



# PROPOSED RULE MAKING

## CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

**Agency:** Columbia River Gorge Commission

- Preproposal Statement of Inquiry was filed as WSR \_\_\_\_\_; or  
 Expedited Rule Making--Proposed notice was filed as WSR \_\_\_\_\_; or  
 Proposal is exempt under RCW 34.05.310(4).

- Original Notice  
 Supplemental Notice to WSR \_\_\_\_\_  
 Continuance of WSR \_\_\_\_\_

**Title of rule and other identifying information:** (Describe Subject) Proposed Rule Revising Dates and Notice Requirements for Development Review Decisions and Incorporating SMA Changes

**Hearing location(s):** Hood River Best Western Inn,  
1108 E. Marina Way, Hood River, OR 97031

**Submit written comments to:**  
Name: Jill Arens, Executive Director  
Address: P.O. Box 730, White Salmon, WA 98672

e-mail [crgc@gorgecommission.org](mailto:crgc@gorgecommission.org)  
fax (509) 493-2229 by (date) Jan. 30, 2012

Date: February 14, 2012 Time: 9:00 am

**Assistance for persons with disabilities:** Contact

Nancy Andring by January 30, 2012

**Date of intended adoption:** February 14, 2012  
(Note: This is NOT the effective date)

TTY ( ) \_\_\_\_\_ or ( ) \_\_\_\_\_

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

The proposed rule modifies the due date for development review decisions from the Executive Director of the Gorge Commission. The proposed rule does not propose new hard time periods, but rather sets the current 14-day and 72-day time periods as goals. The Executive Director anticipates meeting these time periods in most cases, but needs the flexibility of surpassing them to manage overall workload and staff resources. The proposed rule also eliminates the requirement that the Commission publish notices of development review applications in the local newspaper and send a notice to the local library. Finally, the proposed rule incorporates changes to the Management Plan for the Special Management Areas that the Forest Service provided to the Commission in 2011 and the Commission adopted without change.

**Reasons supporting proposal:** The Commission's 2011-2013 budget has forced the Commission to reduce staff. As a result, the Executive Director can no longer assure that she can review applications for completeness within 14 days or issue standard development review decisions within 72 days or expedited review applications within 30 days, which the Commission's rules specify. The change to the development review notice requirements saves money, and the changes to the SMA provisions are required by federal law, 16 U.S.C. §§ 544d(c)(5)(A), 544f(1).

**Statutory authority for adoption:** ORS 196.150

**Statute being implemented:**  
ORS 196.150; 16 U.S.C. § 544e(c)(1); RCW 43.97.015

**Is rule necessary because of a:**

- Federal Law?  Yes  No  
 Federal Court Decision?  Yes  No  
 State Court Decision?  Yes  No

If yes, CITATION:  
16 U.S.C. §§ 544d(c)(5)(A), 544f(1).

**DATE**  
10/5/11

**NAME** (type or print)  
Nancy A. Andring

**SIGNATURE**  
*Nancy A. Andring*

**TITLE**  
Administrative Assistant

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE:** October 05, 2011  
**TIME:** 3:07 PM

**WSR 11-21-002**

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

**Name of proponent:** (person or organization) Columbia River Gorge Commission

- Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... Jill Arens, Executive Director	P.O. Box 730, White Salmon, WA	(509) 493-3323
Implementation.... Same		( )
Enforcement..... Same		( )

**Has a small business economic impact statement been prepared under chapter 19.85 RCW?**

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No. Explain why no statement was prepared.

These proposed amendments do not add substantive regulations. Most of the proposed amendments govern Commission procedures and will not have any effect on small businesses.

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No: Please explain: The proposed amendments govern only Commission procedures and are exempt pursuant to 34.05.328(5)(b)(ii).