

**HANFORD REACH NATIONAL MONUMENT
FEDERAL PLANNING ADVISORY COMMITTEE**

**Draft Meeting Summary: Session #4
Wednesday, February 6, 2002
Washington State University, Richland, WA**

The Hanford Reach National Monument Federal Planning Advisory Committee met Wednesday, February 6, 2002 from 8:30 am to 12:30 pm in the Consolidated Information Center at Washington State University in Richland, Washington.

The purpose of the meeting was three-fold:

- 1) To make progress on the creation of subcommittees;
- 2) To continue identifying issues relative to the Committee's charge to provide recommendations to the US Fish and Wildlife Service and the Department of Energy on the long-term Comprehensive Conservation Plan and associated environmental impact statement for the Monument and,
- 3) To review the schedule of the Comprehensive Conservation Plan and discuss how that schedule fits with the formation of subcommittees.

Welcome and Introductions

Greg Hughes, US Fish and Wildlife Service Designated Federal Officer and Project Leader, Hanford Reach National Monument, opened the meeting and welcomed Committee participants, the public, and staff from both U.S. Fish and Wildlife Service (FWS) and the U.S. Department of Energy (DOE).

Alice Shorett, facilitator, reviewed the day's agenda, noting that the first half of the meeting would focus on the Committee budget, the application to the U.S. Institute for Environmental Conflict Resolution for assistance, and groundrules and procedures for forming subcommittees. The second half of the morning would focus on grouping issues and reviewing the Comprehensive Conservation Plan schedule and its relationship to the work of subcommittees.

Jim Watts noted that the Committee's groundrules stipulated that members of the public are limited to five minutes each; however, he said, if time permitted, that time might be extended.

Meeting Summary from Session #3

Mr. Watts asked if there were comments or changes to the Committee's October 25 meeting summary. There were no changes and the meeting summary was approved.

ACTION: The Committee adopted and approved the Session #3 Meeting Summary.

Budget and Committee Update

Mr. Hughes gave an update on the budget for the Hanford Reach National Monument Federal Planning

Advisory Committee. Greg Hughes indicated strong commitment from the FWS Regional Director, Ann Badgley, and from DOE. He indicated that Senator Patty Murray also strongly supported the progress of the Committee, as do the surrounding communities. He said the FWS was moving full speed ahead and expected to make real progress over the next two to three years on the Comprehensive Conservation Plan for the National Monument as a result of the budget approval.

Mr. Hughes noted that one Committee member had passed away and another had resigned from the Committee. He urged the Committee to remain committed to the process.

Mr. Watts added that many people helped with the budget approval process, including Senator Murray. He asked Committee members to thank all those responsible for securing a strong budget and for their show of support.

U.S. Institute for Environmental Conflict Resolution Application

Ms. Shorett described a handout (Attachment A) summarizing an application for assistance money to the U.S. Institute for Environmental Conflict Resolution in Tucson, Arizona. She explained that the assistance program was a partnership among FWS, DOE, the Bureau of Reclamation (BOR), the Institute and a neutral third party (Triangle Associates). The assistance program would provide \$50,000 from the Institute to match \$50,000 of in-kind contribution from the three federal agencies to identify and resolve one or two key issues surrounding the Hanford Reach National Monument.

She reported that the application was in the preliminary acceptance stage. The Institute is waiting for letters of support from BOR, DOE and the Committee. She requested that the Committee send a letter of support to the Institute for the assistance program.

Q: Is the project description a subcontract?

Greg Hughes explained that the application was from the FWS and identified Triangle Associates as the neutral third party.

Q: Is this an open grant?

Ms. Shorett confirmed that it was an open assistance program and clarified that the monies were not considered a "grant". Rather, the Institute provided an assistance program for federal agencies to identify and resolve environmental conflict disputes involving two or more federal agencies.

Mr. Watts added that FWS was required to give examples of what the money would be used for in the application. The example used was sloughing of the White Bluffs.

Q: How do you decide what is important to work on?

Ms. Shorett explained that the first phase of the assistance program was for Triangle Associates to carry out an assessment of the issues; the top one or two issues would then be framed for the Committee to address.

Q: Once an issue is selected, what happens?

Mr. Watts replied that the assistance program would be used to identify the issue, interview people involved with the issue, possibly including experts, and utilize a subcommittee throughout the process to help frame and resolve the issue.

Q: How does the federal government come into this?

Mr. Hughes explained that FWS, BOR and DOE have already committed to in-kind contribution for activities such as attending meetings, providing professional in-house expertise and consultation, much as they have with the FACA process.

Q: Is there time to review the assistance program application?

