

Lower Deschutes River Managers Meeting Agenda

May 20th, 2022

10 AM – 1PM

Maupin Civic Center

507 Grant Ave. Maupin, Or.

Zoom: 869-29450415

Password: 912233

Chair: Brenda Bremner/ Bureau of Indian Affairs

10:00 AM Welcome and Introductions: Jeff Kitchens (BLM); Corey Heath (ODFW); Steve Memminger (OPRD); Sunny Hope (BLM); Tim Schwartz (OSP); Mary Fleischmann (Facilitator); Scott Hege (Local Govt.); Josh Mullholm (OSMB); Brad Houslet (CTWS); Deputy Williams (Sheriff Dept.);
Public: Rob Miles (Imperial); Jeremia (Tributary Whitewater Tours); Josh Workman (Tributary Whitewater Tours); Ron Walp (Maupin); Ben Kirsch(Attorney Deschutes River Alliance); Marty Shepard (fishing guide); Andy (Deschutes River Adventures)

***Brenda from BIA was not able to chair this meeting so Jeff Kitchens and Mary each assisted in facilitating.

Review/additions to agenda/Approval of Agenda/ Approval of Minutes from the February 25th, 2022 Meeting:

- There were no additions to the agenda
- Motion made to approve minutes from February 25th meeting. Motion made by Scott, 2nd by Jeff K. MOTION PASSED.

Old Business: / Ongoing business

- Contract with Rob Miles: Salvage/Rescue operations – No updates at this time. Contract being worked on and will be presented to the Managers group for approval. Prior contracts were based on a case by case basis. Rob did pull out a canoe out of the Lower River near Moody Rapid, last week. Scott asked who a contract is made with. It was explained that there is a letter of agreement with operations in the past based on incident to incident. Regarding a SRP, work with State Office. Permit vs/ contract. A letter of authorization is what is needed. Question regarding if certification of any kind is needed for these operations. No

license is needed and OSMB also said there is no requirement on their end either.

- Charter updates/review: Jeff shared the history of the Charter which was last looked at in April 2018. He presented the background and history of the Lower Deschutes W & SR. Brought up levels of organization and representation. Plan is to get this finalized and handed it out to all members of the Management group. Executive Review Board has general oversight for plan of implementation. That group is made up of the State Director of BLM, the Governor, and the Regional Director of BIA and Chair of the Warms Springs Tribal Council. The Board has not met since 1993. The Managers Group does the majority of the implementation activity for the management of the River. Those on this group are: BLM, BIA, CTWS, OPRD, ODFW, OSMB, OSP and Local Govt. A copy of the Charter from 2018 was sent out to all IIT and Manager Members. Question was brought up and clarified that any changes to the plan the BLM simply can't do them, they are not delegated nor have authority to make those changes. There is a cooperative process with the Managers group and if a stalemate occurs, then the Executive Review Board makes the decision. The IIT Team is pretty much boots on the ground the nuts and bolts ground workers who make recommendations to the Managers group. Jeff also shared that various groups were involved with the development of the plan. There has to be coordination with other groups. As far as fee structure goes, the Managers group has to get approval for any changes through the RAC (Resource Advisory Council). There are some things that also need to go to the Tribal Council for approval and some things such as toilets has to get approval from the State. The idea of having a review of the Charter is to see if everything is still relative, if they are working, etc. Jeff also shared that Mary's position is not in the Charter and should be. Need to also clarify agencies roles. Jeff will send out dates for group to meet. Members of the Charter Review committee are: Chase Brown (ODFW), Steve Memminger and/or David Spangler (OPRD); Jeff Kitchens (BLM); Brad Houslet (CTWS); Mary Fleischmann (Facilitator); Lisa Clark (BLM); Brad brought up question that there are 4 members from the state and do they get a total of 1 vote or each member gets their own vote? Jeff shared that if consensus can't be reached, then a vote by CTWS, BLM, OPRD and Local Govt. can make decision. All 8 members of the Managers group have individual votes. Question then asked if there can be a change in the voting. Jeff shared that would require the new implementation of the Inter-government agreement.
- Law Enforcement April Meeting – Tim Schwartz shared that there was good attendance by law enforcement at this meeting and clarified who is doing what and people's schedules. There was a meet and greet with local guides afterwards.

