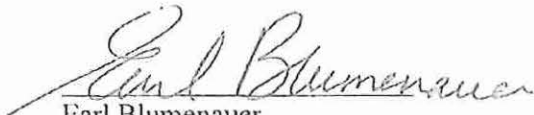
Sincerely,

  
Ron Wyden  
United States Senator

  
Patty Murray  
United States Senator

  
Jeff Merkley  
United States Senator

  
Maria Cantwell  
United States Senator

  
Earl Blumenauer  
United States Representative



# Urban Sprawl Proposals Threaten the Gorge

Michael Lang, Conservation Director, michael@gorgefriends.org

The City of The Dalles has proposed a major urban area boundary expansion that would absorb one square mile of protected National Scenic Area land into the urban area for commercial and industrial development. The proposed expansion would also set aside 900 more acres for future expansion.

This is just one of three pending expansion proposals. The cities of Lyle and Hood River are also anxious to push growth beyond their urban boundaries. If approved, these proposals would erode the scenic beauty of the Gorge and set a precedent that rewards poor urban planning.

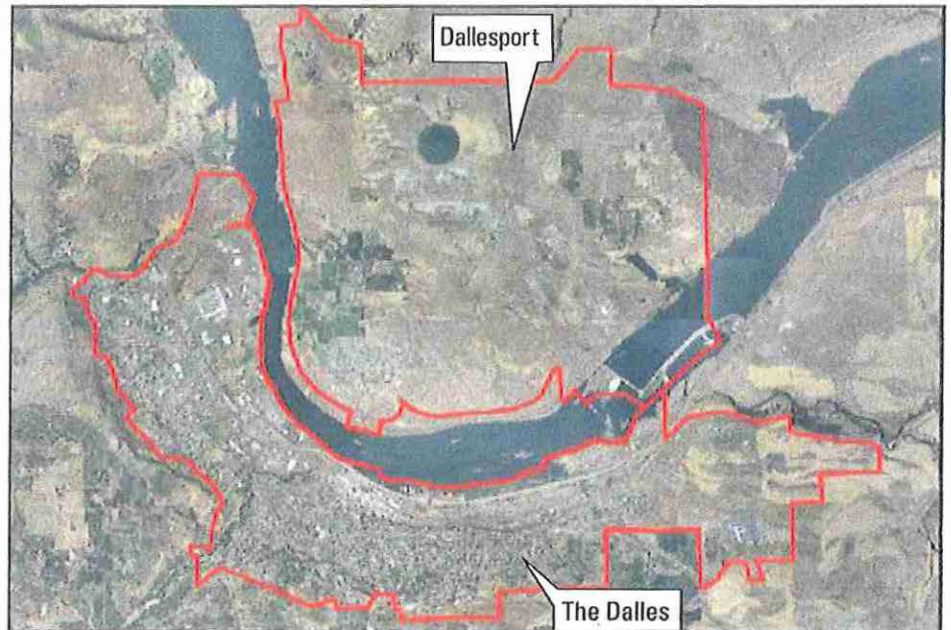
The proposal by The Dalles City Council is particularly troubling because the city's population has actually decreased slightly since the 2000 census, from 12,185 to an estimated 11,926 residents last year. Also, directly across the U.S. 197 bridge, thousands of acres of undeveloped urban area land lie unused in Dallesport. Even if The Dalles were experiencing rapid growth, Dallesport could easily help accommodate decades of new urban development.

Undeterred by these facts and despite significant local opposition, the city planning director has recommended that the city pressure the Columbia River Gorge Commission to approve a major urban area expansion and further, to lobby Congress to amend the Columbia River Gorge National

Scenic Area Act to allow The Dalles's urban area to sprawl into Scenic Area lands.

Thirteen urban area boundaries were established by Congress in the Scenic Area Act, totalling 28,500 acres within the 292,000-acre National Scenic Area. Land uses within the urban boundaries are not

in perpetuity. Since the 1986 passage of this landmark legislation, the Gorge has experienced moderate population growth, but because of the generous urban area boundaries created by the legislation, no serious attempt at major urban area expansion has come up until recently.

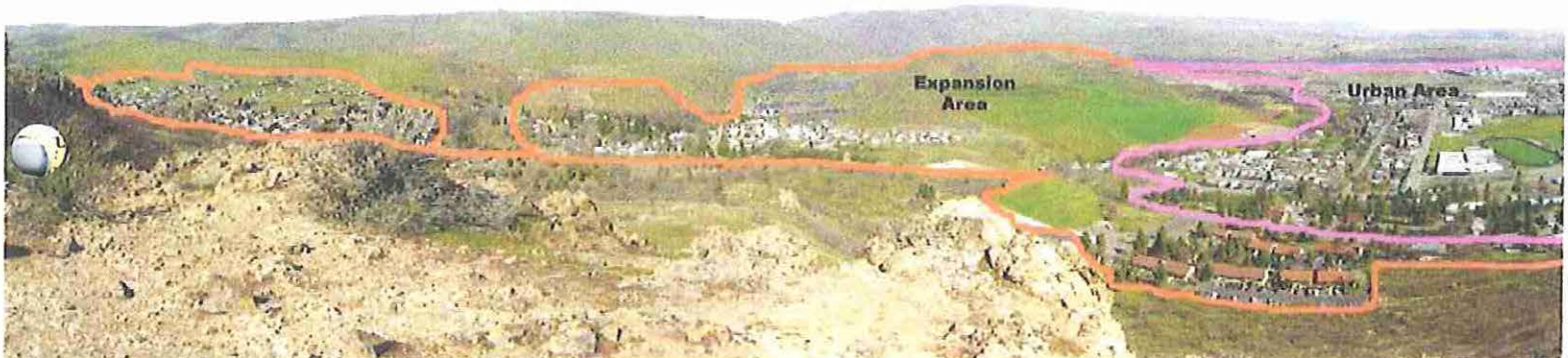


*Vacant land in the Dallesport urban area (which shares an airport with The Dalles) could easily accommodate decades of regional growth. Map: Friends of the Columbia Gorge GIS*