Mr. Watts replied that the assistance application has already been submitted to the Institute where it has been well received. He added that Committee members should get a copy of the application to review.

Mr. Hughes added that the intent of applying for the assistance was to allow the Committee to stay focused on its purpose of providing advice on the long-range management plan. This additional assistance provided an opportunity to delve into one or two of the important issues using outside

Action: Triangle Associates will send an electronic copy of the application to all Committee members.

resources, so the federal agencies decided to apply for the assistance.

Q: I feel this is a good idea, is there a decision that needs to be made today?

Mr. Hughes responded that if there were a positive response from the full Committee, then the Committee should send a letter of support to the Institute.

Q: Mr. Chairman, are you comfortable with this application?

Mr. Watts replied that he was comfortable with the application.

It was moved, seconded, and passed unanimously that the Committee should send a letter in support of the application to the U.S. Institute for Environmental Conflict Resolution.

Action: The Committee unanimously approved a resolution to send a letter supporting the application to the U.S. Institute for Environmental Conflict Resolution.

Subcommittee Groundrules and Formation

Jim Watts began the discussion on subcommittee rules and organization. The handout referring to subcommittee groundrules (Attachment B) was reviewed. Mr. Watts explained that the Committee would likely form 4-5 subcommittees to begin with and then possibly create other subcommittees as issues arose. He indicated that he would like to see each subcommittees have 3 primary members, 3 alternates and 3

outside people, for a total of 9 members. It would be important, he said, to keep the membership on the subcommittees at an odd number, since the Committee had agreed to decision-making by majority rule. He added that the full Committee would allow a minority report, but that it was not required. Mr. Watts also reminded the Committee that any non-Committee member on the subcommittee would have voting rights. The subcommittees would not be subject to the same rules that applied to the Committee under the Federal Advisory Committee Act (FACA), until they reported back to the full Committee. At that time, the subcommittee reports would become part of the public record.

The proposed subcommittee ground rules were as follows:

- § Subcommittees will be comprised of 3 primary Committee members, 3 alternates and 3 outside members.
- § Subcommittee size is limited to a maximum of 9 people.
- § The Committee will elect the chair of each subcommittee from the Committee members.
- § A Committee member or alternate will be the chair of the subcommittee.
- § No Committee member can serve on more than one subcommittee.
- § Subcommittee members are allowed to bring in advisors on an as-needed basis.
- § The DFO and FPA Committee Chair must approve any expenses.
- § Subcommittees will operate by majority rule and the full Committee will accept minority reports.
- § With notification to the subcommittee chair, any Committee member may attend a subcommittee session.
- § Any other person wishing to attend a subcommittee session must give advance notice to the subcommittee chair.

Q: What about the role of the federal government on the subcommittees?

Mr. Watts replied that the role of federal government representatives on subcommittees was limited to observing and providing advice, until the subcommittee reported back to the full Committee.

Mr. Watts added that the full Committee, through a nomination process, would pick the subcommittee chair. The DFO and the Committee Chair would have the final say on the chair of each subcommittee, but they wanted to give the Committee a chance to nominate themselves and others for subcommittees.

Q: Three members, three alternates and three non-members? Could this change?

Mr. Watts explained that this formula was not a hard line. He said that there could be subcommittees that developed within, or out of subcommittees. In any case, it would be important to keep an odd number of people on each subcommittee.

All subcommittee expenses would have to be approved by the Committee Chair and the DFO. If an outside speaker were to attend a subcommittee meeting, the chair of the subcommittee would be required to notify the Committee Chair. All of the subcommittee chairs would report to the Committee Chair and the DFO, with coordination through the facilitation team.

Q: Would facilitators be available to the subcommittees?

Mr. Watts replied that if the meeting warranted a facilitator, then that would be a possibility.

He invited each Committee member to inform Triangle Associates of his/her top two preferred subcommittees.

Q: Are there going to be four, or five subcommittees?

Ms. Shorett said that the Committee needed to settle the subcommittee rules today. That discussion would allow the Committee to determine how many subcommittees the Committee would create for now.

Mr. Watts reminded the Committee that he and Greg Hughes would decide who sat on the subcommittees. He explained that each issue area identified by the Committee previously would become a subcommittee focus. It was important to remember that the subcommittees did not have the power to agree on a recommendation. The recommendation would have to come to the full Committee for approval by majority.

Q: What about flexibility?

Mr. Watts replied that the Committee agreed to the need for flexibility in the rules should they need to be revised at a later date.

A motion was made, seconded, and approved to adopt the revised rules for subcommittees as reflected in Attachment B.

