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SPECIAL REPORT

Why was water delayed for Thirtymile crew?

ESA issues may have been among reasons

by Lee Hicks

Among a set of factors that may have contributed to the deaths of four firefighters in the Thirtymile Fire is the possibility that water from the Chewuch River was delayed as the result of endangered fish policies.

This may have been one of many variables that contributed to the tragic blaze, according to new information from sworn affidavits, dispatch logs, media reports and interviews with Forest Service managers.

The various issues give the 17-person national investigative team a considerable challenge, in a volatile political atmosphere, to find the causes and suggest measures to prevent future disasters.

With new details, it appears that the Forest Service crew on the blaze expected a helicopter to drop water as early as 10 a. m. July 10. The chopper was requested at 5:30 a. m. by a hot shot crew that had worked the blaze since soon after midnight, according to dispatch logs.

By the time the helicopter was permitted to dip water from the river, the fire was showing signs of a sleeping giant in timber already sucked dry by this year's drought as temperatures neared 100 with low humidity.

In less than two hours after the helicopter eventually entered the fire fray, a crew of 21 firefighters was split by tongues of flames across the only road into the upper Chewuch basin. In minutes after that a "blowup" sent smoke more than 20,000 feet as the fire created its own erratic and deadly weather pattern.

Much information must await the report of the investigators.

But it now appears, from various official sources and interviews with survivors, that the blaze became troublesome, possibly spreading beyond a mop up operation, some time in the early afternoon of July 10.

Besides possible delays because of fish policies, the team probing the tragedy must also focus on a number of other factors. These could include the quality of communication between ground crews and fire managers and whether at some point a more aggressive approach with greater resources, of personnel and equipment, could have blunted the blaze that eventually scorched nearly 9,500 acres into the Pasayten Wilderness.

Making the situation all the more daunting for fire managers was the need to balance resources between the highly-active South Libby Creek Fire that had threatened homes and remained only partially contained.

The Thirtymile Fire, which officials say started from an unattended campfire the previous weekend, erupted in late afternoon. Some time near 5:30 p. m. the fire swept over 14 firefighters and two campers who had taken shelter in heat-shielding tents as flames churned up the narrow canyon.

The firestorm had leaped the road, then roared through their "safe zone" in a clearing on the road and upslope boulders. Left in its wake were the four who perished from inhaling superheated air, another seriously burned and several others requiring medical treatment.

AFFIDAVITS PINPOINT DELAYS

Among new information are sworn affidavits by persons who were listening to radio dispatches from the Forest Service's Okanogan dispatch center. The News has compared that information with dispatch logs for the first 44 hours of the fire

that were posted on the Thirtymile fire web site after the fatalities, information from the Forest Service spokesmen and recently-published newspaper interviews of fire crew survivors.

The affidavits were given by two people familiar with Forest Service firefighting procedures. One of them was identified as a former agency employee. Both affidavits were provided to the News in confidence.

The affidavits essentially make the same statement regarding a radio request to use water from the Chewuch River:

They say that some time from 1:30 to 2:00 p. m., a request came from an airborne unit for permission to take water in buckets from the Chewuch River to drop on the fire.

As stated in one affidavit:

"I heard the Okanogan dispatch deny permission to take water from the Chewuch River because it is a 'protected stream' for salmon." (quotes added by the person making the statement) "I am aware of such a written policy that the Forest Service follows in fire management," the statement continues.

The person also states:

"I heard the Forest Service dispatchers respond that they did not yet have clearance to use Chewuch River water for fire fighting and they had to deny permission for the heli-attack crews...."

Both persons say in their affidavits that they understood dispatchers were trying to obtain authorization to withdraw water from the Chewuch to comply with endangered fish policy

One of the affidavits concludes:

"It is my intent that this statement not be used to criticize the actions of any particular Forest Service employee, but to review a...policy that stands in the way of safe and effective fire fighting."

It is not known whether the availability of water in relation to fish protection is a focus of the official Forest Service investigation. But a comparison of Forest Service wildfire suppression policy with fish protection documents that grew

out of the 1994 Northwest Forest Plan would indicate the policies have the potential to create uncertainty in critical firefighting situations.

Simply put: Forest Service wildland fire management policy calls for managers to, "provide first for firefighter and public safety," according to an "action item" in a 2001 review of the 1995 policy.

"Once people are committed to an incident, those resources become the highest value to be protected and receive the highest management considerations," it reads.

