

Lower Deschutes IIT Meeting

Date & Time: February 7, 2020 10 am – 1 pm

Location: Deschutes Utility Building

Eisenhower Conference Room (take 2nd door on right and head straight to conference room)

62975 Boyd Acres Road

Bend, Oregon 97703

Conference Line: 425-436-6353

Participant: 641466#

10:08 AM In attendance: Brad Houslet (CTWS); David Spangler (OPRD); Jeff Kitchens (BLM); Josh Mulhollem (OSMB); Larry Warren (OSMB); Mary Fleischmann (Facilitator); Dan Son (Sherman County); Bruce Willhite (Public sector); Adam Shimer (OSP); Dru Johnson (BLM); Brian Sykes (Oregon Rafting); Nathan Van Amburg (Nates Rogue Adventure) : By PHONE: Brian Cunninghame (CTWS); Scott Hege (Local Govt.); Rod French (ODFW); Andrew Vanderwerf (OSP)

10:10AM Review/Additions/Approval of Meeting Agenda- a couple of additions to agenda, as noted below. Motion to approve minutes from October 11, 2019 meeting. Motion made by Larry and second by Brad. Motion passed.

10:15AM Old Business

- FUP subcommittee – Scott reported out that the meeting will be happening one of these days. Jeff and Scott will get together for a date for a First meeting. They currently need to create an agenda to present at that meeting which will include history of the formally titled “annual pass”, what it is and concerns around the FUP. At this time there are 7 people who have let Scott know they have an interest in this issue. First meeting hopefully will be within the next several weeks. Brian volunteered to

work on information regarding the history of the “annual pass” to help Scott get the right information.

- Process for necessary NEPA launch maintenance: How do we do emergency repairs to boat ramps that are damaged by flooding? Jeff reported out that FLPMA (Federal Land Management Policy Act) and NEPA (National Environmental Policy Act) states that maintenance can be done in an emergency to improve river access. This could be a “categorical exclusion” and work has to be done quickly but it has to be basic needs such as putting down gravel as long as it doesn’t touch the water or create disturbances. There can be no impacts. Sandy Beach and Harpham have been looked at but there needs to be one more look for cultural features. Because ramp is already in the plan, it makes it easier to do maintenance. There is the ability to work on these ramps under emergency situations. Jeff shared that BLM needs to work with the Tribes or have some form of an agreement that it is okay to do this maintenance work. BLM has the easements but need authorization from the Tribes. Question brought up about on- site maintenance, which is these sites are in the RMP, so there should not be any concerns. Question regarding if there is a need to get something in writing regarding authorization. Suggestion was made to have Brad talk with Bobby B for clarification or refresh any previous agreements that have been made. Jeff and Brad will get together on this. Jeff mentioned that toilet replacements went through on an interagency agreement.
- Possible updates regarding The Dalles Rod and Gun Club- No updates or new news.
- Jeff – Limited entry – finalizing last review- Jeff and Brian worked on final rewrites and it is ready to go. Jeff will send to Mary to send out to group. The

White paper is a summary with the history as it relates to limited entry. It is a snapshot in time and will need to be looked at regularly. Should be updated every year or as needed for accurate information. Suggestion is for it to be brought up in fall meetings for review.

- Jeff: Plan to discuss shuttles and public driving safety. Looking for possible options to mitigate some unsafe behavior. Jeff has already reached out to Shuttle Companies. – Jeff shared there has been a history of this issue for the past couple of years. It appears primarily in the Trout Creek area as well as through- out the river corridor. There have been assumptions made that it's the shuttle drivers but Jeff doesn't think that is necessarily the case. Last year BLM experienced one near miss at Trout Creek with staff being run off the road almost having a head on. There was another similar incident reported. Jeff invited all shuttle companies to a meeting of which only one company showed up. BLM's plan at this point is to reach out to commercial operators and shuttle companies to see how to mitigate the speeding issues. They are also looking at having more of a law enforcement presence as a deterrent. BLM plans to move this along. At this point shuttle companies are pointing their fingers at each other. Plans for now are to ask what can BLM do better as far as signage, etc.; when does it make sense for more law enforcement to be present and how can they work with shuttle companies for better identification (laminated sheets of paper with company info that can be placed on dash of shuttled, private vehicles). Jeff thinks they may find out that in fact is more private drivers creating the problem. Some shuttle companies are on board with the proposal for better identification.

