

OREGON EARTHQUAKE AWARENESS™

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"WE HAVE NOTHING TO FEAR BUT SHEAR ITSELF"™

March 08, 2013

Governor John A. Kitzhaber
State Capitol Building
900 Court Street NE
Salem, Oregon 97310-0722

Re: Petition for the removal of Kent Yu (Chair) and Jay Wilson (Vice Chair) from the Oregon Seismic Safety Policy Advisory Commission (OSSPAC) – for persistent and willful behavior against the public good.

Dear Governor Kitzhaber,

This is formal Petition for the removal of Kent Yu (Chair) and Jay Wilson (Vice Chair) from the Oregon Seismic Safety Policy Advisory Commission – for their *persistent* and *deliberately willful* behavior against the Public Good.

Specifically, these two individuals *in particular* (with seeming endorsement by the remaining members of their Seismic Safety Policy Advisory Commission – including two *legislators*) have *deliberately* totally ignored the *safeguards* promised to the public under the Oregon Public Records and Public Meetings Law (ORS Chpt. 192 – Records; Public Reports and Meetings: ORS 192.001 – 192.505 and ORS 192.610 – 192.710 /

http://www.doj.state.or.us/public_records/pages/index.aspx)

Even *The Oregonian*, the Portland metropolitan's largest newspaper, *had* to invoke the Oregon Public Records Law (through petition to the Attorney General - ORS 192.450) *in order* to obtain a timely "copy" of said Commission's draft report: **The Oregon Resilience Plan** – *in fact*, a Public Record at *all stages* of its development and construction; and just released to the Legislature last Feb. 28, 2013!

The Oregonian's published story: **Cascadia earthquake, tsunami could cost Oregon economy 32 billion**

(http://www.oregonlive.com/business/index.ssf/2013/02/cascadia_earthquake_and_tsunami.html) appeared in print Monday Feb. 04, 2013, one full day *before* the Seismic Safety Commission discussed and then formally adopted its **Oregon Resilience Plan** at a special meeting held in Portland.

And while the Public Meetings Law specifically affords the public the right to (a) both be made aware of; and (b) also attend *if so desired* -- all scheduled Seismic Safety Policy Advisory Commission meetings (as well as all Advisory Committee and Task Groups) where two or more members are so convened – both of these *basic rights* and *tenets* of responsible Oregon government

charge were (*time-after-time-after-time*) deliberately and willfully disregarded. Even “minutes” of all these supposed public meetings (but now subverted as clandestine and secret gatherings) were evidently *never* taken and recorded – and were certainly never made *available* to requests by interested parties.

This sad state of affairs occurred despite Vice Chair’s Jay Wilson’s *promise* at the **Resilience Planning Kickoff Workshop**, Portland, January 26, 2012 -- that “all meetings would be public meetings under the Public Meetings Law.” And also - even the *personal assurance* and commitment of Brigadier General Mike Caldwell, then directing Oregon Office of Emergency Management (which provides staffing and support to OSSPAC; and which is also administratively *under* the umbrella of the Oregon Military Department) – was made to me at that kickoff meeting: *that* the Oregon Public Meetings Law would be followed!

While the so-called **Oregon Resilience Plan**, a 50 year roadmap for feeling *less* guilty, I suppose, for squandering the past 24 years since the 1989 Loma Prieta (World Series) Earthquake woke everybody up here in the Pacific Northwest that we had, *in fact*, a real and menacing M 9 earthquake problem from the Cascadia subduction zone; has *many* valid criticisms and shortcomings – none are more *serious* than this systemic and fatal weakening of what was *heretofore* regarded as the Oregon form of government (committed to public involvement): than this *willful* and *deliberate* disregard and abandonment of the Oregon Public Records and Public Meetings Law!

In closing I remind you that the upgrade in Oregon’s coastal seismic building code (Oct. 1, 1998) to a *higher* standard (Seismic Zone 4 of the 1997 Uniform Building Code) to protect residents from the long duration shaking of M 9 Cascadia subduction zone events *was* accomplished by “the public” during your first administration (1994 – 1998); during *which* time the public was afforded the full opportunities and transparencies of the Oregon Public Records and Public Meetings Law! That one building code change *very importantly* affected (through greater public safety and improved assurance of emergency operation capability) both the remodeling and *expansion* of Bay Area Hospital in Coos Bay, a recognized *leader* in cancer treatment technology.

Simply stated, this present affront to both *that* legacy . . . as well as to *future* opportunities for meaningful and effective *public* participation, access and also *leadership* in addressing forthrightly Oregon’s real earthquake vulnerabilities and deficiencies – well, . . . *it simply must not stand!*

Respectfully submitted,

James Bela

James Bela
President and Founder.
Oregon Earthquake Awareness

Oregon Earthquake Awareness™ / The Quake Northwest™
"We Have Nothing to Fear But Shear Itself" / "We're All Subducting In This Together"
“It takes everyone getting together in *cahoots!* – Dennis Mileti

"Do not look *back* in anger, or *forward* in fear, but *around* in awareness." -- James Thurber