But the 1995 Forest Service "record of decision" for inland and anadromous fish impacts, which grew out of the 1994 forest plan, mandate "primary" consideration to fish and fish habitat in fire suppression methods.

The "INFISH" and "PACFISH" rules establish procedures for setting up camps and battling fires near streams, or riparian areas. They also require a review, by "resource advisors" of measures such as withdrawing water from streams to fight fires, or dropping chemical retardant.

Although the fire retardant, or "slurry," is 85 percent water, it also contains 10 percent fertilizer (ammonia phosphate and sulfate ions), and five percent minor ingredients, such as iron oxide for color, clay or bentonite, according to the National Interagency Fire Center in Boise.

Exemptions to the fish protection rules "may be granted following a review and recommendation by a "resource advisor."

In a critical firefighting situation, the rules would seem to create a layer of decision-making that potentially could put firefighters at risk.

In what could be an unfortunate coincidence, and perhaps result in even more speculation, audio tapes of the fire dispatch are not available, according to a Forest Service manager. More complete dispatch logs, but not verbatim voice transcripts, have been sealed by investigators.

The dispatch office's audio tape system had not been connected after a relocation of the Okanogan offices in late

June, according to Jan Flatten, environmental coordinator for the Wenatchee-Okanogan National Forest.

HELICOPTER REQUESTED IN EARLY MORNING

Early Tuesday evening (July 31), Flatten responded to a series of questions from the News.

From that information, and other sources developed by the News in the past week, it appears that critical questions evolve around the role of the helicopter in fighting the Thirtymile Fire.

The following chronology addresses a sequence of events, including when a helicopter was requested, and expected, to help battle the fire, and the possible delays in its arrival at blaze:

--An Entiat Hot Shot crew that fought the fire from just after midnight had requested a helicopter to drop water at 5:30 a. m.

--The helicopter and crew expected to work the fire left Wenatchee's Pangborn field at 10 a. m., arriving about 10:30 at the North Cascades Smokejumper base.

--A crew boss trainee, in his sixth year of firefighting, apparently thought the helicopter would be available at 10 a.m., after he arrived with a crew of 20 others about 9 a. m. to replace the hot shot crews. At that time the several small fires and a larger one of less than an acre were considered in the "mop up" state.

--Helicopter crews, in communication with dispatchers, awaited a formal request from the on-site fire commander, which Flatten said Tuesday (July 31) is Forest Service firefighting policy.

--At 12:08 p. m., a crew boss requested the helicopter. By noon the crew had also asked that the hot shot crew return to the fire, possibly indicating it was becoming more troublesome.

--The helicopter request set in motion a review of Forest Service policies for protecting endangered or threatened fish. The Chewuch River is habitat for spring chinook salmon, steelhead trout and bull trout--all listed under the federal

Endangered Species Act. There was the possibility a helicopter bucket dipping into the river could trap fish.

--Immediately after the request, dispatchers attempted to reach Methow district managers to get permission for the helicopter to withdraw from the Chewuch.

--At 2:00 p.m., dispatchers called Elton Thomas, the fire manager for the Wenatchee-Okanogan forest. The phone was picked up by Pete Soderquist, the district fire manager, who was meeting with Thomas, Methow district ranger John Newcom and John Rohrer, the district biologist, to discuss fish protection issues and the fire.

According to Flatten, "they immediately conferred and said 'go ahead and do it (send the helicopter)'. When (the dispatchers) reached the people they needed to talk to there was no delay at all."

At 2:17, logs show the helicopter, identified as "13 November," left the smokejumper base and at 2:38 took off with a bucket from the Eightmile Ranch

Of the endangered species issues, Flatten said,

"I don't think we'll ever know whether that (endangered fish policy) made a difference or not."

But that and other questions now remain: Was the delay in sending a helicopter, first expressed by the expert "hot shot" crew, and the eventual permission to withdraw water more than eight hours later the result of endangered fish issues, a breakdowns in communications, or an underestimation of the fire's potential. Was it a combination of those or other possible reasons? Or was it a catastrophe that can develop in the dangerous and uncertain calculus of fighting fires?

In Flatten's words:

"Everybody has a little piece of the picture. It's the business of the investigation team to figure out what happened, why it happened and what we can do different the next time."

Although a national news organization has apparently obtained more detailed dispatch logs, Flatten said the Forest Service would not release that information except if required to

under a Freedom of Information Act (FOIA) request.