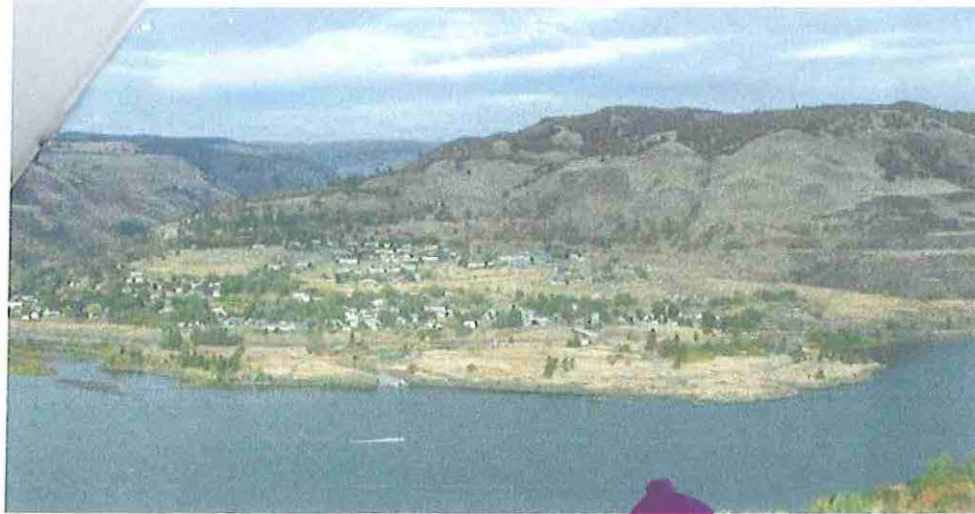
directly regulated by the Scenic Area Management Plan but rather by local land use planning ordinances. The intent was to confine urban growth to these areas to protect the Gorge's natural scenic beauty

In the Scenic Area Act, Congress prohibited wholesale expansion of urban areas into surrounding Scenic Area lands, but left the door open for minor urban boundary revisions, subject to

*The west side of The Dalles seen from Chenoweth Table, showing proposed expansions and current boundary. Photo: Jozsef Urmos*







The City of Lyle is proposing an urban area expansion of more than 240 acres, above and west of the developed area in this photo. Photo: Kevin Gorman

*"The National Scenic Area boundary is there for a reason. We don't need a small minority of people changing that."*

— Matt Bowen  
Gorge business owner

stringent criteria requiring protection and enhancement of scenic, natural, cultural, and recreation resources; and protection of agricultural lands, forest lands, and open spaces. The Act also requires a demonstration of the need to revise an urban boundary based on legitimate population growth estimates and a demonstration of maximum land use efficiency within and along existing urban boundaries. Under the Scenic Area Act, only the Gorge Commission may approve a minor revision to an urban area boundary.

To better understand Congress's intention in designating urban area boundaries, in June the Commission invited a panel of speakers to its meeting, each of whom had been involved in developing the Scenic Area legislation. The invited panelists included former congressional staff members, local elected and appointed officials, and a former executive director of Friends of the Columbia Gorge.

The speakers' general consensus was that when Congress passed legislation allowing only "minor revisions" to urban area boundaries, it meant boundary revisions involving very small pieces of land. According to written testimony submitted by Friends' former director Bowen Blair, the Scenic Area Act sponsors intended that "minor revisions" meant no more than "two or three acres." The panelists also noted that the urban area

boundaries established by the Act were quite large, particularly in Washington, to satisfy opponents of the Scenic Area legislation.

After the speakers' presentations, the Gorge Commission directed its rules committee to develop rule concepts to better clarify the conditions under which minor revisions to urban boundaries may occur. The rules committee will present its recommendations to the full Commission in September.

Friends has recommended that the Commission update the rules to accurately reflect language in the Scenic Area Act and define "minor revision" in a manner consistent with the intent of Congress. However, this recommendation is not without risks. The current Commission has shown a propensity toward decisions that expand commercial and residential

development within the Scenic Area, in violation of the Scenic Area Act and against the wishes of most Gorge residents, who are increasingly concerned about large-scale development and urban sprawl in the Columbia River Gorge.

As development pressure escalates, support for Scenic Area Act protections grows stronger. Polling conducted by Grove Insight in fall 2007 showed that Gorge area residents oppose urban expansion by a 54% to 39% margin (+/-5.7%). In The Dalles, expansion opponents have gathered more than 400 local signatures opposing the current expansion proposal.

Friends continues to protect the Scenic Area and the livability of Gorge communities by vigorously opposing efforts to expand urban areas beyond the limits established in the National Scenic Area Act.

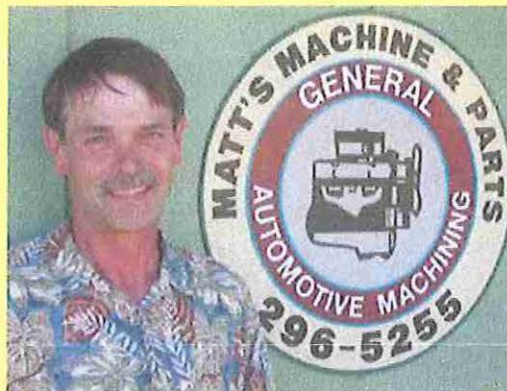


Photo: Peter Cornelison

Business owner Matt Bowen of The Dalles has helped gather more than 400 signatures from local residents who oppose urban area expansion. Matt recently stated, "Expanding the urban area of The Dalles will take away our small town life style. The National Scenic Area boundary is there for a reason. We don't need a small minority of people changing that."



# Wasco County Board of Commissioners

## Appearance Record

NAME	ADDRESS	CITY	STATE
✓ DAVID WEHRLY <sup>MP</sup>	DUFUR VALLEY RD	DUFUR	OR
✓ DAVID JACOBS	3701 W 13TH	The Dalles	OR
✓ Glen Boyd	78887 Dufur Vly Rd.	Dufur, OR	OR
✓ Keely Montgomery	5919 SE Lafayette St	PDX, OR	OR
✓ PETER CLARK	4702 NE 29th AVE	PDX, OR	OR
Ⓢ ✓ Kathleen Olson	P.O. 172, 280 N Main	Dufur OR	OR
✓ Marty Matherly	2705 E 2nd St	The Dalles	OR
✓ Ken Thomas	P.O. Box 156	Dufur	OR
✓ Peter Livingston	805 SW Broadway <sup>Ste 1900</sup>	Portland	OR
John Zelaznik	83166 Dufur Valley Rd	Dufur	OR
✓ Teri Tholger	NC PHD		
✓ Kevin Dworshak	NC PHD		
✓ BOB Durham			
LANE MAGILL			

DATE: May 1, 2013



PETER LIVINGSTON  
ATTORNEY AT LAW

805 SW BROADWAY • SUITE 1900  
PORTLAND OREGON 97205-3359

DIRECT DIAL 503.417.2153  
TELEPHONE 503.224.5560  
CELLULAR 503.314.1050  
FACSIMILE 503.224.6148  
EMAIL PL@BHLAW.COM WWW.BHLAW.COM

PETER LIVINGSTON  
DIRECT DIAL: (503) 417-2153  
E-mail: pl@bhlaw.com  
*Admitted in Oregon and Washington*

April 30, 2013

Wasco County Board of Commissioners  
511 Washington St., Ste. 302  
The Dalles, OR 97058

Reference: Wolf Run Outdoor Mass Gathering

Dear County Commissioners:

We represent Ken Thomas, a neighbor of the proposed Wolf Run Outdoor Mass Gathering to be located at 78889 Dufur Valley Road, in Dufur. We are writing to express a number of concerns associated with the application filed by Peter Clark on March 11, 2013. The proposed outdoor mass gathering is by nature a commercial operation, with ticket sales, food and alcohol vendors, and other tradespeople. It is at odds with the preservationist ethic of a forest zone. Therefore, except to the extent that they are expressly precluded, state forest and land use regulations should be applied strictly to minimize adverse impacts.

