



SPECIAL COMMISSION MEETING

PORT OF KENNEWICK

SEPTEMBER 1, 2016 MINUTES

CALL TO ORDER

Confederated Tribes of the Umatilla Reservation Indian Reservation (CTUIR) Chairman Gary Burke called the Special Commission meeting with the Port of Kennewick to order at 10:00 a.m. in the Board of Trustees Meeting Room at the Nixyaawii Governance Center, 46411 Tim'ine Way, Pendleton, Oregon.

The following were present:

Board Members: Skip Novakovich, President
Don Barnes, Secretary
Thomas Moak, Excused Absence

Staff Members: Tim Arntzen, Chief Executive Officer
Tana Bader Inglima, Deputy Chief Executive Officer
Amber Hanchette, Director of Real Estate and Operations
Nick Kooiker, Chief Financial Officer/Auditor
Larry Peterson, Director of Planning & Development
Lisa Schumacher, Special Projects Coordinator
Bridgette Scott, Executive Assistant

CTUIR Members: Gary Burke, Chairman
Jeremy Wolf, Vice-Chairman
David Close, Secretary
Aaron Ashley, Member
Armand Minthorn, Member
Woodrow Star, Member
Dave Tovey, Executive Director
Debra Croswell, Deputy Executive Director
Helen Morrison, Clerk to the Board
Alan Crawford, General Council Chair
Gary James, Tribes Fisheries Director

OPEN WITH INVOCATION

Member Armand Minthorn led the Invocation.

Mr. Burke, presented Mr. Novakovich and Mr. Barnes with a book entitled "*Caw Pawa Laakni, They Are Not Forgotten: Sahaptian Place names Atlas of the Cayuse, Umatilla and Walla Walla.*"

INTRODUCTIONS

CTUIR Board of Trustees and Port of Kennewick members and staff introduced themselves.

PUBLIC COMMENTS

No comments were made.



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BOARD OF TRUSTEES COMMENTS

Mr. Burke stated the Memorandum of Understanding (MOU) established between the CTUIR and Port established several years ago created a good foundation for projects that effect both the Tribe and Port. Mr. Burke is pleased with the relationship and hopes it will continue.

Mr. Minthorn stated throughout the years, there have been changes within the Port, the Tribe and local government; change can be good and we rely on institutional memory. Faithful, long term employees have the institutional memory to help us avoid mistakes we have made in the past. The Tribe and the Port's relationship has been very good and the direction that we are going can only be beneficial if we want it to be. The environment that we live in and depend on, we cannot take for granted, the resources we depend on cannot be replaced. These relationships are key because of the Port's work on the Columbia River and the Tribes involvement now and in the past. The citizens we represent expect the resources to be protected and remain intact, which is why our partnership needs to be based on cooperation and coordination and early communication. The CTUIR does not want to approach any issue without discussion. When Port seats are filled by others, they will remember these meetings and continue the discussions and direction and partnership. The Port and Tribe have come a long way and have further to go, and as we move in the same direction, we need to be mindful of the resources and environment. Mr. Minthorn thanked the Port for being here and looks forward to our continued partnership.

BOARD OF COMMISSIONERS COMMENTS

Mr. Novakovich thanked Mr. Minthorn for his comments and stated it is important to continue our partnership and reflect on our history. The Port recognizes there is a mutual trust and the Port has tremendous respect for the CTUIR's homeland, ceded territory, and cultural resources.

Mr. Barnes agrees with Mr. Novakovich and Mr. Minthorn's statements and feels our relationship depends upon cooperation, coordination, and most importantly, communication. Through communication, we can overcome any obstacle before us.

Mr. Novakovich stated there is a minor change to the Agenda, and "Village at Island Harbor" is now titled the "Gathering Place."