<p>Action: The Federal Planning Advisory Committee moved to adopt subcommittee rules. The motion carried.</p>
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Update on Electronic Communications by FWS

Greg Hughes gave an update on the status of the FWS communication. He explained that the Department of Interior, which includes FWS, Park Service, BOR, USGS, among others, had shut down its Internet and email access in response to a court injunction. Interior was slowly reinstating some electronic transactions, such as payroll. Because of this electronic shutdown, he said that it had been very difficult for FWS to contact everyone.

Committee Membership

Mr. Hughes also reported on Committee vacancies. He explained that the Secretary of the Interior approved all FACA Committee members. FWS originally received between 70-90 applications for seats on the FACA Committee. Those who applied became the pool from which nominees were selected to fill vacancies. Mr. Hughes said he would recommend to the Secretary of the Interior that current alternates move up to primary positions on the Committee. He would also recommend that the Secretary of the Interior fill vacancies in alternate seats.

The Committee then took a 15-minute break.

Issues Grouping

After reconvening the group, Jim Watts reported to the group that the Richland City Council had resolved

to set aside 2.5 acres along the Columbia River in Richland as a potential location for a Hanford Reach National Monument Interpretive Center.

Action: Jim Watts will draft a thank you letter to the City of Richland and inform them that a subcommittee would be addressing this issue.

Mr. Watts added that other entities had expressed interest in donating land for an interpretive center.

Subcommittee Creation

Ms. Shorett described the procedure for forming subcommittees.

Referring to a handout (Attachment C), she recalled that the Committee had already identified a number of issues, which the facilitation team had broken down into issue groupings. She indicated that the facilitation team wanted to be sure it had identified the groupings correctly. She urged Committee members to recognize that the Committee was being asked at this time to frame the issues, not to come to resolution on them.

Based on the group's previous work on issues, Ms. Shorett suggested that four subcommittees be created to deal with the following issues:

1. Resource Protection
2. Public Use and Access
3. Valid Existing Rights
4. U.S. Institute for Environmental Conflict Resolution Assessment - To provide advice on the work of the partnership program from the U.S. Institute for Environmental Conflict Resolution to go into depth on issues resolution. Funds for this are pending.

The Committee then broke into smaller groups to discuss the first three preliminary issue groupings to (1) ensure all the issues previously identified by the Committee had been included in the groupings, and (2) determine if the issue grouping could serve as topics for initial subcommittee work. Ms. Shorett explained that the fourth subcommittee would be involved in the Federal Partnership Program for issues assessment and resolution.

After 20 minutes of discussion, the groups reported on their discussions as follows.

Group 1: Public Use and Access

The group thought the issues grouping was a good start and recommended no major changes. However, the group noted that it was important to understand the overlap of public use and access among the other subcommittee groups. The group also felt the issue of the interpretive center fell under this area. The group thought it was important to define public access to help serve as a guide in addressing the issues that would come up in this subcommittee.

Group 2: Resource Protection

The group thought the issue grouping was a good one. The group also thought that resource protection had a lot of overlap with the other two subcommittee groupings. The group said it was very important to

integrate this subcommittee's work with the other subcommittees. The group felt that monitoring was a very important aspect of resource protection. Once there was evidence through monitoring of the success or failure of protecting a resource, protection could be enhanced or relaxed.

Group 3: Valid Existing Rights

This group generally agreed with the issues grouping statement. The group indicated that water rights would be a serious issue. The group suggested that the Black Rock proposal should be considered by the subcommittee. Power line construction would be another issue that was expected to come before this subcommittee. Both affected the Monument as well as property owners adjacent to the Monument. Neighbors' rights would have to be considered.

Q: How are Mr. Hughes and FWS going to get the government-to-government consultation information out to the Committee?

Mr. Hughes responded that there were two options. The seat representing Native American interests was one avenue for constituencies to directly respond to the Committee. He also said that government-to-government input would be incorporated into the planning process. He indicated that FWS was carrying out direct government-to-government consultation with Tribal governments.

Mr. Watts added that if a subcommittee felt there were issues surrounding the government-to-government agreements, it should contact Rex Buck, who holds the seat representing Native American interests.

Following discussion, the Committee agreed that the initial subcommittees would be formed around four topical areas:

1. Resource Protection
2. Public Use and Access
3. Valid Existing Rights
4. Ad Hoc Committee on Conflict Resolution (the Federal Partnership Program of the U.S. Institute for Environmental Conflict Resolution)

The task of each subcommittee would be to prepare a draft description of the issues in its topical area for review by the full Committee. These issue descriptions would be used by the FWS to create an issues workbook for initial public scoping.