There are a number of FOIA petitions already filed with her office, and they have been bumped up to Forest Service legal counsel and others in the nation's capital.

CREW EXPECTED CHOPPER EARLY

In recent published reports, crew boss trainee Pete Kampen of Leavenworth said he expected the helicopter as early as 10 a. m. July 10, about an hour after his type 2 crew of Forest Service regulars arrived. They relieved a team of expert "hot shots" that had been working several small fires in the area overnight.

The News has been unable to reach Kampen by phone. An information officer at the Leavenworth Ranger District where Kampen is assigned said Tuesday that the firefighter was "debriefing" his fellow crew members. Kampen had decided not to continue with media interviews, according to information officer Mick Mueller.

Kampen's crew was at the fire site at 9:04 a. m. July 10, a time verified by dispatch logs. There was a blaze of about a quarter acre along with a half dozen or so spot fires, some only a few feet across.

Kampen was quoted in the *Wenatchee World* as saying he believed, "our best tactic was to get water on it right away."

After assessing the fire situation, Kampen and his squad bosses began working on the fire line about 10:22 a.m., he told interviewers.

The "hot shot" crew "bedded down" at a campground two miles from the road at 11:52 a. m., the dispatch log reads.

The Seattle Times reported in its Sunday edition that "around noon," Kampen radioed from the road, the only place he could get a clear signal, to ask about the helicopter and request that the hot shots return.

At that point, he reportedly declined a water drop from a fixed wing craft, saying the canyon was too tight and temperatures too hot for the 300 gallon drop. Kampen decided to wait for the helicopter, the *Times* reported.

At 12:52 p. m. the hot shots returned according to the dispatch log.

At 2:17 p. m., the log shows the helicopter en route and at 2:31 p.m., an "engine responding."

Three air tankers responded to the fire at 2:54 p. m.: crews retreated to the road for safety at 3:58 p.m.; the tankers were diverted to the South Libby Creek fire at 4:18 p.m.

At 5:24 p. m. is the log entry reads "Forest Service regulars sheltered."

At 5:25 p. m., are the ominous log entries: "accident investigation team ordered; national incident management team mobilized; wildland fire situation analysis (WFSA) completed."

Monday evening (July 30), Paul Hart, public affairs manager of the Wenatchee-Okanogan National Forest provided more details on air tankers that dropped retardant on the Thirtymile Fire.

Hart said the more detailed logs, which he would not release, show that air tankers dropped retardant about 3:30 and 3:45.

The helicopter was working from about 2:45 to 7:00 o'clock, Hart added, explaining it probably continued to work the blaze after the fatalities. Ground crews, however, did not return to the fire until July 12 after a national interagency type 1 team took over management of the incident.

How large and aggressive the fire was before the blowup is another question that may have to be resolved by the investigators report.

As for endangered fish policies, Hart said:

"It's a consideration in any suppression that (takes place) over a period of time. For an initial attack, they're supposed to be able to go ahead and use what they can use at the time...This, of course, wasn't an initial attack."

Earlier Monday (July 30) Ron DeHart, a Forest Service spokesman for the Thirtymile investigation, said officials did not plan to release additional information until the

investigation is complete, probably "several weeks" from now.

But the discussion has already made it to the floor of Congress. Colorado Rep. Scott McInnis, R-Colo. has said he wants to know if the endangered species policy played a role in the fatalities.

Fish funding a difficult journey

Wenatchee meeting begins new "province" review

by Lee Hicks

The four-state council charged with reviewing fish recovery funding wants to bring more credibility to the process by focusing on specific issues in 62 sub-basins, including the Methow Valley.

But migrating through layers of overlapping reviews by various entities will be an upstream struggle, as endangered fish issues remain at the top of the Northwest resource agenda.

At the end of the journey, Bonneville Power Administration will continue to decide which proposals live or die.

The Northwest Power Planning Council met in Wenatchee Tuesday (July 31) to begin pulling together information for the Methow and five other upper Columbia River sub-basins in the "Columbia Cascade" province.

Established by the 1980 Northwest Power Act, the power council is charged with reviewing and recommending fish and wildlife projects to BPA that would offset impacts of 28 federal dams. BPA markets the power of those facilities. Power council members are gubernatorial appointees from Washington, Oregon, Idaho and Montana.

But the funding review maze also includes the Columbia Basin Fish and Wildlife Authority and two "independent" groups, the Independent Scientific Advisory Board and Independent Scientific Review Panel.

