

Lower Deschutes River Managers Meeting Minutes

May 21st @ 10 AM- 12 PM

ZOOM 870-4924-4580

Chaired by ODFW/ Mike Harrington

10:09 AM **Introductions:** Scott Hege (Local Government); Jeff Kitchens (BLM); Mike Harrington (ODFW); Brad Houslet (Confederated Tribes of Warm Springs); Jen Graham (Confederated Tribes of Warm Springs); Steve Memminger (Oregon Park and Recreation Dept.); Kyle Hensley (BLM); Mike Milay (BLM); Tim Schwartz(OSP); Scott Williams (Wasco Co. Sheriff); Brenda Bremner (BIA); Dorothy Diehl (Oregon Marine Board); Mary Fleischmann (Facilitator - note taker)

PUBLIC: Brad Staples (Western Fishing Adventures); Rob Miles (Imperial Rafting)
Brian Sykes (Ouzel Outfitters);

- Brenda Bremner – introduced herself as the new Bureau of Indian Affairs Superintendent for CTWS. She has been with the agency since March 2021. Has 25 years' experience with the Confederated Tribes of the Siletz Indians the last years as general manager. She is bringing herself up to speed with the Lower Deschutes with the help of Bobby Brunoe.

Review of agenda/additions to the agenda/ Approval of Minutes from February 19th, 2021 meeting.

One addition to agenda/ BLM discussion about Salvage and Recovery on Lower Deschutes River.

Motion made to accept minutes from February 19th, 2021...Scott made motion, Jeff second....motion passed.

Old Business

- Paddle Board issue. Jeff gave history regarding paddle boards being used on a number of places on the river. Suggested that State Police, Sheriff and OPRD may be able to assist with the issue. Boarders do not realize

they need to have a boater pass to launch on the river. At this time BLM 5wants to monitor the use this season and want others to be aware that there is this use happening. There have been issues with interference with rafters in rapids and are aware that there is an increase in use of paddle boards. Jeff shared that there are new outfitter/guides who are interested in expanding this use.

- Collaboration of OPRD and BLM with surveys on Segment 4. Jeff dropped the ball but there is a meeting scheduled for next Wednesday (5/26/2021) to have a meeting looking at capacity. BLM is looking at a pilot project with things being more normal next year. There has been a significant increase of use between Mack's and Heritage, more fires, foot traffic, and competition for campsites. There is definitely more additional use in Segment 4. The timeline originally was discussed/decided two years ago with the kick-off to happen in 2020 and completed – COVID impacted that. Currently BLM has a lot of vacancies with seasonal workers so this impacts the ability to get this done. Believe that 2022 will be more likely. BLM wants to have a better sense of the uses for everyone but will need to rely on the state and other agencies to assist with gathering the data, partially due to regulations that limit BLM.
- Reminder that BLM wants input from the public regarding proposed changes on fee's on the river. Backcountry fees on segment 1 and 4 will be \$5 per day per night camping. Boater passes will change from \$ 2 - \$8 to a flat \$5 rate. Comments end by August 13th. BLM will report findings to the RAC on October 22nd and then come back to the Managers in November to get the groups decision.
 - Mike H asked about how the fees will be applied to ODFW lands in Segment 4? BLM covers costs where they have lands and easements and that is where the fees go. There is give and take with funds between OPRD as far as collections and sharing of funds. ODFW shared that they will have to run this by their agency regarding fees.
 - Scott asked about the website where comments can be made, right now looks like part of BLM's business plan, but that is not what the public will be commenting on. Trying to figure out best was to get information out to public via website.

New Business

- Salvage/Recovery on the Lower Deschutes. Jeff reported that the past 10 or 15 years there has been one company (Mike Angel- now retired) who has been doing the work with salvage and recovery on the

Deschutes/John Day. BLM has been the party giving authorization and the last letter for that was to expire in 2026. There is currently a boat stuck at Whitehorse and it will be removed on Sunday, BLM did a one-time, emergency authorization with Imperial for that removal. The sole purpose of these authorizations to use motorized boats in non-motorized areas is to get boats that are stuck, the removal of those as well as salvage. In emergency cases of fires on the river, again may authorize motorized boats. BLM does not do salvage, recovery or manage those types of incidents. Generally on segment one, jet boats usually launch at south junction and on segment 4 jet boats on not motorized days require special authorization, which is generally for emergencies with wildland fires. Going forward BLM wants to research if all the managing agencies need to weigh in on these decisions or is it solely BLM's responsibility to put these letters of authorization together. Jeff just wants to put this on everyone's radar. Jeff has reached out to Brian Cunninghame for historical information regarding this subject. The hope is that these situations are infrequent and there cannot be any damage to the resource to remove things effectively. BLM also will be letting law enforcement know when this is going on so there is no surprises. Need more time to have businesses/entities to get permission to get authorization as BLM has nothing to do with liabilities. Scott shared that can call Wasco Co. Sheriff when these events occur so that they can help calm the public as they are very limited when it comes to swift water rescue personnel. Jeff shared that BLM does respond to fires and have swift water rescue staff available when it is a more planned event. Mark Angels' contribution to these efforts will be very much missed. Brad H shared that still need to figure out manager's communication tree, develop some kind of protocol for when these recovery/salvage events happen. Need to have further discussion around this.