- Question regarding guides name on permits that are used within 24 hour time period. Jeff shared that this was approved at last meeting and will begin in the 2020 season. BLM is able to check on when these passes get used, there are check and balances. The information is also in the guidelines and stipulations for outfitter/guides.
- Brian: What is plan and schedule for upgrades at Buck Hollow and Pine Tree, this was agreed to as a priority with completion of Segment 3 plan amendment.
- Brian – at Managers summer tour there was a discussion of what to do with illegal launch ramp upstream from Harpham Flat. Tribes recommend closure and doing restoration. Need to review and discuss and make formal recommendation to Managers. Brian brought up need for immediate improvements. Wanted to know if adequate NEPA has been done for improving and stabilizing the road into Buck Hollow as well as the grade at Pine Tree. He wanted to know what work has been done, what needs to be done?

Jeff shared that the grades are bad and grading has been done. The work is covered in a general way but not in EA. There has been no specific engineering plans done. There has been a hand shake agreement with BLM and Tribes regarding improvements. They need to look at long term plan. Jeff has surveyed the site and analysis work is being planned. At this time there is no NEPA and so there has just been maintenance and additional signage. Jeff will go back and assess and see what can be done and if NEPA will be needed.

Some things do not require NEPA since this is a designated launch and take out site. Longer term work may require NEPA. Further discussion regarding improvements at Nina, Long Bend and

Wapinitia. There needs to be a comprehensive look at those areas to come up with a plan as well as NEPA document. Currently there are two different environmental assessments to look at for 5 boat sites which also includes Trout Creek and Mecca. There needs to be scoping and then plan for how to best manage these sites. Brian brought up that currently there is no defined areas for launching, parking, staging and access in and out. Tribes would propose to close Long Bend otherwise need to restore the unauthorized areas. Have decision by the Managers to close or rehab. Jeff shared that there has been conflict over these three sites for some time. Whatever decision is made will required a public process and NEPA to do any work. Can move forward with planning document regarding these areas and can Band-Aid some sights, but BLM right now needs to focus on Segment 4 EA completion. At this time data is being collected for the whole river but a lot of focus will be on Segment 4, which will include camera data, looking at boat launch sites and working with engineers.

11:00 AM New Business

- A presentation from Commander (SEAL) Bruce Willhite, USN, retired; Presentation on disabled river access. Interpretation of "mobility assistance: laws and education on non-disabled floaters. In a nutshell what Bruce was presenting was Federal regulations regarding mobility disabilities having rights to utilize motorized or power driven devices. He would like to be able to have a small motor on his water craft. (See attached power point.) A few questions and comments made by IIT members: Brian raised question regarding the rules on the

Lower Deschutes are no discriminative, there is no denial of access due to mobility disability, but the boater pass doesn't allow motorized boats/floatation on Segment 1 and Segment 2. He also brought up that the general public can't drive upstream to the locked gate and also are not allowed motorized craft. Larry shared that OSMB are getting similar complaint regarding access issues. They want to provide access but folks also want to experience non-motorized access. He shared group is not ready today to address this but obviously there needs to be more research in this area. Jeff shared that various agencies are receiving similar requests to use motorized in Wilderness and Wild and Scenic waterways. There needs to be more extensive research into this matter, need to find out more about the designation and legalities of the law. Another concern is also safety issues when you have motorized use on non-motorized areas. Group will look into this further. This is coming up more often and so will continue to look into issue.

11:20 AM Roundtable Discussion & Updates:

- Confederated Tribes of Warm Springs Reservation – Brad shared that there isn't a lot to report. They are wrapping up fall Chinook counts on recent trip in upper segment. They have one more trip but count for spring Chinook is poor this year. Brian brought up question regarding refining data of % of compliance at Harpham and Sandy Beach of people purchasing their permits. Can it be queried as to take outs and put in's that permits have been purchased? He is looking for 2019 data. There is a need for the Tribes to keep focused on compliance rates. Jeff shared that his staff reminds people about the fee and his staff has given him some

suggestions to share. 1. Make signs bigger and closer to where folks come in at launches so they are more in people's faces and it is made clear that this is a requirement and that it is a separate fee. 2. put signs in on Segment one as well and make them BRIGHT. 3. Jeff suggested that sandwich signs that can be put up and taken down could be placed closer to the launch/take-outs. (His staff is more than glad to put them out)

