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March 15, 2021

Senate Natural Resources and Wildfire Recovery
Oregon State Legislature - Salem, Oregon

Re: Power line Ignitions & the Labor Day Fires

Dear Chair Golden and Members of the Committee:

Let me begin by saying that while I am an attorney, I do not represent any people in the canyon. I am not counsel on any of the lawsuits involving the victims of the fires.



I want to make sense of the 2020 wildfires and be part of finding solutions to keep our homes and communities safe from future fires. I want to see policies adopted that prevent power lines from igniting Oregon in the future. I want to see Oregon adopt what California has in place before our next fire season.

Soon after the fires burned through the Santiam Canyon, I entered the area with my close friends who lived in Gates Oregon. We discovered their homes burned to the ground.

The first thing I noticed on the way in was the burned out hulks of equipment just off Gates School Road. I asked my friends' neighbor - who is a local firefighter - what happened? He said a power line went down and ignited a cyclone fence, and burned up the fire camp.

The second thing I noticed was how many green trees were all around the community. Yes, there were some dead trees, but these were mostly near homes that had burned. The Beachie Fire was more than 16 miles away to the north and east from Gates when power lines ignited fires in the canyon.

Since that time, I have returned over a dozen times to visit with volunteer firefighters, the former acting Mayor John McCormick, the mayor Ron Carmichel and local residents. I have also interviewed numerous people on the phone. I have gathered videos, images, the 911 audio, Metcom reports, police and fire dispatch reports and talked with experts to understand what happened in the Santiam Canyon.

Advance Warnings. At least three days prior to the fires in the Santiam Canyon, the experts repeatedly warned of a historic east wind and extremely critical fire weather. Red Flag warnings were given, and the warnings were increased over time. These events were predicted and foreseeable.

Fires in Washington. Over 15 hours before Oregon was on fire, the Pearl Hill fire burned in Eastern Washington. About 6 hours before a power line ignited fires that burned Malden, Washington.

PGE Took Action; PacifiCorp Chose Not to Act. In the Santiam Canyon, local residents saw transformers exploding, power lines arcing and catching trees on fire, and there were multiple power line ignitions throughout the Canyon. In the Mt. Hood, PGE shut the power off, and there were no ignitions.

Power line Ignitions in the Canyon. Around 6:45 pm, local fire departments were called to Lyons Oregon as a fire ignited on Fir Grove Lane. Subsequently fires were ignited in other locations in Lyons, Mill City, Gates, Niagara and along Hwy 22 quickly overwhelming the canyon. Around 10 pm, the camp at the Gates School occupied by federal firefighters was overtaken by power line ignitions.

Power Not Shut Off for Hours. By the time people in Gates called for help, local resources were unavailable and people were told to evacuate. The dispatch audio confirms that hours went by and PacifiCorp did shut the power off, hampering firefighters, leading to more ignitions and more loss.

Power line Ignitions in other Oregon Fires. I have learned that the likely ignition sources for the Holiday Farm Fire, the Archie Creek Fire, the Slater Fire, the Echo Mountain Complex were power lines. Combined the acreage of these fires and the Santiam-Beachie fires is over 650,000 acres.

The legislation you have proposed contains recommendation from the 2019 Oregon Wildfire Council, before the 2020 Wildfire events. I submit that the draft legislation does not take into account the events of 2020, and the lessons we can learn from them.

What California Requires. California has been through this before, and it has adopted policies to prevent and address power line ignitions. I urge you to adopt what California has required:

- California requires utilities to report power line sparked fire within 24 hours
- California requires utilities to preserve evidence of those power line ignitions
- California utilities implement public safety power shutoffs in Red Flag, low humidity or other dangerous conditions.

The draft legislation appears to require a plan which is then approved by the state. The details of what will be required is not set forth. I am concerned this will lead to inadequate self-regulation. I am concerned this will be passing the responsibility to the state.

The legislation does not specify that incidents be reported, that evidence be retained or that public power shut offs occur. Will Oregon's approval absolve the power companies if they follow the plan but that plan does not require them to shut off the power and more Oregon communities burn down?

Oregonians need legislation that ensures that this never happens again. Oregonians need legislation that requires utilities to shut the power down in high wind events. Utilities must be required to report incidents so that they take their responsibility seriously.

To aid your understanding, I provide some of the evidence I gathered. Thank you for your time.

Sincerely,



Ralph Bloemers
Crag Law Center



Summary of Events before and after Labor Day Fires in Santiam Canyon

Weather warnings and increased activity at Beachie Creek.

- 9/4 Fire Weather Watch issued - Beachie Creek 200 acres, 45 personnel.
- 9/5 Warning of Extreme Fire Behavior - Beachie Creek 379 acres, 54 personnel
- 9/6 Potential Historic East Wind, Critical Fire Weather predicted.
Beachie Creek 425 acres, 153 personnel, 4 helicopters
- 9/7 Extremely Critical Fire Weather Warning.
Beachie Creek 513 acres, 237 personnel, 4 helicopters (A. Jacobson video)

Labor Day September 7th.

- Morning Cold front passes through eastern Washington. Pearl Hill fire ignites and grows to 100,000 acres in 24 hours. Malden fire ignites, destroys 121 homes, runs 13 miles in 3 hours.
- ~4 pm Beachie Creek grows - Heat map, Gates Residents report seeing the plume grow and sky change.
- 6:50 pm Linda Williams in Lyons Oregon power pole ignition. (Video, 911 call)
- 7 pm First fire in Lyons area in Fir Grove Lane more than 22 miles from Beachie Fire, likely caused by power line, and most of valley's fire resources respond. Gates Fire Tender responds. (~20:24 fire dispatch audio lists off resources)
- 7:15 pm PGE shuts off power Mt. Hood corridor.
- 7:30 pm Consumer Power shuts off power in North Fork Santiam canyon.
Pacific Power kept power on in Gates, Mill City and Lyons. (Multiple sources)
- 8:30 pm Holiday Farm fire starts in McKenzie Valley (Investigation - downed powerlines.)
- 8:42 pm Mike Schaer documents powerline fire (Gates Fire: M. Schafer, D. Benjamin)
- 9 pm Three powerline flashes. (Greenway Resident, confirmed scar on Highway 22)
- 9:15 pm Potato Hill fire (M. Schaer, D. Benjamin, A. Jacobson, others)
- 10 pm Gates School fire caused by power line failure. Fire units diverted from responding to Potato Hill. (T. Meyer 911 call, still of fire, A. Jacobson video of fire engines responding, D. Benjamin confirmed he left Potato Hill for school)
- 10 pm + Condition get worse at J. Clough's. Gates FD leaves, unsafe for only 2 firefighters. With adequate resources more could have been saved. J. Clough personally saves 4 of his 5 buildings.

- 10:15+ More power failures in Gates. (Confirmed by B. Edge, D. Edge)
- 11:30 pm More power failures in Gates (J. McCormick, T. McCormick 911 call, D. Edge hears explosions – power goes out)

Fire Suppression System overwhelmed.

Numerous 911 calls regarding downed power lines and new fires.

Lack of resources, fire closing in on evacuation route.

(911 audio, D. Benjamin said not enough resources available)

Evacuation, Mill City & Gates burning along Highway 22.

(D. Benjamin, video taken from cars fleeing)

Did Pacific Power ever turn off the power system in the valley?

(A. Jacobson video shows lights on 10 am on 9/8)