

Lower Deschutes River Managers Meeting Minutes
November 5, 2021
10 AM – 12:15 PM

Chair: ODFW/ Corey Heath

- 10:00 AM** **Introductions:** Scott Hege (Local government); Jeff Kitchens (BLM); Corey Heath (ODFW); David Spangler (OPRD); Steve Memminger (OPRD); Brian Cunninghame (Retired); Lane Magil (Wasco Sheriff Sheriff); Brad Houslet (CTWS); Beth Harwood (BLM- permit tech); Josh Mullhollem (OSMB); Jen Graham (CTWS); Tim Schwartz (OSP); Mary Fleischmann (Facilitator/note taker)
- Public:** Nate Van Amburg (permit holder); Kevin (Fly and Field Outfitters); Ryan McNulty (permit holder); Mia Sheppard (Juniper River Adventures); Lenny Stewart (permit holder); Ben Kirsch (Staff attorney for Deschutes River Alliance); Troy Lafayette (permit holder); Andy ? (permit holder); Gabe Par (permit holder); Brian Sykes (Ouzel).

Review of agenda/additions to the agenda/ Approval of Minutes from May 21, 2021

- No additions or changes to agenda, Scott made motion to accept the agenda, Jeff 2nd. MOTION passed.
- Scott made motion to approval of May 21st minutes; Steve 2nd. MOTION passed to accept minutes.

Old Business:

- Update on survey and Segment 4 EA: David shared that the segment 4 EA is to do a physical survey to get better numbers/data on hiking and biking use. That is the goal and objective. Also to get better idea of how many day hiker/biker users vs camping. In January will meet with BLM and look at options. OPRD will be purchasing trail counters in December. They will also be looking at contracting out the work on the survey. Need to know the numbers and kind of uses happening in this segment. Jeff (BLM) shared that Kyle Hensley and Mike Millay are doing primary work on this so will be adding resources with OPRD. Again the need is to get more data. BLM will be looking to buy more trail cams and counters. Jeff shared that the need is to clarify what we're doing with the use by non-boaters.

- Toilets: Jeff reported that composters are back on line after closures due to malfunctions. Need a few more replacements in areas with limited opportunities for replacement. 4 sites have difficulties due to cultural/historical areas as well as being located in flood plains. 2 toilets were burned up from previous fire. BLM is also working with updating agreements with State Lands and the Tribes for maintaining sites.

New Business:

- Jeff shared power point presentation on the Lower Deschutes Business Plan and Fee Proposals. A decision needs to be made by Managers for this to move forward. The proposed fee structure may or may not be implemented in 2022. The process needs to be approved first by the RAC (Resource Advisory Council) and then all of the Managers group. Jeff continued to show overall history of the Deschutes from 1993 to 2004. Annual numbers of boaters goes up and down throughout the years. The estimated annual total costs of managing the river is \$750,000 - \$800,000. This is operational costs and doesn't cover everything such as getting new quarters or replacement of scat machine or some contracts that happen for emergencies. The 5 year average of fees collected is \$494,804.60 which half of that goes to OPRD. That being said, the cost of running a river costs more than what is collected. Jeff shared permit cost averages for several western rivers of which on average for rivers on the west cost is \$7.88 - \$8.63 per person, per day. The proposed amendment to the current fee structure is for it to be a flat \$5, all year round fee with \$3 going to BLM and \$2 going to OPRD. With that change it is estimated that the total fees collected would be somewhere if the \$649,898 area. The all users and visitations on segment 4 in particular those people are not paying any fees at this time and the question is, is this fair to boaters? The focus would be to look at the over-night users vs day users. The fees being proposed are for all days a \$5 camping fee where there is no vehicle access present on Segments 1 and 4. It is estimated that there are 300 – 400 overnight users. The expected revenue of \$1000 or less. There was a question of how to implement this. Jeff shared that a meeting would have to be set up with ODFW, State Lands, and OPRD to figure out how to manage these fees and how to collect them. There will need to be lots of communication and more steps to pass this proposal. The Business plan was paused in 2020 due to closures, etc. related to the pandemic. Looking at winter/spring for this amendment to take place in 2022 and all user fee's taking place in 2023. Need to develop a collection plan and update agreements with all managers of the river and also need to update Rec.Gov.

Brad asked if the RAC gave a reason for only collecting from camping use and not day use fees. Jeff shared that for the most part the conflicts are with the camping user and not with day users. At some point in the future there may be a day fee for the entire river corridor. Right now it is difficult to implement. Brad added that the presentation had data from 2014 and is wondering if there will be consideration of costs as it relates to inflation, are the fees enough? Jeff said that are the fees enough? The flat fee of \$5 is a good option for now and probably will need to revisit in 10 years but for now is a reasonable fee that can go to cover the cost of the river. Scott asked if the fees that were presented for 2015 if fees changed at different times. He was wondering if State Parks will see expected increase in revenue or will revenues be the same. Again Jeff shared that will need to revisit State Parks operational costs regarding shared revenues. Scott shared that at the IIT meeting the issue of camping up river on ODFW lands and a discussion about fees. Jeff said there will need to be a robust conversation with ODFW, partners and private land owners. Scott asked with the additional fees coming in, what might the public be informed of where those dollars will be spent. Jeff said that the fees would be put back into seasonal staffing, especially at boat ramps. Also looking at making the Depot House more of an informational center with staff and having more staff on the river in Segments 1 and 4. Want to improve sites on all of the river as well as facilities. He also shared that BLM actively goes after funds from all kinds of other resources.