1135 SHORELINE PROJECT

Ms. Bader Inglima appreciates the opportunity to report to the Board of Trustees on the 1135 Shoreline Project. The Port has been working with the United States Army Corps of Engineers (USACE) in Walla Walla on the Clover Island 1135 project that will improve the shoreline for endangered and listed species habitat, and enhance the public recreational access to the shoreline. Ms. Bader Inglima appreciates the support of the CTUIR and the letter the Board of Trustees provided in May supporting the shoreline restoration. The 1135 project is currently on track and is moving toward the design phase in 2017 and construction will be in 2017-2018. The Port has applied for grant assistance from the Washington Wildlife and Recreation Program and the Aquatic Lands Enhancement Account, where the project ranked very high. Ms. Bader Inglima appreciated the support from the CTUIR Board and staff and stated Ms. Croswell was very helpful during the consultation process in advance of the grant presentation.



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Mr. Minthorn stated the CTUIR supports Phase 2 of the 1135 project and inquired if there are any challenges that need to be addressed moving forward.

Ms. Bader Inglima recently spoke with Rebecca Kalamasz, USACE project manager and Ms. Kalamasz expressed her excitement for the project and stated it fits nicely with the intent of the USACE habitat restoration. Ms. Bader Inglima stated she has not heard of any challenges and requested if the Board of Trustees has any interactions with the USACE and federal government, if they could remind them of the importance of the habitat restoration on Clover Island. She would very much appreciate this support.

Mr. Minthorn shared Walla Walla USACE has a new Lieutenant Colonel, Damon Delarosa and the Tribe will work to arrange a meeting with the Lieutenant Colonel and will mention the importance of the 1135 restoration project on Clover Island.

Ms. Bader Inglima thanked Mr. Minthorn and stated if there is something the Port is not aware of, to please let us know.

Mr. Close asked if the CTUIR's Fisheries Director had any comments to add regarding the 1135 project.

Mr. James stated the Department of Natural Resources and the CTUIR Fisheries are aware of the project and are behind the letter of support. Mr. James stated the CTUIR has a river vision/mission, to improve the function of the flood plain. There is a pristine river upstream where there is the largest wild run of salmon, because of the habitat and if the shoreline is made up of natural components, that will only help the salmon. Anything we can do to naturalize the shoreline, even if it is limited, will improve the habitat and is consistent with the river vision.

Mr. Novakovich stated the West Causeway on Clover Island was previously a dumping ground and full of concrete. The revitalization of the West Causeway, which the CTUIR assisted with, is what the Port hopes to accomplish on the remaining shoreline.

Mr. Wolf inquired if the Port has addressed other invasive species that are being brought to the Columbia River by humans.

Ms. Bader Inglima stated some vegetation will be removed that is not native to the area and the Port has made a commitment to revegetate the shoreline and create a natural habitat, which will significantly improve the environment along the shoreline. Ms. Bader Inglima stated there has not been a lot of management of weeds and invasive species along the shoreline.

Mr. Wolf would like to visit Clover Island to see the areas that have benefited from restoration. Mr. Wolf is concerned about Zebra Mussels, which latch on to boats and then transplant, and asked if the Port is aware of this particular invasive species and what is being done to educate the public.

Ms. Bader Inglima is a little familiar with the Zebra Mussels and stated she would reach out to the U.S. Coast Guard to see if they would be able to do public outreach and create awareness. If the Zebra Mussel is a concern the Port is more than happy to become actively engaged.



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Mr. Arntzen stated he is not familiar with the Zebra Mussel, but the Port does have a problem with Eurasian Milfoil and treats it every other year.

Mr. Wolf stated education is the first line of defense and the Zebra Mussel is microscopic and can be transferred from system to system. When it attacks a system, it is quick and it is quite an endeavor to clean. Mr. Wolf will share as much as he can with Port staff.

Mr. Close stated there are several exotic species that spread everywhere, including bilge and is a concern. Mr. Close stated it is very important to work together to educate the public and keep each other apprised of the situation.

Mr. Minthorn stated the intent of the 1135 project is to enhance the habitat and improve public access to Clover Island. This is where we as partners can educate the public on potential cultural archives and that there are laws that protect the sites.