- Oregon State Marine Board – Larry had introduced Josh Muhollen earlier as he is their policy person for OSMB, and Josh probably will be the person attending the IIT meetings. Josh shared information on 3 pieces of legislation that go into effect this year. 1. Pull the Plug – this addresses concerns with the transporting of invasive species. When a boat is in transit or prior to launch, plugs need to be pulled (no water will be in bottom of boat). It will take a bit of time to get folks used to this, but it will be enforced. 2. The new Waterway Access Permit which replaces the Aquatic Invasive Species pass. This is required on all kayaks, paddle boards as well as rafts. If you float on rivers that are federally managed and you pay a fee to float those waters, then you are not required to have this. Basically the message is if you have to pay to float then you are exempt. 3. This is not an OSMB bill but was passed which requires outfitters and guides to “offer” or “make available” helmets to customers where they will encounter class 3 or higher rapids (generally accepted scale). The kind of helmet offered are your standard helmet or Cm European scale. (It was noted that helmets that are available, all but one brand qualifies). OSMB has also received a petition for electric motor use on North and South Twin lakes near La Pine. Their Board is evaluating if this can be done and looking at options, if there are



ways to make exemptions, etc. Due to legislative changes OSMB can make their own decision regarding electric motors. * It was suggested that with new laws/rules if OSMB could send us the information that could be places on our website.

- Oregon Department of Fish and Wildlife-Rod shared that they will not be authorizing spring Chinook fishing this year. This is opened and closed on an annual basis. They are doing trout inventory work on Segments 1, 2 and 3. He mentioned about the disability permit the ODFW offers which is for 5 years and they also have a separate Veterans permit which is good for lifetime. Again mentioned that fishing from boat is not allowed except for the disabled with their permit. They do not provide a placard but folks can make their own. Talked about gravel placement at ramps and that requires a removal permit through division of State Lands. Jeff mentioned maintenance of boat ramps that are established. Rod shared that there are exemptions on other river launches but there is no exemptions on Scenic Waterways. The permits are good for a 5 year period.
- Oregon State Police –Andrew introduced Adam Shimer who will primarily focus on Segment 1. They have two new troopers which means more hours on the river and will focus on Segments one and two. As far as enforcement they have had issue with folks having more fish than they are allowed as well as using bait. Will address speeding issues but three needs to be more details, such as stirring up gravel or operating in an unsafe matter. Discussion regarding more signage around speeds, Jeff said the will replace signage. Mecca Flat there is no signage at this time as well as clear signs for when fishing is closed.
- Wasco County Sheriff – no report

- Local Government –Got approval for additional deputy for South County which means better coverage.
- Oregon Parks & Recreation Department- Getting ready for season. Toilet replacements using compostable ones. Have procurement for toilet at Harris, not sure when can get it in.
- Bureau of Land Management –Discussed situation last spring when a raft went over Sherar's Falls. Jeff was not aware that the take out sign used to be removed due to flooding concerns. There is a new sign that is permanent and secured. They will be diligent this year with sandwich board signs. Road grading has started and more coming in the spring. Working on pull thru's and drive thru's, lots of pot holes. Looking at flood plains and seeing where high water line is to get permits. Toilets are in phase 2 with replacements at Harpham, Sandy Beach, Lower Blue and Devils Canyon. Pretty much done and working towards Phase 3. Trout Creek closed for climbing and working with partners to review environment analysis in this year. There have been failures in successful Eagle nests. Closure is from now until April. Climbing walls are closed and there are some partial closures, depends where nests are. The nests are not impacted by boaters, it is the climbers. Discussion about more signage as climbers will look at closure sign on wall and then just go further down the wall and climb. Seasonal hiring is going good, looking at more permanent rangers. Completed draft on business plan, and it has been reviewed by state office and DC. Lots of vacancies in National office. Because of the delay with completion of review of business plan, were delayed with Federal registration which delayed sending camping fee costs in Segment on and

change in boater pass fee to RAC. At this time BLM is ready to go to the public for review process.

12:00 PM Public Comment Period

- Brian Sykes asked if BLM will doing an audit this year. Jeff shared they have been told one way or the other at this point but he will reach out to the state office.
- Brian Sykes shared that outfitters want better than a 40% success rate on audits. He also asked if financial requirements are sent out.
- Jeff said it should help now that there have been changes made regarding subcontracting contracts on the Lower Deschutes. Jeff shared that BLM Prineville has gone a lot of staffing changes with Rec. staff covering entire district. They have a new organized structure as of January. Heidi is now back on the John Day and looking at limited entry on Rec.Gov.

12: 15 PM Final Discussion, Tasks, Follow-ups, Action Items, etc.

- Conversation about Long Bend/ closure or rehab.
 - Disability Mobility – more research
 - Compliance of Tribal fee's
 - Add OSMB links regarding new rules/legislation on our website.
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- **Next Managers meeting: Feb. 21st. Warm Springs 10 am – 1 pm**
 - **Next IIT meeting: May 15th Madras Fire Hall 1pm – 4pm**

Adjourned: 12:25 PM