Corey asked with the all user pass can we anticipate certain regulations for them or restrictions? Jeff shared that part of implementation of these fees would be setting up specific rules and regulations which would be a coordinated process with all partners. First we need to find out where we believe people are camping and figuring out land ownership. Time line wise means a lot of meetings in 2022 to implement this in 2023. There also is the 180 day federal register notice that has to go out before implemented for the public to comment.

Brian asked about not implementing the new fees until after the pandemic is passed, wanted clarification. Jeff shared that going forward today, the proposal goes to BLM state office and ask them if the fees can go into effect 2022 or differed. It all depends on their decision, but hope to know something prior to Memorial Day 2022. User fee will be a year out (2023).

Brian asked how the RAC voted on this which was 8 for and 1 against. He wanted to know if there will be efforts to continue monitoring increase use of walk-ins and bike-ins to continue to check on that data. Jeff said yes, there needs to be continued monitoring and data collection and need to have a good discussion with all partners.

Motion made by Jeff and second by Steve. Motion reads: The Lower Deschutes River Managers Group recommends BLM amends the current boater pass fee to \$5 per day, all year for the Lower Deschutes River. Of those fees \$2 goes to OPRD and \$3 goes to BLM. MOTION PASSED.

Motion made by Jeff and second by Scott. Motion reads: The Lower Deschutes River Managers Group recommends the BLM move forward with a \$5 per person, per day night camping fee for Segments 1 and 4 on the Lower Deschutes, where no vehicle access is present. Furthermore, the Lower Deschutes River Managers Group clarifies that fees being considered would not be required for the following; visitors who already purchased a boater pass; any visitors staying in developed camping sites that already require a fee. The Lower Deschutes River Managers Group prior to implementing these fees will have an approved implementation plan in place. MOTION PASSED.

- Bake Oven Housing and Office Replacement: Jeff shared that construction is hoped to start soon and be completed by next year. This project has been a long time coming and it is a big accomplishment. They got the funding so will finally have updated facilities. Be able to have better housing for seasonal staff which will help with retaining staff.
- 2021 Use Report and 2022 Boating Use/Common Pool Levels: Jeff brought up the Frequent User/Annual Pass. He gave some history of the pass / numbers sold thru the years. The number of passes has consistently been dropping with this year selling only 9. They are not available on Segment 1 & 2 on Friday, Saturday and Sunday May 15 – Sept. 15th. On Segment 3 not available 7 days a week May 15 – Sept. 15th. Not available on Segment 4, 7 days a week May 15th – Oct. 15th. Next year BLM will be doing a review regarding the continuation of the Frequent User Pass. A notice will go out to the public. There will be no decision today, but wanted to put this issue on everyone's radar. Will need to take this to the RAC to let them know BLM wants to review this. There is no way to increase its use, so need to take a look at the continuation or not of this pass.

Seasonal Targets: 2021 did not hit seasonal targets in any segments. Past few years Segment 4 hit but this year have not (due to lack of fishing).

Segment 1 jumped **but** did not hit seasonal targets. Saw overall use in Segment 1 even without the 5% decrease. It hit 550 number of days, so daily target hit 8 days. **Proposed Decision** is to leave segment 1 in limited entry and leave use levels where they are at currently.

Segment 2 did not hit daily limits or seasonal, not even close. **Proposed decision** no changes.

Segment 3A & 3B came out of limited entry due to 2020 numbers. Neither segments hit seasonal or daily targets. **Proposed decision** is to continue out of limited entry with no changes to use numbers.

Segment 4 in 2021 hit daily target of 214 nine days. **Proposed decision** is to leave segment 4 in limited entry and leave use levels where they are currently. Seasonal targets were not met, even without the 5% reduction.

Motion made by Jeff and 2nd by Scott that :Use for 2021 across the board is to leave limited entry segments in limited entry and non-limited entry remain out with daily targets remaining the same for 2022. **Motion passed.**

A question was raised that just because someone buys a boater pass doesn't mean they are on the river. Jeff checked with staff and looked at number cancellations and applied the 5% cancellation numbers. Beth shared that SRP holders were are aware of the cancellation policy – the 5% no shows are calculated.

- New chairs for 2022. ITT – OSP/Andy Vanderwerf & Managers – BIA/ Brenda Bremner. Mary will make contact with both of them to get meeting dates scheduled for 2022 and report to everyone with that information.