The CBFWA is made up of state fish and wildlife agencies, 13 tribes and National Marine Fisheries Service and U. S. Fish and Wildlife Service, the federal agencies that list fish under the Endangered Species Act. Making decisions by consensus, the group helps assure "comprehensive planning and implementation" of the power council's fish and wildlife program.

The ISAB assesses council programs and advises on research and policy. At the direction of NMFS, it reviews scientific and technical issues related to all life cycles

of migrating fish. The ISRP reviews individual funding proposals.

NMFS is also the agency that issued the "biological opinion" for dam operations on the Columbia-Snake river systems. As such, the agency decides which projects qualify for "credits" to comply with fish recovery mandates in the opinion.

The annual BPA funding of Columbia Basin fish and wildlife projects is about \$127 million, making it the region's single most important public source of dollars for salmon and other endangered species recovery.

With the Wenatchee meeting, the power council kicked off development of "sub-basin summaries." The drafts would integrate existing research as well as past and ongoing fish-related efforts.

Likely to play an important part in that effort is the Upper Columbia Salmon Recovery Board, which includes state, county, local and tribal organizations. It is chaired by Joe Peone of the Colville Tribes, which is also represented on the Methow Basin Watershed Planning Unit.

An overview of the Wenatchee meeting called it an early step to place fish projects "in the context of the sub-basin in which...they are located." A team will draft the summaries, which will then become the foundation for sub-basin "work plans."

Before the session got underway, a council official acknowledged that review procedures initiated several years ago, and more recently, may have complicated fish and wildlife funding.

Some changes were intended to provide better analysis by having independent scientific panels review project proposals.

John Harrison, a NWPPC public affairs manager, said the council is, "in a transition from the way we used to do things and the way we are going to do things."

At one time, Harrison explained, the power council had more than 400 project applications for consideration in one group. The council would review them and pass all recommendations along to the BPA for a final decision.

The council has since established the independent scientific review panel and the "provincial" review process.

"It sounds like spin but we're trying to make this whole process more credible, but by doing this we're making it more complex. I wouldn't go so far as to say we've created a monster. But it has been complicated," Harrison said.

Now, various fish funding applicants, from state and local governments to tribes and non-profit organizations, can submit proposals in several cycles. If they are turned down, the project sponsors might re-submit applications with new information in other funding rounds.

Several Methow sub-basin applications illustrate the process.

As one example, the Trust for Public Land and Washington Department of Fish and Wildlife applied to the power council in the fall of 1999 for \$3.75 million to purchase conservation easements at the former Arrowleaf resort site.

The project was turned down, just before TPL bought the property from a developer who had canceled resort plans. But in May of this year, the project was recommended for funding by the council in another cycle. It survived a review by BPA—which reduced the amount to \$2.5 million.

The Arrowleaf proposal was then re-submitted, this time for \$1.25 million, to make up for BPA's reduction in the power council's review for "emergency" funding to offset impacts of dam operations in the drought.

But the power council did not recommend funding, and was upheld by BPA, which also agreed with council recommendations to provide \$50,000 for a habitat project in the Wolf Creek drainage and \$250,000 for fish screens on several Methow ditches.

BPA also agreed with the council's recommendation not to fund a \$2.3 million proposal for habitat acquisition by the Methow Conservancy.

But both the Arrowleaf and Conservancy projects could be submitted again for funding, Harrison noted.

Whatever the power council's recommendations, however, BPA has the final word on which projects are funded.

And in the recent cycle of emergency funding, BPA sliced the council's recommendations from projects totaling about \$21 million to just \$10 million.

The BPA decision, announced July 12, apparently caught the power council by surprise. The council had asked sponsors of some projects to provide additional information by July 12, after its June 26 recommendations were released.

In effect, BPA preempted that process by announcing its funding decisions. The agency's deputy fish and wildlife manager, Bob Austin, said then that BPA did not approve land acquisitions, such as the TPL Arrowleaf proposal. Instead BPA said land purchases should be part of the council's provincial review process rather than an emergency project.

Nevertheless, Harrison said the power council will continue to reassess the additional information provided by sponsors of the emergency projects.

"We are going to go ahead with this 're-review,'" Harrison said.

In another meeting in Polson, Mont., Aug. 6-8, the power planning council could "turn around and announce some of these projects (those not on the BPA list) for

funding."

He added: "It's hard for me to follow this, and I work here."

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