Mr. Novakovich appreciates the working relationship and if the Board has concerns, please let us know.

GATHERING PLACE

Mr. Arntzen stated the Gathering Place will be located on the harbor side, between the Port office and the West Marina Professional Building. Mr. Arntzen appreciates the patience of the Tribe and stated that although the project has taken longer than anticipated he is excited about the evolution of the project. The Gathering Place was formulated after conversations with Tribe representatives and will feature a boardwalk that connects the Port office and West Marina Professional building and includes a water feature, benches, and the Tule Reeds bronzed artwork. The installation will feature a bronze statue of an elderly woman in a traditional deerskin dress representing a time period of about 200 years ago. This grandmother figure will be gathering Tule reeds with a traditional knife, and will be installed at a higher level, gazing across the water feature toward the figure of a young man who is also gathering Tule reeds and appears in modern dress of cut-off jeans and t-shirt. Staff worked closely with CTUIR representatives to get the artwork just right. Additionally, stonework and signboards will be placed in an effort to tell the story about the Gathering Place, the significance of the artwork and the important contributions of the CTUIR. Mr. Arntzen stated staff is currently readying the project for bid and hopes the CTUIR feels comfortable with the authenticity of the project.

Mr. Novakovich stated Ms. Bader Inglima worked with Bobbie Conner, Director Tamastslikt Cultural Institute, and the artwork honors the CTUIR and will feature history boards and possibly educational panels as well.

Ms. Bader Inglima worked closely with Ms. Conner and Malissa Minthorn, who helped with naming the project and the original concept for the artwork. Though the project has been reengineered, the artwork remains the centerpiece and the surrounding area will be complementary to the bronze statues.



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Mr. Peterson stated the project will be ready to bid in September 2016 and the bid opening will follow. Mr. Peterson estimates the project will be completed spring of 2017 with a dedication ceremony commemorating the project.

Mr. Novakovich stated Ms. Bader Inglima previously planned a nice celebration with the CTUIR for the dedication and hopes we can continue on with those plans.

Mr. Wolf asked if the Port would be providing educational information to the public about the habitat restoration and the enhanced areas. Mr. Wolf inquired what the plan is to maintain the statues.

Mr. Peterson stated the improvements along the West Causeway features 800 feet of meandering paths, slopes, and changing elevations along the shoreline. The improvements have been embraced by the community and people have been respectful of the habitat and stay on the pathways for the most part.

Mr. Arntzen appreciates Mr. Peterson's work on the West Causeway and stated the pathways and the dense plantings discourage the public from walking down to the river.

Mr. Novakovich believes the community has been very respectful of the added public amenities on the Island.

Mr. Wolf stated he would like to see more projects like this, however, every project can be foiled by us not looking ahead and ensuring the enhancements are protected.

Mr. Close suggested a biological case study of the area that shows the revitalization of the shoreline and river has had positive impacts to the surrounding habitats.

TRI-CITIES SHORELINE TRANSFER PROPOSAL

Mr. Novakovich stated Ms. Croswell assisted the Port in crafting a letter to the group supporting the conveyance of the shoreline. The Port does not endorse the conveyance, rather it supports the group having conversations with the CTUIR.

Mr. Minthorn stated the Tribe has had experiences with land exchanges with the USACE and have insisted any proposed land exchange requires consultation. The Tribe strives to work with any federal agency to protect the resources and have worked in partnership with several agencies. There are options when the Tribe and federal agencies can agree and lands can exchange, where the Tribe has covenants and agreements in place prior to finalizing the land exchange. If the Port desires to acquire lands, the CTUIR would want to have discussions up front and state our concerns.

Mr. Novakovich stated the Port of Kennewick will not receive any lands from the conveyance. The *Tri-City Herald* article misrepresented the Port of Kennewick.

Mr. Arntzen stated the land transfer started with an outside group which asked the Port of Kennewick to support. Mr. Arntzen and the Commission conveyed that the group speak with the



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CTUIR and the public. The process this group is taking is not the Port's process and we do not endorse the land transfer and offered words of advice to the group seeking the land transfer.