Round Table Discussions and Updates

- Confederated Tribes of Warm Springs: Brad reported that fall Chinook season that there will be Warm Springs boats out for fall carcass clean up. Also will be doing red surveys. There has been a lot of vandalism with the collection boxes for permits. Many break-ins.
- Oregon State Marine Board: Josh shared that OSMB is taking the initiative to enforce life jacket wear specifically with stand up paddle boards on sections of the Deschutes.
- Oregon Park and Recreation Department: Steve shared that they are working on renewing an agreement with the Rod and Gun Club on Davidson Flat. Need to make an amendment to have access to that property with a fee of \$2000. (Increase). Toilets are needed to be maintained but company is difficult to get a hold of. Not sure with continued maintenance but in future will have to replace toilets at Davidson. Have maintenance agreement with BLM. David shared there have been break-ins at Heritage. 2 cars have been stolen at campground

sites and fee boxes have been broken into twice. Working with Sherman County Deputies. Security cameras will be going up and car clouts in general are up. It was also brought up that at Warm Springs when OPRD needs to close a rec. site (for emergencies) there are no gates. Looking at installing gates next year, this year used barriers. Meeting notes are in the process of being put on the website working from present to past. Still working on the BLM archival notes. *Jeff brought up BLM has had some break-ins. River rangers use power tools and probably need to send out public notice to river corridor about concerns of the behavior. Group should address cooperatively.

- Oregon State Police: Tim addressed the break-in situation and said that information needs to be key so they can increase patrols if need be. There are staffing changes in Madras (fish and wildlife). Looking at evaluation of stats which can get to group, same with the John Day. Working on operational plan over Memorial Weekend. Getting complaints regarding E-Bikes, with biggest problem at MP 2. Big game season right now so keeping busy.
- Wasco Co. Sheriff Dept.: Lane shared is aware of break-ins and did catch one person who was cited. Numbers down on river with car break-ins. There are close to 8 or 10 cases that may be tied together, possible to person they caught. Since there are numerous counties involved, need to report all incidents and then they can beef up manpower – need to be communicating with everyone. In regards to Heritage landing somewhat in the loop with issues there regarding stolen vehicles. Lane reminded everyone to keep keys out of the gas cap, shared that guides/shuttle services need to not have clients doing that, they need to lock their keys in the vehicle (and not under mat or in glove box). Crime is rampant and wants everyone to know that they ARE lodging individuals when caught. Word on the street seemed to be that they aren't. Statistical stuff sent out. David added he greatly appreciated working with Steve Rodgers who responds whenever he gets a call. Jeff added that they are finding damaged fee boxes and not sure if more people are doing this? One has been identified at Wapinitia and not sure if tied to others. Brad shared he wants to find a way for Warm Spring officers to weigh in. It was suggested he have them contact Steve Rodgers who is working most of these cases.
- Oregon Department of Fish and Wildlife: Corey reported that currently there will be spawning fall Chinook counting being done by helicopter. 3 Crewlers are done on the river. Season is closed until end of year (above Schears) for Chinook, Coho and Steelhead. In areas where the fires went through and burned down fence lines, there have been complaints of cows getting in riparian areas above Moody. Trout fishing is open.
- Bureau of Land Management: Jeff has pretty much reported out already today but wanted to thank his awesome team and the work they have

been doing on the river. BLM is hiring more to fill vacancies. Very happy to have Beth, Kat, JD, and Mike Millay on board. Also kudos to Robert Robins who is new seasonal worker.

- Bureau of Indian Affairs: no report
- Local Government: Just wanted to give a heads up that there is a large project going on in South County. There is a large solar installation project going on at Bake Oven Road. Will see an increase in traffic and people working on this come spring and summer. There will also be completion for housing and camping as a result.

Public Comment

- Brian Cunninham shared that it nice to see work being done on Segment 4 and things going forward.
- Mia Sheppard shared that the steelhead closures have had a major impact on businesses and passes are not being purchased. There have been significant revenue lost which she believes/claims is due to warmer water conditions due to PGE – it isn't working. She wants to see BLM work with agencies regarding adjusting the water temperatures. She wants to see all the managers at upcoming PGE meetings in the future.
- Brian Sykes asked with the Executive order that went out that Federal contractors must be vaccinated, what if anything is new with that as well as will that be a requirement for guides/outfitters. Jeff said he will connect with Brian and reach out regarding the concerns.

Final Discussions, Follow ups, Action Items, Recommendations to IIT

- Jeff wanted to thank Mary for the work this past year keeping everything on track and keeping Scott and him on track with getting meetings set up.
- Discussion regarding meetings in 2022. At this point will continue with ZOOM meetings for the first part of the year and see if in May can meet in person. After that it would be good to maybe do a hybrid with both in person and ZOOM if where ever the meetings are held has the capacity. Mary will look at what is available and potentially reserve spaces that hopefully can accommodate our needs.
- Field trip summer of 2022 will be revisited at a later date.
- Mary will follow up with Brenda and Andrew regarding scheduling IIT and Manager meetings and report out those dates ASAP. (Before end of December).

Meeting adjourned at 12:15 PM.