- E-bikes/increases and issue. Mike with ODFW shared that currently they are looking at their wildlife management plan review and the interpretation of E-bikes. Their interpretation is different than other agencies and that there is a difference between man power and E-bikes, and so are regulated differently throughout the state. Lands served different purposes and the fish and wildlife agency have concerns regarding speed of travel through wildlife areas as well as wear and tear on road. They also have concerns with future access into wilderness, with more people using them. They do affect wildlife and on the Deschutes there is the biggest area of return of bighorn sheep who are susceptible to stress, which E-bikes can cause this. ODFW has run their management review plans by the DOJ (Department of Justice) Wildlife Division, and they stand their ground with protection of fish and wildlife. Jeff shared that BLM's guidance is still

evolving as far as E-Bikes in wild and scenic corridors and need further review for a final decision as to what is the potential use on wild and scenic. First need to figure out how much use is going on, what are the impacts and concerns. There have to date not been any issues or complaints brought to their attention. OPRD has 2 miles of trail from Heritage that do allow E-Bikes and after that it is ODFW land which do not allow. There has been signage put up letting the public know this, but the signs disappear. They are seeing E-bikes use and disregarding the signage. Question raised if anyone is getting reports of problems. Wasco Co. Sheriff has not received reports. OSP out of The Dalles can tell people not to go past the 2 mile mark and if they do can give citations. This is an issue on segment 4, maybe less so on segment 1. Mike brought up that this is a travel management area and many people do not know that. Mike M shared that this subject is a moving target. There are various classifications of E-bikes which are defined as 1, 2, 3 and 4 which can set limits of which classification can and cannot go on trails. He suggested that everyone look at the classifications as a group. Scott asked what the differences, such as paddle driven is and battery driven. The difference is amperage and speed. There is paddle assist and throttle assist. The question gets raised of why are jet boats allowed and not E-bikes. Jet boats were allowed in the area a long time ago and they do not have impacts on sheep as sheep are used to them. E-Bikes is a new use and ODFW shared that as a result they are accessing the uplands differently as well as the spreading of seeds which creates the never ending weed problems. A motor is a motor. BLM is collecting a lot of information regarding this issue and paying close attention to concerns on BLM properties.

- Scenic Bike-ways/ Steve shared that he and Jeff have been going back and forth of who manages them/ who has handled them in the past. There is not anyone managing/operating this currently. Things are in limbo and there has been no one to talk with of how things were managed in the past. BLM is confused as to how these are permitted and what is and isn't a scenic bikeway. BLM does not give permits for paved roads such as hwy. 216. When the bikeways cross public ownership they would/could offer SRP's. They need to get more fixed and clarified information. There have been commercial events leaving Maupin traveling up the Deschutes to Scherar Falls and 216. Need to do intensive review of other ownership on the river, BLM has easements on some of areas and not in others. Commercial operator bike marathons may need an SRP. BLM has started looking at different operators and start talking with them if they need an SRP. Getting legal review regarding easements and may not be able to require SRP's. They do give permission for shuttle companies and

photographers without requiring and SRP. Question asked if other agencies have a permit/process that requires permits for marathons. State Parks shared that the fee's that are collected by them is done off-site for permits - for lots of bike races. Brad with CTWS said there is a process to deal with these on reservation property. Jeff shared that he will get back in touch after there has been more research of the approval process from other agencies. These kinds of events are becoming more common. Some events are kicking off from Maupin City Park and he wants to speak with the Mayor if they require a permit. BLM has been approached about an event in late September and he will need to get back to them. He needs clarification of the route they will be using for a running event. In the past a permit was issued due to starting on BLM land. They are supportive of Bike-ways, in fact signed a letter of support in 2016 but need to look at events that occur on river access roads. The question still remains of how are Bike-ways managed, what policy/procedures are put into place and how conflicts are dealt with.

- Fire restrictions. BLM not able to get staff available for this meeting to share information of how/when fire restrictions are put into place. He will have that presented at a later date. At this time on the Deschutes fire restrictions take place June 1st, not earlier. We may see an increase in limitations of fires which could go in earlier this year. Look at fuel moisture and decisions are not made lightly. We could have a very active year this year. Wasco Co. put in restrictions as of June 1st instead of July 1st.