New Business:

- Ben Kirsch – Attorney Deschutes River Alliance – Not prepared at this time to give a presentation but would be able to do such at the Managers fall meeting.
- Fishing on the Deschutes – ODFW. Discussion regarding results of low adult steelhead returns last year. There were 480 wild fish escaped which is below the needed 625 count. As a result of that the season was closed last year. They have a new framework for up the Columbia Basin to make decisions regarding fish closure. ODFW has developed a new framework based on passage counts at Bonneville Dams to get information out early so fishing folks can make plans. This season steelhead fishing is closed under a temporary rule from July 1 until the end of July. This is their threshold passage, there will be another threshold and another third threshold. Also looking at passage of fish at Sherars Falls. Decisions are based on what's happened in the past. If more fish pass Sherars and those numbers are high, then will reopen. Question brought up regarding regulations around closures and the limited season on the Lower Columbia. Also question regarding how fish are counted at Sherars. The count is those that go thru the fish ladder and/or trap and are based by how many are handled by ODFW, this gives them some kind of a base by which to make best estimates of how many fish are returning. Those captured are not the actual population but are an estimate. ODFW has been doing this form of estimating fish count the same way for decades. Last year the escapements determined the opening/closures for this year. July they start the counting thru July 31st, and if certain number of fish can decide opening or closures. The 2nd bloc of time is another 30 day number. In August counts will be reported daily and that can be found on the ODFW's website.
- Tribal Lands have reopened as was shared at IIT meeting. Open to all overnight stays. The Tribal Council has 4 new members.
- Rec.Gov. – Issues with people not being able to download permits/ advising to download prior to launch. No issues that BLM is aware of and people need to download prior to getting to launch points. This subject will be taken off future agenda's. Jeff did report that they discovered in April that people were being charged double for boater passes only on the weekends. BLM contacted people who didn't realize they had been overcharged and gave refunds. There are check and balances in place but this one got missed and they will be checking these out more often. Question asked if this was a Rec.Gov issue or something else. Jeff shared that BLM send in change features to Rec. Gov. (all user fee) that somehow got implemented into the system. BLM missed it and can't make changes to the system. They will be making regular checks throughout the season.
- Transfer of permits on river segments due to climate change/fishing restrictions. Jeff shared that we need to pull a group together to look at guidance, what this looks like and how it impacts the plan. Concerns about purchasing a pass, limited entry, cancel or transfer to other segments. Could this allow folks to buy up passes and hold them which brings up concerns of hoarding? Or if buy a

pass and shift your use back and forth in segments. Identify what we know in the plan and the feasibility of changes. Can BLM even manage a change to the system, does our current system allow this. Need to get some guidance. Brad supports a small working group. Scott also agreed and thought sooner vs/ later as this issue has come up before. Jeff shared this issue came up a few years ago regarding fishing and is coming up more often, especially with commercial outfitters in segment 4 who want to shift to segment 1. There are a % of permits that aren't used. Brad asked about returning permits. Jeff shared that there is a

- “no refunds” policy in place and that if there is a way to transfer from segment 4 to segment 1 there likely would be a transaction fee. The reason for no refunds is to prevent hoarding of passes. If transferring is figured out it would not be this season. Scott said group should meet to see if we can do something next season. Final decision by November by Managers to look at April/May and beyond for 2023, if decided. Scott wants the discussion to proceed.
- Fire closures/emergences. Changes in dates for fires on the Lower Deschutes. Dates were discussed that are in the plan and clarified. No further discussion needed.