Fire Hazard

The staff report<sup>1</sup> states incorrectly, "The subject parcel is located on the seam between forest land and farm land." In fact the parcel itself is zoned F-2 and classified "forest land" under Oregon law, as are all of the adjacent parcels. In addition, the parcel and all adjacent lands are in the exclusive jurisdiction of the Oregon Department of Forestry (ODF) for fire prevention and fire suppression. More than ninety percent of the adjacent lands is covered by forest vegetation, and more than fifty percent is in forest cover. In his April 17, 2013 letter to staff, Adam Barnes, Fire Manager at ODF, states, "There is a significant potential for wildfires resulting from this proposed mass gathering. ODF would prefer that this event occur at a different time of year when the risk of wildfires is minimal." He then provides a lengthy list of requirements for fire safety if the commissioners disregard ODF's preference and approve the project.

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<sup>1</sup> "C. Surrounding Land Use," p. 2

Because the proposed site is forested and is surrounded by large tracts of forested land, the potential for a large forest fire well beyond the boundaries of the site itself is great. The first sentence in the F-2 chapter of the Wasco County Code (WCC), Section 3.120, is: “The purpose of the ‘F-2’ Forest Zone is to protect land designated as Forest on the Comprehensive Plan Map that is suitable and desirable for commercial forestry activities.” Since forest fires are the greatest threat to the commercial forests in the county, the objective of the entire F-2 chapter will be thwarted if the outdoor mass gathering is approved.

The threat is enhanced in this case because of the number of existing structures on the property, which will be surrounded by the many present at the gathering. Assuming a fire does start, the rules require firefighters to prioritize the protection of structures over the protection of the forest itself. The result could be disastrous for the forest on the subject property and the forest on surrounding properties.

OAR 333-039-0045 (Fire Protection) requires that the organizer of an outdoor mass gathering secure a written statement from the “local fire protection agency having jurisdiction” (in this case ODF) that fire protection “is satisfactory with respect to anticipated crowds and location of the outdoor mass gathering.” The letter from Mr. Barnes falls short of meeting this standard, since he states expressly that the potential for wildfires is significant.<sup>2</sup> This alone is reason enough to deny the application.

#### Water

The application contains a number of references to water sources and water uses:

1. “In the months leading up to the event constant mowing will take place to keep grasses low and cut back to minimize fire hazard. Irrigation will take place throughout the inner event site, stage areas and general pedestrian pathways. The back parking area will have the grass mowed where possible and during weeks prior to the event, we will irrigate the parking areas to keep them moist and reduce risk of fire from inbound vehicles. The Wolf Run Ranch well water will be utilized to irrigate the parking area via a cistern, pump, k-line/hose and sprinkler system.”
2. “Both Wolf Run irrigation ponds will have operating water pumps stationed at fill sites to provide a water source for fire suppression

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<sup>2</sup> The staff report (p. 14) says that the applicant has “coordinated” with ODF to develop an “acceptable” Wildland Fire Prevention Plan. This is inaccurate in view of Mr. Barnes’s statement that *any* mitigation plan is, in effect, unacceptable.



purposes. These pumps should have a minimum discharge of 1 ½ inch, contain 50' of discharge hose, suction hose, 1 fill spout, and 3 gallons fuel." There is also a reference to a "500 gallon water tank and functioning pump, 500 ft. of one inch fire hose and nozzle."

3. "All vehicle parking areas will be mowed and thatched to remove flammable vegetation. Dry parking will be wetted down the five previous days to using parking area."

4. "First and foremost is our water supply. Based on historical testing, we believe Wolf Run Ranch well water is free of contaminants, however to ensure that our beliefs are accurate, the well is currently undergoing testing. We will submit these official test results for review as soon as possible. The well has been rated at 40 gallons per minute with the ability to pull up to 80 gallons a minute if necessary. It is our intention to supply our food vendor and patron drinking water from the onsite well. Our food vendors will pull directly from the well via above ground temporary potable distribution. For drinking water we will have storage of 25,000 gallons on site in two locations; 1. 10,000 gallons near the Wolf Run Ranch house to provide attendee drinking water. 2. 15,000 gallons located near the entrance to the GA parking lot to provide potable drinking water to the camping areas as well as to provide water to our roaming fire suppression trailer if need be."

5. "The second type of greywater produced on site will be from our temporary shower facility."

From these quotations, it is evident that the mass gathering will use water drawn from the Wolf Run Ranch water for (1) watering down parking lots; (2) anticipatory, not actual, fire prevention; (3) drinking water for 5,000 or more people; and (4) showers.

The property is served by two water rights. The first – Certificate #35403 – is dated September 30, 1968, in the name of Frank R. Gibbs. The certificate states that the purpose of the water right is "irrigation of 12.4 acres." The second – Certificate #2358 – is dated July 4, 1919, in the name of Wolf Run Water Users Association. The certificate states that the purpose of the water right is "the irrigation of 20 acres of land, domestic and stock use."



OAR 690-300-0010 states:

“The following definitions apply in OAR chapter 690, divisions 15, 310, 320, 330, 340, and 350 and to any permits, certificates or transfers issued under these rules:

“\*\*\*\*\*

“(14) ‘Domestic Water Use’ means the use of water for human consumption, household purposes, domestic animal consumption that is ancillary to residential use of the property or related accessory uses.

“\*\*\*\*\*

“(26) ‘Irrigation’ means the artificial application of water to crops or plants by controlled means to promote growth or nourish crops or plants. Examples of these uses include, but are not limited to, watering of an agricultural crop, commercial garden, tree farm, orchard, park, golf course, play field or vineyard and alkali abatement.”

The Gibbs water right is for “irrigation of 12.4 acres.” The Wolf Run Water Users Association Water Right is for “the irrigation of 20 acres of land, domestic and stock use.” Notwithstanding the use of the word “irrigation” repeatedly in the sentences from the application quoted above, the described use (watering down parking lots) is not “irrigation,” as it is defined in OAR 690-300-010(26). Drinking water and showers for up to 5,000 people, plus 600-800 staff members, is not “domestic water use,” as it is defined in OAR 690-300-010(14). The proposed use obviously does not relate to stock.

The application indicates there will be a diversion of water to water storage, which is not permitted by the water rights. There will be storage of 25,000 gallons, a 350-gallon fire suppression trailer, a cistern for parking lot watering, and a 500-gallon water tank on a trailer. We question whether the two irrigation ponds that may be drawn on for fire protection can legally be earmarked for this purpose prior to the existence of an actual fire.