The Committee also agreed that the Conflict Resolution subcommittee role would be two-fold. The subcommittee would offer advice on the work of the U.S. Institute for Environmental Conflict Resolution assistance program. The subcommittee would also be available for conflict resolution among or between other subcommittees, when issues crossed subcommittee boundaries.

Ms. Shorett invited each Committee member to submit to Derek Van Marter (dvmarter@triangleassociates.com) at Triangle Associates via email a list of his/her two choices among the subcommittees. She repeated that Greg Hughes and Jim Watts would make a final determination of who would sit on each subcommittee. The goal was to have subcommittees formed within the next

month. There might be some members in the audience, or among the public, who would be interested in serving on a subcommittee.

Request: I would like more time to select non-member seats in subcommittees.

Jim Watts responded that the one-month time frame was only for the 3 primary and 3 alternate members for each subcommittee. By the next meeting, he said, members should be ready to move into subcommittee roles.

Action: Committee members will submit their top two preferences for subcommittee membership to Triangle Associates by February 13, 2002
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Next Scheduled Meetings

Ms. Shorett proposed the following dates for meetings:

Tuesday, March 19, 2002

Thursday, May 2, 2002 (**note change from April 30, 2002**)

Tuesday, May 29, 2002 (**note change from May 28, 2002**)

Tuesday, September 10, 2002

Because people's schedules tended to be very crowded in the summer months, Mr. Watts recommended that Committee members email their availability in June to Triangle Associates so a summer meeting could be arranged.

Mr. Hughes showed the Committee a sign designed for the Monument access points.

Comprehensive Conservation Plan Schedule Review

Glenn Frederick from the FWS discussed the planning schedule for the next six months. He explained that there were 12 steps that would occur during that period:

1. Assemble planning team, which would include:
 - lead planner
 - ecologist
 - outdoor recreation planner
 - outreach specialist
 - cultural resource specialist
 - GIS specialist
2. Invite cooperating agencies.
 - Allocate responsibilities for information development and environmental analyses. This would have to occur simultaneously with scoping.
3. Develop public outreach plan.
4. Prepare issues workbook, using statements from the Committee, creating a link to the public.
5. Continue consultation with Tribal governments.
6. Identify and map ecosystem and planning area boundaries. Also, define ecosystem context.
7. Identify and assess resources of concern, including:
 - biological

- archeological
 - paleontological
 - cultural and historical
 - visual
8. Conduct refuge habitat management review (May).
 - directly relates to issues 2 & 3 of the subcommittees
 9. Conduct public use program review (May).
 - directly relates to issue 1
 10. Publish Notice of Intent.
 11. Subcommittee assistance -- with purpose to formulate Environmental Impact Statement / Comprehensive Conservation Plan outline -- to align work of subcommittees with these documents.
 12. Develop draft vision and goals and interpret purposes.

Note: #8 and #9: the Lead is FWS, who will invite outside agencies, groups, experts, including this Committee's subcommittees, to participate. The result would be a set of recommendations for management to support Monument purposes, FWS mission and policies.

Q: Is the planning team comprised of new hires or drawn from existing staff?

Some of the core planning team would consist of existing staff, who would have other duties aside from the planning process. However, this would be the sole focus of the Lead Planner.

Q: Will the GIS work be independent of the work previously completed by other agencies?

Paula Call responded that FWS staff would work with existing maps and data from DOE, BOR, and contractors at Hanford to develop the Service's own GIS capabilities. She indicated that a meeting was scheduled for February 7, for all players to discuss existing information.

Greg Hughes and Alice Shorett reminded the Committee that its purpose was to advise FWS on a long-range management plan. The Committee would not be involved in many day-to-day operations or decisions that FWS might need to make. Mr. Hughes added that the Command 24 Fire Plan was a good example, because fire was an imminent threat at Hanford, which necessitated an immediate response.

Public Comment

Armond Minthorn, member of the governing board of trustees of the Confederated Tribes of the Umatilla Indian Reservation, and chairman of the board's cultural resources committee, commended the Committee for the immense job ahead of it. He said that the Umatilla and Cayuse could trace their history along stretches of the river at the Monument back more than 10,000 years. He said he could relate to meeting in public, as he is chairman of a FACA committee for the Native American Graves Repatriation Act. He identified several concerns relative to the Hanford Reach:

- § The need to facilitate government-to-government relations. He hoped this process could be facilitated. He said he would also like a copy of the City of Richland's resolution, noting that the Tribe has a current Memorandum of Understanding with the City of Richland concerning cultural resources.
- § Concern that breaking into smaller groups would limit public participation. He urged the Committee to avoid limiting public participation in the future.