Mr. Novakovich stated the Commission asked the land transfer group if they had spoken with the CTUIR and did not receive an answer. Mr. Novakovich stated the Port is respectful of the partnership with the CTUIR and does not endorse the land transfer, nor does the Port receive land.

Mr. Minthorn stated part of the challenge is that there has not been any communication. The Tribe is open to discussions, however the unknown is our concern. Mr. Minthorn appreciates the Port giving direction to the land transfer group and until the group speaks directly with the Tribe, everything else is hearsay. Mr. Minthorn reiterated the same stance with the City of Richland City Council. Mr. Minthorn relayed the group needs to speak with all the tribes, not just the CTUIR.

Mr. Novakovich inquired if the land transfer group had spoken with the Board of Trustees.

Ms. Croswell stated there has been a staff level conversation with Gary Peterson, but the group has not met with the Board. Staff received general information only.

Mr. Tovey stated Mr. Peterson made it clear that it was not a TRIDEC effort, but a citizen effort.

Mr. Barnes believes they are well intentioned individuals who believe the land transfer would improve the community. If the Port can plan a role in facilitating communication between the individuals and CTUIR, we would be willing to help in the process.

Mr. Wolf stated the CTUIR is part of the community and it is our responsibility to protect, restore and enhance the area. It is frustrating that we have not been consulted, however, it is important to sit down with the land transfer group to discuss their goals.

Mr. Novakovich stated the Port has a great deal of trust with the CTUIR and will remain neutral.

Mr. Burke thanked the Commission for reminding the City of Richland City Council that it is important to speak with the CTUIR, and Executive Order, 13175, speaks to consultation and coordination with Indian Tribal Governments.

CULTURAL, ENVIRONMENTAL AND TREATY RESOURCES

Mr. Minthorn stated over the past two years, the Cultural Resources has contracted with the Port on five projects, most recently, sub-contracting at Vista Field. The partnership with Mr. Peterson's department and the Cultural Resources department reinforces the working relationship and demonstrates cooperation. Mr. Minthorn thanked Mr. Peterson and the Port for this work and future work that will be done by the Port along the river.

Mr. Novakovich looks forward to a long lasting relationship between the Port and the CTUIR and stated we do not need to have formal meetings to receive input from the Tribe and can meet as a body or as individuals.



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Mr. Star thanked the Commission for being here today and stated the book that was presented to Mr. Novakovich and Mr. Barnes tells a story about the place and provides information about where you live; the history; the native names; and how there could be several names for one area because of the different languages.

Mr. Minthorn discussed the tribal concerns with the 1600 acre federal land transfer.

THE AFFILIATED TRIBES OF THE NORTHWEST INDIANS (ATNI) CONFERENCE

Mr. Arntzen stated that the Port was able to sponsor and participate in the 2014 Affiliated Tribes of the Northwest Indians (ATNI) Conference in Pendleton. Ms. Bader Inglima attended the 2015 ATNI Conference in Spokane and the Port is looking forward to attending the 2016 conference in Tulalip. Mr. Arntzen was thoroughly impressed by the amount of Indian-owned small businesses at the conference and feels it would be an excellent opportunity to work together to foster small businesses in one of the Port projects.

ECONOMIC PARTNERSHIP DEVELOPMENT

Mr. Bill Tovey briefed the Commission on the 190 acres of land near the Port of Umatilla that that will be developed for heavy industrial. Mr. Tovey stated the project will bid this fall with construction to begin spring of 2017.

PUBLIC COMMENTS

No public comments were made.

ADJOURNMENT

With no further business to bring before the Board; Mr. Novakovich adjourned the meeting at 11:48 a.m.

APPROVED:

**PORT of KENNEWICK
BOARD of COMMISSIONERS**


Skip Novakovich, President

Excused Absence
Thomas Moak, Vice President


Don Barnes, Secretary