Moreover, control of the water itself ultimately resides in the Wolf Run Ditch Cooperative, which has not given its approval to the outdoor mass gathering use. This raises further concerns about the availability of water, even if all of the other issues can be resolved.

Since the fire protection plan required by OAR 333-039-0045 and the water supply required by OAR 333-039-0015 depend upon the availability of water, and since the

water cannot be available without violating state law pertaining to water resources, the application should be denied.

#### Space for Campers

OAR 333-039-0045 requires that each camping space be “a minimum of 1,000 square feet,” or larger as needed, “to accommodate a parked camping vehicle, tent vehicle or tent, as the case may be, and maintain a distance of at least 15 feet separation from any other camping vehicle, tent vehicle or tent, building, structure, or property line.” The application includes an aerial photograph/site plan, based upon which staff finds:

“The site plan provided by Applicant shows approximately 7.5 acres reserved for car and RV camping and 12 acres for GA [General Admission] Car Parking. Approximately 18 acres are identified as “Walk in Camping.”<sup>3</sup>

The acreages are rough estimates, but assuming they are completely accurate, the rule may not be satisfied because neither the applicant nor the staff has settled upon a mechanism or strategy that ensures the rule will be satisfied. Moreover, there is no discussion anywhere about how the setback requirement will be applied.

Approximately 25.5 acres are to be available for camping. Each camping space must be a minimum of 1,000 square feet. Since an acre is 43,560 square feet, that means there will be 1,110,780 square feet available.  $1,110,780 \text{ square feet} / 1,000 \text{ square feet/campsite} = 1,111$  campsites available. Assuming 4,800 persons attend (including the 600-800 staff members said to be present), which is the limit established by the projected availability of water, they will more likely than not exceed the number of available campsites. Of course, some of the persons may not spend the night, but there is no way to know how many will not. Many of them may not know until late in the evening whether they will stay or leave.

#### Roads

The roads presently under construction (or newly constructed) on the property extend more than three-quarters of a mile from Dufur Valley Road to the site of the proposed outdoor mass gathering. The application speaks of “a main road entering the property” and of “the western road,” and states that roadways for patron ingress and egress will comply with “[ODF] standards for improved roadways.” This apparently means roads that are twenty feet wide, with a “full bench,” which requires substantial grading, across two water-bearing draws.

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<sup>3</sup> Staff report, p. 14.



(The absence of planned culverts raises questions about whether the roads meet the appropriate standards, but since permanent roads are not allowed anyway, that isn't the most important problem. In addition, ODF has issued no permit and was not consulted about the permitted construction.) The statement in the application that "What The Festival" is an *annual* music and arts festival leaves no doubt that these roads are intended to be permanent improvements for this year and subsequent years.<sup>4</sup>

The construction of these roads is in clear violation of state law<sup>5</sup> and WCC 3.120(B)(1), which tracks state law. While outdoor mass gatherings are allowed to occur on forest land, they are not allowed to make *permanent* improvements on forest land. The definition of "outdoor mass gatherings" in ORS 433.735 limits its duration to 120 hours (five days) unless a land use review is conducted under ORS 433.763. This is reflective of the legislature's intention to make the impact of outdoor mass gatherings *temporary*. Construction of a permanent road on land zoned for forest use is not permitted under state law without a Goal 4 exception.

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<sup>4</sup> If the outdoor mass gathering is intended to become an annual event, it will be necessary for the applicant to return to the county each year for approval.

<sup>5</sup> OAR 660-006-0025(2) provides, in relevant part:

"The following uses pursuant to the Forest Practices Act (ORS Chapter 527) and Goal 4 shall be allowed in forest zones:

\*\*\*\*\*

"(c) Physical alterations to the land *auxiliary to forest practices* including, but not limited to, those made for purposes of exploration, mining, commercial gravel extraction and processing, landfills, dams, reservoirs, road construction *or recreational facilities*; and

"(d) For the purposes of section (2) of this rule 'auxiliary' means a use or alteration of a structure or land that provides help or is *directly associated with the conduct of a particular forest practice*. An auxiliary structure is located on site, *temporary in nature*, and is not designed to remain for the forest's entire growth cycle from planting to harvesting. *An auxiliary use is removed when a particular forest practice has concluded.*" (Emphasis added.)



#### Fish Protection

The Wolf Run Ditch is a Class I (Type F, Medium, under Oregon law) stream. It contains Steelhead/Rainbow Trout, a Threatened species under the federal Endangered Species Act, and provides drinking water downstream. Although the presence of 5,000 people in the immediate vicinity of the Wolf Run Ditch can be expected to have significant impacts (spitting, urination, garbage disposal, etc.), the applicant does not address state and federal laws that restrict uses in or abutting Class I streams and that protect threatened species.

#### Traffic

The applicant describes an elaborate traffic management plan, but furnishes no traffic engineering studies to demonstrate that it will work or even that it is feasible. If 2,500 vehicles (applicant's maximum estimate) will be entering and traversing the property, it should be a certainty, based on expert evidence, that they can enter and exit as the applicant projects, particularly since a fire emergency is a clear and present danger. Yet all the applicant has furnished is speculation.

#### Removal of Timber

The application is silent on what will happen to the large number of trees that are removed from the property as a result of road construction and other development priorities. Will they be sold for commercial use or simply disposed of?

#### Environmental Laws

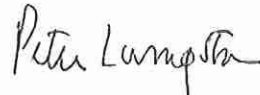
It will be necessary for the applicant to comply with federal laws related to the disposal of hazardous wastes (e.g., batteries, toxics). These are not mentioned in the application, even though it states there will be storage of waste on the site.

The application is long on promises and short on details. Many of the responses to the relevant criteria are simply conclusions unsupported by substantial evidence. The proposed event will jeopardize the forest on the subject property and adjacent properties. It will violate state law with respect to water rights and development on forest lands. It raises serious concerns about environmental impacts under federal and state law. There is no evidence whatsoever that it will confer any economic or other benefits on the people of the county now or if it is held again in the future. In fact the inevitable traffic congestion, noise and other impacts suggest that, at the least, it will be a major nuisance.

Wasco County Board of Commissioners  
April 30, 2013 – Page 8

The application should be denied.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Peter Livingston".

Peter Livingston

PL:pl  
675142

**PLAOMG-13-03-0001**  
**Outdoor Mass Gathering**

**Comments & Information Received**  
**After 4/24/13**

Wasco County Sheriff  
Well Log WASC 51351  
Robert Wood, Watermaster, District 3  
Well Test, National Testing Laboratories





# Wasco County

## SHERIFF

511 Washington St., Suite #102

The Dalles, Oregon 97058

Phone 541-506-2580

Fax 541-506-2581

To: Wasco County Board of Commissioners

4/25/2013

Re: What The Festival

To whom it may concern:

In reference to the submitted application for an Outdoor Mass Gathering (PLAOMG-13-03-0001), a music and art festival entitled "What the Festival," July 25-28, 2013, with estimated attendance of 4,000-5,000:

Arrangements for security and the orderly flow of traffic to and from the outdoor mass gathering complies with state and local laws, ordinances, and regulations, and is satisfactory with respect to anticipated crowds and location.