- § Resources must be managed as a whole (i.e. natural, cultural, archeological, etc.) to avoid conflict.
- § Concern about groundwater cleanup. He recommended that the Committee keep abreast of developments in the cleanup at Hanford. DOE needed to be held accountable, as this was the last free flowing, non-tidal stretch of the Columbia and it supports vital salmon spawning habitat that is important to the Tribe.
- § Concern about Priest Rapids Dam operations. Salmon smolts have been trapped due to controlled flows.

Mr. Minthorn invited the Committee to hold a meeting on the reservation and meet with Tribal leaders to discuss what was important to them. He also recommended the Committee not reinvent the wheel. He said that the Confederated Tribes of the Umatilla Indian Reservation had been involved in many developments along the Hanford Reach and that there were many supporting documents and agreements with DOE and FWS from which this Committee could pull recommendations. He also recommended the Committee not ignore the Indian Policies of both DOE and FWS. He advised the Committee to look ahead 10-15 years because what the group said and did would long be remembered.

Closing Remarks

Greg Hughes, DFO, thanked the Committee for their time. He stated that he had heard a very diverse group of people growing together. Everyone talked about how everything was interwoven in this process, which was true. He said he was happy to see the process coming together and the Committee embarking on substantive issues. Despite the loss of Committee members, he said this was the time to come together as a group.

Greg Hughes closed the meeting at 12:30 pm.

Certified By:

Greg Hughes, DFO

Jeff Tayer, Vice-Chair

***Hanford Reach National Monument
Federal Planning Advisory Committee Meeting Summary***

***Final
February 6, 2002***

Grant & Franklin Co.
Congressman Hastings Office
Tri-City Herald
Public
Public
Public
Benton County

Jim Curdy
Joyce Olson
Mike Lee
Rodney Matteson
Dave Goeke
Marve Hyman
Adam Fyall

DISTRIBUTED MATERIALS

Committee's Packet of Materials

Meeting Agenda (February 6, 2002)

Committee Groundrules

Draft Meeting Summary: Session #3 (October 25, 2001)

Preliminary Issues Exploration

Public Comment from Van P. Keele and Karen L. Savory

Letter from Benton Co. Parks and Recreation Board

FACA Committee meetings / CCP Process (chart)

Action Item for Committee Review: U.S. Institute for Environmental Conflict Resolution

ATTACHMENT A

Action Item for Committee Review:

U.S. Institute for Environmental Conflict Resolution
Federal Partnership Program (FPP) Application

Requested Committee Action

The Committee is requested to provide formal endorsement of the proposal, which has been tentatively approved by the Institute.

Federal Partnership Program Submission and Funds

At the suggestion of the U.S. Institute for Environmental Conflict Resolution, the U.S. Fish and Wildlife Service submitted a Federal Partnership Program application for the Hanford Reach National Monument. The application is intended to supply \$50,000 of additional neutral time to resolve one or two specific issues. All funds awarded on the application will go to neutral services in order to assist in carrying out the project. The application seeks \$50,000 in institute support and \$50,000 of in-kind contribution from Fish and Wildlife Service, Department of Energy and Bureau of Reclamation.

Project Description

The Environmental Conflict Resolution Project will be divided into two phases. Phase 1 is a situation assessment, accomplished through collaboration with the Federal Advisory Committee. Phase 2 is the development of resolution alternatives for one or two of the issues identified in the assessment that contain deeply ingrained community perceptions and positions and that require in-depth work for resolution. For the U.S. Fish and Wildlife Service and the Federal Advisory Committee, this project will provide an opportunity to tackle an issue such as White Bluffs slumping, reach out to groups beyond the FACA Committee, and work toward resolution.

The Institute

The 1998 Environmental Policy and Conflict Resolution Act ([P.L. 105-156](#)) created the U.S. Institute for Environmental Conflict Resolution to assist parties in resolving environmental conflicts around the country that involve federal agencies or interests. The Institute provides a neutral place inside the federal government but "outside the Beltway" where public and private interests can reach common ground. Its primary objectives are to:

- X Resolve federal environmental, natural resources, and public lands disputes in a timely and constructive manner through assisted negotiation and mediation
- X Increase the appropriate use of environmental conflict resolution (ECR) in general and improve the ability of federal agencies and other interested parties to engage in ECR effectively
- X Engage in and promote collaborative problem-solving and consensus-building during the design and implementation of federal environmental policies to prevent and reduce the incidence of future environmental disputes. The Institute is a federal agency reporting directly to the U.S. Congress.