Round Table Discussions and Updates:

- **Confederated Tribes of Warm Springs:**
 - Not a lot to report. Spring Chinook showing up, good counts over Bonneville.
- **Oregon State Marine Board:**
 - Not a lot to report. Fielding questions from the public regarding fish.
- **Oregon Fish and Wildlife:**
 - Working on treatment of weeds. Hiring a temporary person to continue to work on weed control. Primary job is working with wildlife on Lower Deschutes
- **Sheriff Dept.**
 - Lane is out right now but the department is doing lots of patrols. There was a lot of people out using the resources in spring. Scott Williams addressed question regarding their ability to stop people. They can pull over vehicles for lights out as an example, traffic stops do not affect them. What does affect them is checking on the river regarding fishing permits. Unlawful to stop to check fishing licenses but can check boater passes. Waiting for review from DOJ.
- **Oregon Park and Recreation Department:**
 - Changing float dates to Thursday and Friday and try to catch folks when it is busy. At the Warm Springs launch a cottonwood tree fell on a pickup. Not sure if this happened on ODFW or Warm Springs land.
- **Bureau of Land Management:**

- Construction /facilities with Bake Oven project. New office building and quarters plus storage. This vision started in 2006 so this has been a long time coming. Coordinated with Wasco Coop so no longer any barriers for completion of project.
- SRP audit completed this year with reports coming out soon.
- Will get list to law enforcement of what companies are authorized to work on the river this year or not. Some have been cancelled and can't guide or be outfitters. Looking at the rental of equipment from these groups as well.
- Segment 4 and 1 will have toilets removed. There are a total of 6 toilets being looked at to be replaced with composters.
- New scat machine in City Park.
- Kat Smith is leaving for new position and today is her last day
- Thanks to OPRD coverage on Segment 4.
- Sunny Hope was introduced. She is the lead ranger with land operations and will reside in Maupin. Currently there have been no issues with the fee boxes.
- Hired a lead river ranger along-side JD and will add another GSA in Maupin. Will fill Kat's position
- Hiring seasonals and have a solid group for the summer.
- Jeff will be helping the State Office with Branch Chief. Lisa Clark will be acting field manager this summer and she will coordinate (along with Jeff when possible) with Charter group, etc.
- **BIA**
 - No report at this time
- **OSP**
 - Nothing more to add
- **Local Government**
 - Scott wanted to thank the Tribes with opening of the lands as they have been closed for several years. Maupin has limited places for people to stay which impacts recreation. He also reminded everyone about the heavy traffic in Maupin due to the solar project on Bake Oven road.

Public Comment:

- Marty discussed the transfers of permits from Segment 4 to segment 1 and need to get clients name on those permits so no hoarding. Finding himself having to transfer to trout fishing which is nice to do when years have been hard on the guides. He also talked about the common pool and how that creates issues with Rec.Gov or any system. The whole system is a big headache. Mentioned that at Blue Hole there has been an RV sitting there for 3 months. Sunny Hope shared that the RV is gone at this point.

- Ron Walp asked about toilets on segment 4. Advised there has been no final decision yet, but looking at burnt toilets and reviewing sites. There will be nothing at airstrip. There are 16 canyon sites. Looking at access by foot, horse and boat. Mitigating sites on the east side of the river. No sites being looked at on the west side.
- Marty discussed it takes a long time to do permits with Rec.Gov. Very difficult to buy permits and wonder if there is a way to do some kind of backdoor for guides and outfitters to be able to get permits for clients. Jeff shared that it is not up to BLM to create vendor accounts. It is coming out but not sure when. Rec.Gov. is not exactly the same as the previous system, it is different than what people realize and there are new safety guidelines. Looking at going in that direction. Marty also shared that on segment 4 the east side toilets are critical to get done. Hiker/Biker traffic is up significantly. There are issues finding campsites. Need to have further discussions.
- Ron shared that while camped at Macks Canyon there were 2 groups of E-bikes and those numbers seem to be going up. They are going down river from Macks.

Final Discussion, Follow up, Action Items, Recommendations to the IIT

- Charter with recommendations going to the IIT
- Look at a future field trip regarding the ODFW's work on fish escapement.

Next Meetings

- IIT/Managers – Field Trip? Sometime in August or possibly September
- IIT meeting: October 14th 10 – 1 pm – Warm Springs Enterprises
- Managers meeting: November 4th 10 – 1 pm – BLM, Prineville office.

Meeting adjourned:

12:30 PM