Sincerely,

Rick Eiesland  
Wasco County Sheriff

STATE OF OREGON  
WATER SUPPLY WELL REPORT  
(as required by ORS 537.765)

WELL I.D. # L 73202  
START CARD # 145841

Instructions for completing this report are on the last page of this form.

(1) LAND OWNER Name MIRC NEARY Well Number \_\_\_\_\_  
Address PO BOX 187  
City MAUPIN State OR Zip 97037

(2) TYPE OF WORK  
☒ New Well ☐ Deepening ☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD:  
☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger  
☐ Other \_\_\_\_\_

(4) PROPOSED USE:  
☒ Domestic ☐ Community ☐ Industrial ☐ Irrigation  
☐ Thermal ☐ Injection ☐ Livestock ☐ Other \_\_\_\_\_

(5) BORE HOLE CONSTRUCTION:  
Special Construction approval ☐ Yes ☒ No Depth of Completed Well 893 ft.  
Explosives used ☐ Yes ☒ No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE			SEAL			Sacks or pounds
Diameter	From	To	Material	From	To	
12	0	18	2 1/2" PIPE	0	18	13
8	18	893				

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E  
☐ Other RODDED

Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	8	0	18	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used ☐ Inside ☐ Outside ☒ None  
Final location of shoe(s) \_\_\_\_\_

(7) PERFORATIONS/SCREENS:

		Slot size		Number		Diameter		Tele/pipe size		Casing		Liner	
From	To												
										<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
										<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
										<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
										<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem at	Time
40	100%	892	1 hr.

Temperature of water 77 Depth Artesian Flow Found \_\_\_\_\_  
Was a water analysis done? ☐ Yes By whom \_\_\_\_\_  
Did any strata contain water not suitable for intended use? ☐ Too little  
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other \_\_\_\_\_  
Depth of strata: \_\_\_\_\_

(9) LOCATION OF WELL by legal description:  
County WASCO Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 2 S N or S Range 12 E E or W. WM.  
Section 5 5L 1/4 NW 1/4  
Tax Lot 1400 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) 78589 Hwy 44  
DUFUR OR 97021

(10) STATIC WATER LEVEL:  
623 ft. below land surface. Date 5-16-05  
Artesian pressure \_\_\_\_\_ lb. per square inch Date \_\_\_\_\_

(11) WATER BEARING ZONES:

Depth at which water was first found 848

From	To	Estimated Flow Rate	SWL
548	891	40	623

(12) WELL LOG:

Ground Elevation 2400

Material	From	To	SWL
SANDSTONE GREY,			
+ BOULDERS	0	26	
SANDSTONE TAN +			
BOULDERS	26	670	
SANDSTONE GREY +			
BOULDERS	670	848	
SANDSTONE TAN			
YELLOW CLAY (UB)	848	891	623
GREY BLUE BASALT	891	893	

RECEIVED

JUN 28 2005

WATER RESOURCES DEPT  
SALEM, OREGON

Date started 4-20-05 Completed 5-16-05

(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

WWC Number \_\_\_\_\_  
Signed \_\_\_\_\_ Date \_\_\_\_\_

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

WWC Number 1732  
Signed Joan Walker Date 6-26-05



Joey Shearer <joeys@co.wasco.or.us>

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## Watermaster Comments, PLAOMG-13-03-0001

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Robert Wood <robert.l.wood@state.or.us>

Tue, Apr 30, 2013 at 4:26 PM

To: "Joey Shearer (joeys@co.wasco.or.us)" <joeys@co.wasco.or.us>

Mr. Shearer,

I would like to submit the following comments regarding PLAOMG-13-03-0001:

The "Wolf Run Ranch" has the following water rights (see attached map):

Certificate 2358- Irrigation for 10 acres in the SE SW Section 5 and 10 acres in the NE NW Section 8. This would approximately cover the field west of the house.

Certificate 35403: Irrigation of 2.6 acres in the SW SE Section 5, 7.4 acres in the NW NE Section 8 and 2.4 acres in the NE NW of Section 8.

Certificate 35402: Storage of 3 ac-ft in a reservoir in the NE NW Section 8. This reservoir is one of the sources of water for irrigation listed on 35403, above.

Irrigation of the field with water rights is allowed and this area could be used for parking, camping, etc, as proposed. However, the fields in the SW SE and SE SE that don't have water rights cannot be irrigated. It might be possible to apply for a temporary transfer if other water rights could be found to move to the fields that need to be irrigated.

The applicants are proposing to use a well (well log WASC 51351) for a variety of purposes including food vendors and onsite drinking water and a fire suppression system. ORS 537.545 (1)(f) allows for an exemption from having a water right for commercial use not exceeding 5,000 gallons per day (gpd). Based on the application, it appears they could exceed this limitation. A Limited License may be necessary to cover any use exceeding 5,000 gpd.

I also have concerns about the capacity of the well. The well log (WASC 51351) has an estimated flow rate of 40 gpm with 100% drawdown of the course of 1 hour. This suggests that at this rate, the pump would shut off after an hour. I can't say how long the well would take to recharge so that pumping could continue. It could be minutes or hours. Based on my experience, I would expect this well could sustainably produce roughly 10 gpm. A pump test by a pump installer could verify what the well can sustainably produce.

Feel free to contact me if there are questions. Thank you for the opportunity to comment.