ATTACHMENT B
SUBCOMMITTEE FORMATION AND GROUNDRULES FOR HANFORD REACH NATIONAL
MONUMENT FEDERAL PLANNING ADVISORY COMMITTEE

Groundrules for Subcommittees

(1) The groundrules for subcommittees were adopted on 10/11/01 as a part of the Committee groundrules, in section J. Subcommittees as follows:

"Composition of subcommittees, if established, will be balanced among the interests represented on the Advisory Committee. The charge of the subcommittees will be to refine issues, search for data, identify relevant experts and possibly present options for the Advisory Committee to consider. Subcommittees will be convened based on the Committee's direction to accomplish work and move the full Committee's work along with needed information. The subcommittees will not decide or recommend on behalf of the full Advisory Committee. Subcommittee membership may include members, alternates and non-members.

- § Subcommittees will include at least one Advisory Committee Member.
- § The Committee Chair and DFO appoint, subject to the approval of the Committee, the subcommittee chair and members.
- § A Committee Member or Alternate will be the chair of all subcommittees."

(2) Additional suggested subcommittee groundrules include

- § No committee member can serve on more than one subcommittee.
- § Subcommittee size is limited to a maximum of 9 people.
- § Subcommittee members are allowed to bring in advisors on an as-needed basis.
- § Any expenses must be approved by the DFO and Chair.
- § Subcommittees will operate by majority rules and the full committee accepts minority reports.
- § With notification to the Subcommittee Chair, any committee member may attend a subcommittee session.
- § Any other person wishing to attend a subcommittee session must give advance notice to the Subcommittee Chair.

Subcommittee Formation

In order to provide advice to the US Fish & Wildlife Service as it begins the Comprehensive Conservation Planning (CCP) for the Hanford Reach National Monument, the following subcommittees are suggested:

Subcommittee Topics

(1) Resource Protection - The subcommittee would deal with wildlife resources and half would work on habitat/terrestrial resources, providing advice on framing these issues to be taken out to scoping documents;

(2) Public Use and Access - The subcommittee could address on river corridor issues, and land issues, providing advice on framing these issues to be taken out to scoping documents;

(3) Valid Existing Rights - The subcommittee would work to further define the valid existing rights issues for providing advice on framing issues for scoping documents.

(4) USIECR Assessment - To provide advice on the work of the partnership program (US Institute for Environmental Conflict Resolution) to go into depth on issues resolution. Funds for this are pending.

Subcommittee Tasks

The task of each subcommittee is: Take the initial issue statement, expand upon it, add detail to define the issue, identify resources (people and research) to bring to bear on the topic. Product will be a more developed statement of the issue area, from which the USFWS staff will develop an "issue workbook" for use at a public scoping meeting to be held in April or May.

ATTACHMENT C

2.4.02 DRAFT

Hanford Reach National Monument
Preliminary Issues Exploration
Federal Advisory Committee (FAC)

Introduction

During the October 25 2001 meeting, the FAC spent about two hours listing potential issues for consideration in the Comprehensive Conservation Plan. This document consolidates the FAC=s initial lengthy list into five primary issues and provides applicable background information for each issue. Once this document is further refined by the FAC, it will be used to help direct the subcommittee formation process.

Preliminary Issue 1: Resource Protection

Background

The primary mission of the National Wildlife Refuge System is resource protection. As stated in Section 4 of the Refuge Improvement Act of 1997 (P.L. 105-57): AThe mission of the System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.@

Committee Statements

Protecting the diversity of monument resources is a primary focus for many FAC members, and will require in-depth analyses and thoughtful consideration of many aspects of resource management. Some stressed the need for managers to be proactive in recognizing potential problems and taking immediate actions to address threats before irreparable damage is done. Some felt that because of the sensitivity of certain resources, law enforcement should consider a mechanism to incorporate tribal knowledge into resource protection through the addition of a Native-based monitoring team. Another important consideration is potential impacts from monument management to and from adjacent lands.

Relevant issues raised included:

- § Understanding and protecting species in river, riparian, and upland areas
- § Understanding the interaction between riparian and upland ecological zones
- § Managing game and non-game species
- § Balancing the impact of hunting, fishing and other recreation activities with protection of plant and animal species
- § Environmentally sensitive weed control

- § Protecting and maintaining viewshed integrity
- § Fire management
- § Restoration
- § Rights of Way management, including power transmission, utility, irrigation, and transportation corridors
- § Understanding how management actions fit in with shrub steppe habitat in eastern WA
- § Protecting cultural and historic resources

Preliminary Issue 2: Public Use and Access

Public Access Background

Public access to Monument lands has been limited since the early 1940's. Following the opening of the river corridor and the Wahluke Unit in the 1970's, the Washington Department of Fish and Wildlife, former managers of the Wahluke Unit, reestablished historic access points along the river and developed additional access points to the river and uplands. Today, the Service is maintaining most of the access areas that were in use in 1999, when Wahluke Unit management was transferred to the Service. These accesses are considered semi-primitive, with facilities consisting of gravel and dirt roads, small parking areas, primitive boat ramps, and minimal signing.

