

Confederated Tribes of the Umatilla Indian Reservation
Land Protection Planning Commission Meeting Minutes

Microsoft Teams and Nixyáawii Governance Center, Waluula and Wanaqit Conference Rooms
October 10, 2023

Members Present: Raymond Huesties, **Chair** (in person); Travis Olsen, **Vice-Chair** (virtually); Lindsey X. Watchman, **Secretary** (virtually), Sam Spino, **Member** (in person); and Kathleen Elliott, **Member** (virtually).

Members Absent: None.

TPO staff present: Patty Perry, Interim Planner Director; Holly Anderson, Associate Planner; Lora Elliott, Assistant Planner.

Others present: Annie Brown, OLC; Susan Bower, DECD; Ben Gates, Urban Patterns, LLC; Margo Rettig, Urban Patterns, LLC; Francisco Mantilla, Cairnspring Mills, LLC.

AGENDA ITEMS:

1. Call to Order

The Commission meeting was called to order at 9:00 a.m. by Ray Huesties, Chair.

2. Roll Call

A quorum was established by roll call with Ray Huesties and Sam Spino attending in person, and Travis Olsen, Lindsey X. Watchman and Kathleen Elliott attending virtually.

3. Review of Agenda

Motion: Sam Spino moved to approve the agenda. 2nd, Kathleen Elliott. 4-0-0.

Action Items:

- a) **Conditional Use File CU-23-002 – Applicant Urban Patterns, LLC on behalf of their client Cairnspring Mills, LLC** sought approval from the Land Protection Planning Commission to construct a flour mill. The subject property was identified as Lot 1 of the Coyote Business Park South Subdivision within trust parcel T2103-C, which is within the external boundaries of the Umatilla Indian Reservation. The subject property is zoned I-D, Industrial Development, where a flour mill is listed as a Conditional Use:

Lora Elliott presented the staff report along with Exhibits 1-3 detailing the Applicant’s proposal to construct a flour mill. She provided information on the subject property and detailed the proposed flour mill and adjacent facilities based on information provided by the Applicant. She answered questions from the Commission about the internal staff review process of the application.

Staff recommended approval of the proposal, provided the Applicant meet the following condition: (1) The Applicant must complete a Cultural Resource Survey of the subject parcel and conform to findings from the resulting Cultural Resource Investigation.

Three (3) attendees – all representing the Applicant – provided an overview of Carinspring Mills, LLC and the proposed facility along with testimony in favor of the proposal. No

attendees provided neutral or oppositional testimony.

The Commissioners discussed concerns with the amount of water the proposed flour mill would use and whether it would affect the available water supply for the rest of the community. They confirmed with the Applicant that the amount of water used by the facility would be minimal relative to other permitted uses within the same zoning designation, and the most water-intensive steps of their production could recycle water several times. They also discussed concerns with the lease for Lot 1 of Coyote Business Park and consulted with the present DECD staff as to the status of the agreement, who explained that finalizing the lease was contingent upon the approval of CU-23-002 and V-23-002. The Commissioners also discussed concerns with impacts of the project on wildlife, specifically elk, and expressed that they want to hear comments from the Wildlife Program before making a decision.

The Commissioners discussed including a condition of approval directing the proposed project also be heard and approved by the Water Commission and the Fish & Wildlife Commission.

Motion: Sam Spino moved to approve the Conditional Use application with staff conditions and the condition that the proposal be heard and approved by Water Commission and Fish & Wildlife Commission. 2nd: Travis Olsen. 3-0-1.

Present OLC staff advised the Commissioners that adding a condition to direct the proposal to the Water Commission and Fish & Wildlife Commission to add further conditions would not provide a clear approval because it leaves the permit conditions too open-ended. OLC staff suggested that the Commissioners instead consider seeking input from the Water Commission and the Fish & Wildlife Commission by reminding the other Commissions of the invitation to the public meeting.

Motion: Kathleen Elliott moved to rescind the previous motion and to recess the hearing until the regularly scheduled October 24, 2023 LPPC meeting. 2nd: Sam Spino. 3-0-1.

The Commission directed Staff to (1) work with the Applicant to gain more specific information on the proposed water usage both in quantity and how the water usage would change throughout the year; to (2) invite the Water Commission and the Fish & Wildlife Commission to provide testimony or written comment on the proposal; and (3) solicit additional written comments from the Public Works Department and from the Water Resources and Fish & Wildlife Programs regarding the impact of the proposed project on water and wildlife.

The Applicant agreed to provide more information on predicted water usage and stated they would need to work with their engineers to gather the requested information.

- b) **Variance File V-23-002 – Applicant Urban Patterns, LLC on behalf of their client Cairnspring Mills, LLC** sought approval from the Land Protection Planning Commission to construct a 65’ flour mill tower. The subject property was identified as Lot 1 of the Coyote Business Park South Subdivision within trust parcel T2103-C, which is within the external boundaries of the Umatilla Indian Reservation. The subject property is zoned I-D, Industrial Development, where structures other than grain elevators are limited to 45’ in height:

Motion: Sam Spino moved to reschedule V-23-002 to the October 24, 2023 LPPC meeting. 2nd: Travis Olsen. 4-0-0.

c) Approval of August 8, 2023 meeting minutes.

Motion: Sam Spino moved to approve the minutes. 2nd Lindsey X. Watchman. 4-0-0.

4. Non-Action Items:

a) Committee/Commission Training

Staff reminded the Commission members about a CTUIR Committee/Commission update and training that will be held at Wildhorse Resort & Casino on November 14-15, 2023.

5. Announcements:

a) The next Land Protection Planning Commission Meeting will be available in person and via Microsoft Teams on October 24, 2023 in the Walúula and Wanaqit Conference Rooms at the Nixyáawii Governance Center in Pendleton, Oregon at 9:00 a.m. and virtual via Teams. Two public hearings are continued and rescheduled to this meeting.

6. Meeting adjournment: Kathleen Elliott moved to adjourn the meeting at 10:38 a.m. 2nd Travis Olsen. Passed 4-0-0.

Submitted by:

Lindsey X. Watchman, Secretary

Land Protection Planning Commission