Sincerely,

**Robert Wood**

*Watermaster, District 3*



*Oregon Water Resources Department*

*2705 E 2nd St*

*The Dalles, OR 97058*

*541-506-2652 (Office)*

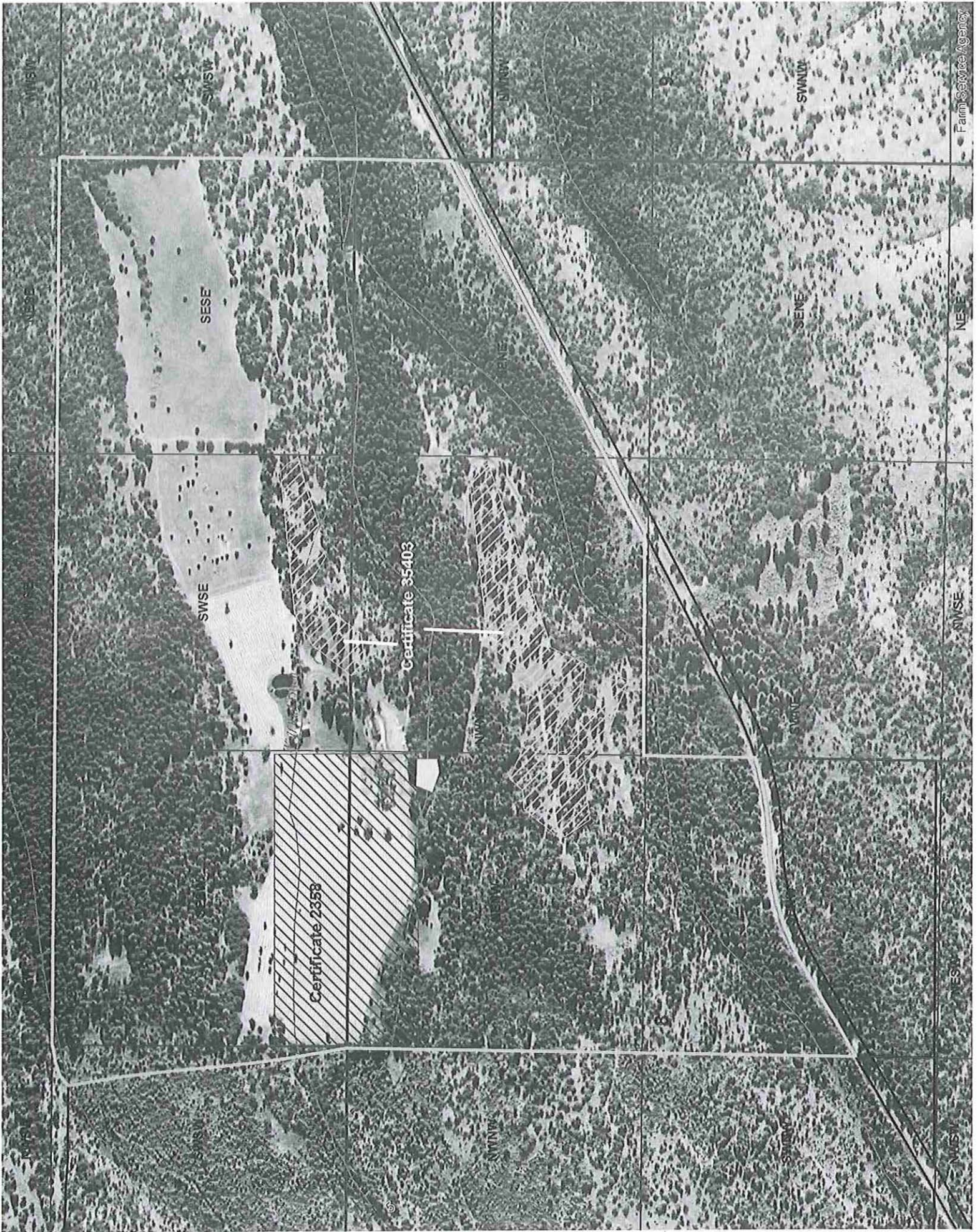
*541-980-3565 (Cell)*

*<http://www.oregon.gov/owrd/>*



**BoydProperty-WolfRunRanch.pdf**  
2628K







## Informational Water Quality Report

### Watercheck w/PO



*Quality Water Analysis*

6571 Wilson Mills Rd  
Cleveland, Ohio 44143  
1-800-458-3330

**Client:**

**Ordered By:**

Wolf Run Ranch  
25 NW 23rd Place, Suite 6-470  
Portland, OR 97210  
ATTN: W. Glen Boyd

**Sample Number:** 835870

**Location:** Wolf Run Ranch, 78889 Dufur  
Valley Road, Dufur, OR 97021

**Type of Water:** Well Water

**Collection Date and Time:** 4/18/2013 12:20

**Received Date and Time:** 4/19/2013 09:55

**Date Completed:** 5/1/2013

### Definition and Legend

This informational water quality report compares the actual test result to national standards as defined in the EPA's Primary and Secondary Drinking Water Regulations.

**Primary Standards:** Are expressed as the maximum contaminant level (MCL) which is the highest level of contaminant that is allowed in drinking water. MCLs are enforceable standards.

**Secondary standards:** Are non-enforceable guidelines regulating contaminants that may cause cosmetic effects (such as skin or tooth discoloration) or aesthetic effects (such as taste, odor, or color) in drinking water. Individual states may choose to adopt them as enforceable standards.

**Action levels:** Are defined in treatment techniques which are required processes intended to reduce the level of a contaminant in drinking water.

**mg/L (ppm):** Unless otherwise indicated, results and standards are expressed as an amount in milligrams per liter or parts per million.

**Minimum Detection Level (MDL):** The lowest level that the laboratory can detect a contaminant.

**ND:** The contaminant was not detected above the minimum detection level.

**NA:** The contaminant was not analyzed.

✓ The contaminant was not detected in the sample above the minimum detection level.

● The contaminant was detected at or above the minimum detection level, but not above the referenced standard.

△ The contaminant was detected above the standard, which is not an EPA enforceable MCL.

⊕ The contaminant was detected above the EPA enforceable MCL.

⊗ These results may be invalid.



Status	Contaminant	Results	Units	National Standards		Min. Detection Level
Microbiologicals						
✓	Total Coliform by P/A	Total Coliform and E.coli were ABSENT in this sample.				
Inorganic Analytes - Metals						
✓	Aluminum	ND	mg/L	0.2	EPA Secondary	0.1
●	Arsenic	0.007	mg/L	0.010	EPA Primary	0.005
✓	Barium	ND	mg/L	2	EPA Primary	0.30
✓	Cadmium	ND	mg/L	0.005	EPA Primary	0.002
●	Calcium	8.5	mg/L	--		2.0
✓	Chromium	ND	mg/L	0.1	EPA Primary	0.010
✓	Copper	ND	mg/L	1.3	EPA Action Level	0.004
✓	Iron	ND	mg/L	0.3	EPA Secondary	0.020
✓	Lead	ND	mg/L	0.015	EPA Action Level	0.002
●	Magnesium	6.80	mg/L	--		0.10
✓	Manganese	ND	mg/L	0.05	EPA Secondary	0.004
✓	Mercury	ND	mg/L	0.002	EPA Primary	0.001
✓	Nickel	ND	mg/L	--		0.020
●	Potassium	2.0	mg/L	--		1.0
✓	Selenium	ND	mg/L	0.05	EPA Primary	0.020
●	Silica	76.7	mg/L	--		0.1
✓	Silver	ND	mg/L	0.100	EPA Secondary	0.002
●	Sodium	8	mg/L	--		1
●	Zinc	0.500	mg/L	5	EPA Secondary	0.004
Physical Factors						
●	Alkalinity (Total as CaCO3)	72	mg/L	--		20
●	Hardness	49	mg/L	100	NTL Internal	10
✓	pH	7.0	pH Units	6.5 to 8.5	EPA Secondary	
●	Total Dissolved Solids	150	mg/L	500	EPA Secondary	20
✓	Turbidity	ND	NTU	1.0	EPA Action Level	0.1