Committee Statements

Many people expressed their desire for maintaining and protecting existing public access to the land and river, and to provide more access where appropriate. Some felt that it is very important that there is a balance between the needs of public access and the need to preserve important Native American places within the monument, and to provide Native peoples access to these sacred places. Some felt that providing public access to areas with historical significance is important because history belongs to people.

Concern was expressed regarding the effects of human access to fragile resources. Several people stressed the need to balance public access with resource protection, thus avoiding resource degradation from overuse. There are differing, yet equally intense viewpoints on what it means to provide for reasonable public access while still ensuring the protection of all the monument's significant resources. Consideration must be given to the potential impacts to adjacent lands from public access management on the monument.

Some stated that access should be indirectly controlled by providing improvements at targeted areas rather than the use of heavy-handed law enforcement. Some would like to see visitor-friendly improvements such as bathrooms and interpretive kiosks at key access points.

A boat ramp in the Vernita Bridge vicinity was specifically identified as an access need that is

Important to the Tri-Cities@.

Public Use Background

The Refuge Improvement Act (Act) and Service policy require enhanced consideration of opportunities for six priority wildlife-dependent uses, including hunting, fishing, wildlife observation, photography, environmental education, and interpretation. Some level of each currently occurs on the Monument. According to Service policy, each refuge is closed to any use until it is formally opened through the compatibility determination process. An interim compatibility determination to include the six priority uses above was completed for the Wahluke Unit upon its inclusion in the refuge system.

The Act directs refuge managers to terminate immediately or phase out as expeditiously as practicable, existing uses determined to be not compatible with refuge purposes. Non-wildlife-dependent uses have occurred for years on the Wahluke. Examples include hiking, target shooting, off-road driving, bicycling, dog walking, sunbathing, water skiing, picnicking, and paragliding.

Applicable Language from Presidential Proclamation 7319, June 9, 2000:

For the purpose of protecting the objects identified above, the Secretary of the Interior and the Secretary of Energy shall prohibit all motorized and mechanized vehicle use off road, except for emergency or other federally authorized purposes, including remediation purposes.@

Applicable Language from the Background Paper accompanying the Proclamation:

Much of the monument has been off limits to recreation and public access. However, wildlife dependent recreation (hunting, fishing, environmental education, wildlife observation, interpretation and photography) does occur on the Wahluke Wildlife Recreation Unit on the Wahluke Slope. Such recreation would generally not be affected except where (1) the land managing agency, through processes required by existing law, identifies places where such uses ought to be restricted or prohibited as necessary to protect the federal land and resources, including the objects protected by the monument designation, and the circumstances call for swift protective action. Such uses remain subject to applicable laws and regulations, and therefore remain subject to regulation and limitation under such provisions for reasons other than establishment of the monument.@

Committee Statements

Many people expressed the desire to maintain traditional public uses, particularly fishing, hunting, and boating. Some expressed the desire for flexibility from the strict interpretation of refuge policy, with the thought that the monument status implies a relatively greater accommodation of public uses. The need to capitalize upon the monument for tourism and local economic benefits is important to some. Many people stated the need to balance human uses

with protection of the monument=s diverse natural and cultural resources, to address the question Ahow do we love it without destroying it?@ There are differing, yet equally intense viewpoints on what it means to provide for reasonable public uses and economic tourism benefits while still ensuring the protection of all the monument=s significant resources. Consideration must be given to the potential impacts of monument public use activities to adjacent lands.

Interpretation and Education was frequently mentioned as a desirable public use. Several people pointed out the importance of considering the needs of K-12 schoolteachers and students, organizations such as Scouting groups, and the general public as they visit the monument to learn about its resources. Related to this issue is the need for the Service to interpret the monument through the use of brochures, website, kiosks, etc. Interpretation should include all points of view, including those that may cast a negative light on historical events. Most people agreed that a monument visitor center(s) is needed, with differing opinions on the best locations.

Some stated that providing opportunities for research on the monument is important, for K-12, undergraduate, and graduate students, as well as scientists. Some felt that monument lands should be continued to be used as a National Energy Research Park (NERP).