Round Table Discussions and Updates

- Confederated Tribe of Warm Springs – Brad shared that a presentation regarding opening of camp grounds on tribal lands was given by the COVID team but the motion made failed to get a 2nd motion so campgrounds remain closed. He also reported that there was a no trespassing sign placed at a take-out, they tracked down who put the sign up. It was put there by a Tribal employee who got the wrong information, it was taken down and there are no closures for take-outs or put-ins. CTWS received a field call from the Governor's office and of preferred if this could have been handled directly instead of not reporting the situation to the tribes. There is a good wile chinook run this spring. Scott asked if there is anything that would be helpful that he or the City could provide to the Tribal Council regarding the necessity of opening up campgrounds. Brad shared the decision for opening up campgrounds is solely in the hands of the Tribal Council.

The COVID team will continue to give their input, things are getting closer as cases are lowering.

- Oregon State Marine Board- Nothing to report
- Oregon State Police- Tim shared that staffing is solid and that there will be an increased presence on Memorial weekend. There was a law enforcement meeting in April which was well represented. Discussion was around staffing, resources, paddle boards and education. They are seeing conflicts with motorized and non-motorized in Segment 4. They have done a meet and greet with locals. Main issues they are seeing is take outs and put-ins, signage, congestion and traffic.
- Oregon Department of Fish and Wildlife-Nothing to add
- Wasco Co. Sheriff- Have new OPRD duty on. Lots of contacts, seeing lots of people and think it is going to be a busy year. Otherwise all is positive so far.
- Oregon Park and Recreation- Steve reported will be doing floats either Tuesday/Thursday or Wednesday/Thursday, will change the floats up a bit. Looking at having 2 people in a raft as COVID restrictions change. Working with Mary about earmarking minutes that have been approved that can then be put on the website. Working with Jeff regarding getting archives on the website. OPRD has had issues with staffing as well, hire folks and then they take a higher position somewhere else.
- Bureau of Land Management- Jeff shared they are having challenges with staffing this year and waiting for some positions to be flown. It has been a full team effort from the rest of the current staff. Kat Smith will be back on soon, JD is on and Mike is on. Kyle has been picking up the slack which has been most welcomed. Have crews for vegetation removal and overall everyone is doing their best. There will be more seasonal staff on board but not for a few more weeks. The Bake Oven facility is in the beginning process of contracting bids. This facility will offer housing and office space. Purchased a new scat machine and working with the City of Maupin and City Park as to management of it. In the fall putting out for contract help with recreation sites. Final stages of toilet

replacement projects. Have funds available to potentially redesign some recreation sites to control traffic and improve impacts. Mike is doing this work regarding upgrades.

- Local Government- Scott shared that Wasco County is in designated as COVID moderate but probably will be able to be lower soon. There are new guidelines which required or suggest that if you are fully vaccinated you no longer have to wear a mask, lots of confusion by the public and businesses. If the state gets to 70% vaccinations then all restrictions could be lifted.

Public Comment

- Brad Staples brought up the question he had asked about before and that is about the construction of a road on property along the river in Segment 4. Mike (ODFW) was not aware of the road. Brad shared that is at Mile 6 going up the river on the west bank upstream. A road has been cut in with a skidder. He doesn't think this is correct or okay and the people doing this no longer own the property. He had sent pictures to Jeff but Jeff was unable to get them due to the size, but Jeff will follow up. Brad also shared that he is President of the Oregon Wildlife Foundation so has a vested interest in this besides his business. He shared that there is a new wildlife area plan which he will share with Mike and the contact person is Chase Brown. Brad also shared that outfitters/guides used to get financial reports from BLM regarding revenues and costs, to look at what funds are gathered and what they get spent on. Jeff said that the reports are done at the beginning of the calendar year. He will have those available at the next Managers meeting.
- Rob Miles said he was glad the Tribes are discussing opening up campgrounds. Believes that need to be looking at lands that are not connected to the reservation as there are differences. Shared that if there is anything or way he could be of assistance to the Tribes he would be glad to help.
- Dorothy Diehl with OSMB shared that regards to salvaging or wreckage on the river that OSMB has a hazard, obstruction map on their website to inform the public of these kinds of situations. There is a reporting form that can be filled out.

Final Discussions, Follow Ups and Action Items

- There are no follow ups or action items at this time
- Mary will be sending out an email to change the date of the IIT meeting on October 22nd due to a conflict with BLM giving a presentation to the RAC regarding the fee changes.

Next Meetings:

- IIT meeting/ field trip: August 6 10 am – 1pm
- IIT meeting – October 22 10 am – 1 pm
- Managers November 5 10 am – 1 pm