Status	Contaminant	Results	Units	National Standards		Min. Detection Level
Inorganic Analytes - Other						
✓	Chloride	ND	mg/L	250	EPA Secondary	5.0
✓	Fluoride	ND	mg/L	4.0	EPA Primary	0.5
✓	Nitrate as N	ND	mg/L	10	EPA Primary	0.5
✓	Nitrite as N	ND	mg/L	1	EPA Primary	0.5
✓	Ortho Phosphate	ND	mg/L	--		2.0
✓	Sulfate	ND	mg/L	250	EPA Secondary	5.0
Organic Analytes - Trihalomethanes						
✓	Bromodichloromethane	ND	mg/L	--		0.002
✓	Bromoform	ND	mg/L	--		0.004
✓	Chloroform	ND	mg/L	--		0.002
✓	Dibromochloromethane	ND	mg/L	--		0.004
✓	Total THMs	ND	mg/L	0.080	EPA Primary	0.002
Organic Analytes - Volatiles						
✓	1,1,1,2-Tetrachloroethane	ND	mg/L	--		0.002
✓	1,1,1-Trichloroethane	ND	mg/L	0.2	EPA Primary	0.001
✓	1,1,2,2-Tetrachloroethane	ND	mg/L	--		0.002
✓	1,1,2-Trichloroethane	ND	mg/L	0.005	EPA Primary	0.002
✓	1,1-Dichloroethane	ND	mg/L	--		0.002
✓	1,1-Dichloroethene	ND	mg/L	0.007	EPA Primary	0.001
✓	1,1-Dichloropropene	ND	mg/L	--		0.002
✓	1,2,3-Trichlorobenzene	ND	mg/L	--		0.002
✓	1,2,3-Trichloropropane	ND	mg/L	--		0.002
✓	1,2,4-Trichlorobenzene	ND	mg/L	0.07	EPA Primary	0.002
✓	1,2-Dichlorobenzene	ND	mg/L	0.6	EPA Primary	0.001
✓	1,2-Dichloroethane	ND	mg/L	0.005	EPA Primary	0.001
✓	1,2-Dichloropropane	ND	mg/L	0.005	EPA Primary	0.002
✓	1,3-Dichlorobenzene	ND	mg/L	--		0.001

Status	Contaminant	Results	Units	National Standards		Min. Detection Level
✓	1,3-Dichloropropane	ND	mg/L	--		0.002
✓	1,4-Dichlorobenzene	ND	mg/L	0.075	EPA Primary	0.001
✓	2,2-Dichloropropane	ND	mg/L	--		0.002
✓	2-Chlorotoluene	ND	mg/L	--		0.001
✓	4-Chlorotoluene	ND	mg/L	--		0.001
✓	Acetone	ND	mg/L	--		0.01
✓	Benzene	ND	mg/L	0.005	EPA Primary	0.001
✓	Bromobenzene	ND	mg/L	--		0.002
✓	Bromomethane	ND	mg/L	--		0.002
✓	Carbon Tetrachloride	ND	mg/L	0.005	EPA Primary	0.001
✓	Chlorobenzene	ND	mg/L	0.1	EPA Primary	0.001
✓	Chloroethane	ND	mg/L	--		0.002
✓	Chloromethane	ND	mg/L	--		0.002
✓	cis-1,2-Dichloroethene	ND	mg/L	0.07	EPA Primary	0.002
✓	cis-1,3-Dichloropropene	ND	mg/L	--		0.002
✓	DBCP	ND	mg/L	--		0.001
✓	Dibromomethane	ND	mg/L	--		0.002
✓	Dichlorodifluoromethane	ND	mg/L	--		0.002
✓	Dichloromethane	ND	mg/L	0.005	EPA Primary	0.002
✓	EDB	ND	mg/L	--		0.001
✓	Ethylbenzene	ND	mg/L	0.7	EPA Primary	0.001
✓	Methyl Tert Butyl Ether	ND	mg/L	--		0.004
✓	Methyl-Ethyl Ketone	ND	mg/L	--		0.01
✓	Styrene	ND	mg/L	0.1	EPA Primary	0.001
✓	Tetrachloroethene	ND	mg/L	0.005	EPA Primary	0.002
✓	Tetrahydrofuran	ND	mg/L	--		0.01
✓	Toluene	ND	mg/L	1	EPA Primary	0.001
✓	trans-1,2-Dichloroethene	ND	mg/L	0.1	EPA Primary	0.002



Status	Contaminant	Results	Units	National Standards		Min. Detection Level
✓	trans-1,3-Dichloropropene	ND	mg/L	--		0.002
✓	Trichloroethene	ND	mg/L	0.005	EPA Primary	0.001
✓	Trichlorofluoromethane	ND	mg/L	--		0.002
✓	Vinyl Chloride	ND	mg/L	0.002	EPA Primary	0.001
✓	Xylenes (Total)	ND	mg/L	10	EPA Primary	0.001
Organic Analytes - Others						
✓	2,4-D	ND	mg/L	0.07	EPA Primary	0.010
✓	Alachlor	ND	mg/L	0.002	EPA Primary	0.001
✓	Aldrin	ND	mg/L	--		0.002
✓	Atrazine	ND	mg/L	0.003	EPA Primary	0.002
✓	Chlordane	ND	mg/L	0.002	EPA Primary	0.001
✓	Dichloran	ND	mg/L	--		0.002
✓	Dieldrin	ND	mg/L	--		0.001
✓	Endrin	ND	mg/L	0.002	EPA Primary	0.0001
✓	Heptachlor	ND	mg/L	0.0004	EPA Primary	0.0004
✓	Heptachlor Epoxide	ND	mg/L	0.0002	EPA Primary	0.0001
✓	Hexachlorobenzene	ND	mg/L	0.001	EPA Primary	0.0005
✓	Hexachlorocyclopentadiene	ND	mg/L	0.05	EPA Primary	0.001
✓	Lindane	ND	mg/L	0.0002	EPA Primary	0.0002
✓	Methoxychlor	ND	mg/L	0.04	EPA Primary	0.002
✓	Pentachloronitrobenzene	ND	mg/L	--		0.002
✓	Silvex 2,4,5-TP	ND	mg/L	0.05	EPA Primary	0.005
✓	Simazine	ND	mg/L	0.004	EPA Primary	0.002
✓	Total PCBs	ND	mg/L	0.0005	EPA Primary	0.0005
✓	Toxaphene	ND	mg/L	0.003	EPA Primary	0.001
✓	Trifluralin	ND	mg/L	--		0.002

Status	Contaminant	Results	Units	National Standards	Min. Detection Level
--------	-------------	---------	-------	--------------------	----------------------

*We certify that the analyses performed for this report are accurate, and that the laboratory test were conducted by methods approved by the U.S. Environmental Protection Agency or variations of these EPA methods.*

*These test results are intended to be used for informational purposes only and may not be used for regulatory compliance.*