Preliminary Issue 3: Valid Existing Rights/Existing Activities

The Proclamation recognizes the existing rights of the DOE, the State of Washington, Indian tribes, the Columbia Basin Reclamation Project, the Federal Columbia River Transmission System, and other existing utility services that are located within the monument to continue to operate in a manner consistent with proper care and management of monument resources.

Applicable Language f rom Presidential Proclamation 7319, June 9, 2000:

ANothing in this proclamation shall affect the responsibility of the Department of Energy under environmental laws, including the remediation of hazardous substances or the restoration of natural resources at the Hanford facility; nor affect the Department of Energy=s statutory authority to control public access or statutory responsibility to take other measures for environmental remediation, monitoring, security, safety, or emergency preparedness purposes; nor affect any Department of Energy activities on lands not included within the monument. Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Washington with respect to fish and wildlife management.

Nothing in this proclamation shall enlarge or diminish the rights of any Indian tribe.

The establishment of this monument is subject to valid existing rights.

Nothing in this proclamation shall interfere with the operation and maintenance of existing facilities of the Columbia Basin Reclamation Project, the Federal Columbia River Transmission System, or other existing utility services that are located within the monument. Existing Federal Columbia River Transmission System facilities located within the monument may be replaced,

modified and expanded, and new facilities constructed within the monument, as authorized by other applicable law. Such replacement, modification, expansion, or construction of new facilities shall be carried out in a manner consistent with proper care and management of the objects of this proclamation, to be determined in accordance with the management arrangements previously set out in this proclamation.

Nothing in this proclamation shall be deemed to revoke any existing withdrawal, reservation, or appropriation; however, the national monument shall be the dominant reservation.@

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Several raised a concern with expanding power transmission corridors, and the need to derive efficient ways to use existing infrastructure and avoid unnecessary corridor expansion. Some felt that the monument plan should attempt to seek compatibility with existing operations and plans, and attempt to minimize disruption of entities operating under valid existing rights.

Some pointed out the importance of coordination with Hanford cleanup activities to ensure consideration of the protection of the river corridor, adjacent uplands, and viewshed, including the removal of obsolete or surplus structures.

Issues Raised Outside the Scope of the CCP:

Several issues were raised that are involve entities and activities outside of the scope of the CCP process, including the following:

- § Sloughing: Off-site irrigation activities are degrading and destroying monument resources through sloughing, mass wasting, and erosion of the White Bluffs sediments along the river. Related threats include sedimentation of wild fall Chinook spawning habitat, invasive weed introduction, unstable geomorphology of the White Bluffs island complex, and erosion and loss of Native American cultural resources on Locke Island. Further analysis of this issue is needed to understand the magnitude of impact to fish, wildlife, plants, ecosystem, and cultural resources, and to understand what action needs to be taken to minimize, cease and recover from impacts.

- § Water flows: At the heart of the Monument is the 51-mile long AHanford Reach,@ the last free-flowing, non-tidal stretch of the Columbia River. The Hanford Reach includes more than a dozen islands of significant cultural and ecological value and supports the largest chinook salmon spawning area in the Pacific Northwest. The Hanford Reach has been found suitable for Recreational River designation under the Wild and Scenic Rivers Act, and the Monument is responsible for interim management protection. The Proclamation reserves A... as of the date of this proclamation and subject to valid existing rights, a quantity of water in the Columbia River sufficient to fulfill the purposes for

which this monument is established. Nothing in this reservation shall be construed as a relinquishment or reduction of any water use or rights reserved or appropriated by the United States on or before the date of this proclamation.@

Specific issues raised included:

- § Understanding legal water rights for the Hanford Reach
- § Understanding how river fluctuation impacts fish and wildlife species, cultural resources and recreation opportunities, and how flows could be adjusted to minimize impacts.
- § Understanding how fish, wildlife, and humans are impacted from water quality problems.

- § Payment In Lieu of Taxes (PILT): The counties currently receive PILT payments from the DOE for monument lands under DOE jurisdiction. The Department of Energy (DOE) is currently working with the Fish and Wildlife Service (FWS) and the Bureau of Land Management to transfer primary management jurisdiction of the Monument to the FWS. DOE is transferring the land in response to a recommendation made in an Inspector Generals Audit. The process currently being discussed is the issuing of a Public Land Order. This process could take from six months to a year to complete. When this occurs the Revenue Sharing fees that the FWS will begin paying to the counties vs what the DOE currently pays will be reduced by over \$2 million.

- § Need for Congressional familiarity with monument issues and support for FWS

- § Need for technical support for the FAC