***National Testing Laboratories, Ltd.***

NATIONAL TESTING LABORATORIES, LTD

WASCO COUNTY BOARD OF COMMISSIONERS

Hearing on Wed., May 1, 2013

Regarding the Outdoor Mass Gathering July 25-28, 2013

On Wolf Run Ranch, 78889 Dufur Valley Rd, Dufur Or 97021

I am Kathleen Olson of Dufur, Or. I and my children own the property adjoining the property mentioned above, directly west. I, and I am speaking for my children too, protest the afore mentioned mass gathering, the reasons being:

1. This is right in the middle of fire season, and this year is looking like it could be  
A very dry year. It already is very dry.
2. Where are they going to park all the many vehicles? How can they guarantee an  
Exhaust pipe won't spark a wildfire.
3. If a fire starts my property, and the neighbors, and the National Forest that  
Borders us on the west, east, south, & north will go up in flames very  
Fast because there is so much dry and dead underbrush. If the wind is blow-  
ing, which it pretty much always is around here, it will escape the Wolf Run  
Ranch in seconds and no amount of insurance will pay back the initial invest-  
ment, everything will be gone.
4. Where will all these thousands of people go to the bathroom? Not on the ground  
I hope.
5. How are they going to control the drug use? And the alcohol use? Are they going  
To feed this mob or are they going to turn them loose on the roads to buy  
Food in town?

As stated above I protest this gathering being held on this property, it is zoned F2,  
Sensitive Wildlife Habitat, and no business venture should be allowed.

Kathleen Olson

Dufur, Oregon 97021



MY NAME IS DAVID WEHRLY AND I OWN A SMALL RANCH NEAR THE END OF DUFUR VALLEY ROAD AND THE NATIONAL FOREST. I AM HERE TO STRONGLY OBJECT TO THE GRANTING OF THE FESTIVAL PERMIT

I HAVE OBJECTIONS ON SEVERAL GROUNDS.

FIRST - DUFUR VALLEY ROAD, ALTHOUGH A PAVED COUNTY ROAD IS NOT EQUIPPED TO HANDLE THE VOLUME OF TRAFFIC, EVEN FOR A SHORT PERIOD, THAT IS PROJECTED IN CONNECTION WITH THE PROPOSED FESTIVAL.

A COUPLE OF YEARS BACK, WASCO COUNTY CORRECTLY DENIED A CONSTRUCTION PERMIT TO AZURE FARMS FOR A TRUCK DEPOT ASSOCIATED WITH THEIR BUSINESS ON THE GROUNDS OF THE INABILITY OF THE ROAD TO HANDLE THE TRAFFIC.

IN THE CASE OF THE FESTIVAL, ALTHOUGH ONLY A COUPLE OF DAYS, THE TRAFFIC ASSOCIATED WITH BUILDING, SERVICING AND DISMANTLING THE INFRASTRUCTURE IN ADDITION TO A SIGNIFICANT PORTION OF THE ANTICIPATED 5000 ATTENDEES, WILL CAUSE UNDUE DAMAGE TO THIS RURAL ROAD.

WASCO COUNTY RECENTLY MADE REPAIRS TO SEVERAL MILES OF DUFUR VALLEY ROAD WITH FUNDS FROM THE US FOREST SERVICE BECAUSE OF DAMAGE CAUSED BY THE SEASONAL TIMBER TRUCKS, DUE TO LIMITED FUNDS, ONLY THE VERY WORST TWO SECTIONS WERE REPAIRED AND OTHER SECTIONS ARE STILL IN NEED OF REPAIR. THE ROAD IS NARROW WITH SEEP SHOULDERS PRONE TO DAMAGE.

ALSO, DEER AND ELK HERDS FREQUENTLY CROSS SECTIONS OF THE ROAD ESPECIALLY IN THE SUMMER LOOKING FOR GRAZING, AND SEVERAL ACCIDENTS INVOLVING WILDLIFE HAVE OCCURRED RECENTLY.

SECOND - WE ARE ENTERING ONE OF THE DRIEST SPRING/SUMMER SEASON FOR THE AREA IN A DECADE, THE FOREST AND SURROUNDING AREAS INCLUDING THE RANCHES ARE VERY DRY AND IT IS EXPECTED THAT THINGS WILL ONLY GET WORSE. ALTHOUGH THE FESTIVAL ORGANIZERS ARE PRESENTING A PLAN FOR THE PRESENCE OF FIRE EQUIPMENT AND PERSONNEL, I WILL REMIND YOU, THAT IT WAS ONLY A COUPLE OF YEARS AGO WHEN A 'CONTROLLED BURN' BY THE FOREST SERVICE GOT OUT OF CONTROL, AND THREATENED THE SCOUT CAMP AND OTHER PROPERTIES IN THE AREA. THE BEST INTENTIONS AND PREPARATIONS SHOULD NOT BE TESTED. IF WE ARE EXPERIENCING EXCESSIVELY DRY CONDITIONS NOW, WHAT DO YOU EXPECT BY THE END OF JULY, IT WILL BE A TINDERBOX .

THIRD- THIS IS NOT THE VENUE FOR FESTIVALS OF THIS OR ANY OTHER KIND. WE ARE A RURAL AGRICULTURE COMMUNITY.

IN THE LATE 1980'S, I HAD THE MISFORTUNE TO OWN A PROPERTY IN UPSTATE NEW YORK, ABOUT 10 MILES FROM WOODSTOCK. THE RESIDUAL NEGATIVE IMPACT ON THAT RURAL COMMUNITY, OF A FESTIVAL HELD ALMOST TWO DECADES EARLIER WAS STILL BEING FELT.

WITH RESPECT TO SUCH IMPACT, LET ME REMIND YOU THAT THE PROPOSED SITE OF THIS FESTIVAL IS IN THE EXACT SAME AREA AS WAS THE

LOCATION OF THE RAJNEESHEE CULT. WHICH WAS ACTUALLY ON  
PROPERTY IMMEDIATELY ADJACENT TO MINE.

I BELIEVE THAT THIS AREA HAS HAD IT'S EXPERIENCE WITH GATHERINGS,  
NOT TO MENTION THE 1984 BOMB THREAT ON THE WASCO COUNTY COURT  
HOUSE BY THAT CULT.

WHILE I AM NOT EQUATING THIS FESTIVAL WITH A CULT, I AM CONCERNED  
ABOUT THE EFFECT THE LEGAL AVAILABILITY OF MARIJUANA JUST ACROSS  
THE RIVER IN WASHINGTON MAY REPRESENT TO THE ACTIVITY.

I BELIEVE THAT A MORE APPROPRIATE VENUE, ALREADY PREPARED AND  
EXPERIENCED IN HOSTING SUCH A FESTIVAL SHOULD BE DEVELOPED BY  
THE SPONSORS AND THAT A PERMIT NOT BE GRANTED.

THANK YOU.