

DRAFT
Meeting Notes
Rules Committee
Commission Office
May 13, 2009
3:00 p.m.

Committee Members Present: Judy Davis, Joyce Reinig, Walt Loehrke, Carl McNew and Sara Grigsby (by phone until approx. 4:00 p.m.)

Staff present: Jill Arens, Jennifer Kaden, Brian Litt, Jeff Litwak (until 4:15 p.m.)

Public present: Gary Nychyk, Gary Fish, Steven Andersen, Dave Berger, Cindy Walbridge, Matt Bowen, Michael Lang, Thomas Nicolai, Chuck Covert, Dick Gassman, Ben Shumaker, Anne Debbaut

Committee Chair Judy Davis began the meeting at 3:05 p.m. by asking for introductions.

The Committee approved the meeting notes from April 22, 2009.

The meeting began with Committee members each summarizing what they learned from the presentation by the Oregon Department of Land Conservation and Development (DLCD) and the Washington Community, Trade, and Economic Development Department (CTED) the previous day at the Gorge Commission meeting. Several committee members said they felt like the process for recommending changes to the Urban Area Handbook or rules should slow down as a result of comments they heard from DLCD and CTED. Michael Lang, Gary Fish, and Dave Berger commented on whether to move forward with recommended changes to the Handbook. Jennifer Kaden reminded the Committee that the Commission voted 6 to 3 to accept the Rules Committee recommendation of working on changes to the Handbook instead of changes to urban area boundary revision rules. The Committee agreed to continue its work on recommended changes to the Handbook.

Judy Davis asked the Committee whether it wanted to propose one recommendation or options. She suggested bringing one recommendation to the Commission with an explanation of options that had been ruled out. Joyce Reinig and Carl McNew agreed. Sara Grigsby suggested the recommendation include background and specific options not included in the recommendation.

Prioritization and Regional Analysis

Jennifer Kaden recapped the two options the Committee was considering for addressing prioritization and regional analysis. She recommended one of the two options be added in a new section V at the end of the Handbook because the provisions provide further direction for demonstrating consistency with the four review criteria (of Section 4(f) of the NSA Act). The Section 4(f) criteria are interpreted in Section III of the Handbook. Section IV includes suggested methodology for demonstrating consistency with the criteria. Kaden also explained some suggested minor grammatical edits and one additional phrase referencing state law that was requested by DLCD for the new prioritization/regional analysis section.

Walt Loehrke asked whether Section E under Option 1 was redundant. Ben Shumaker from the City of Stevenson suggested that the provision was not redundant for urban areas that do not follow the Growth Management Act or the Oregon system.

Sara Grigsby left the meeting.

Judy Davis said she preferred Option 1, with the provision related to a connection to lands outside the Scenic Area included in Section C.1 instead of C.2. Walt Loehrke made a motion to move forward with Davis' suggestion. Carl McNew seconded the motion. The Committee agreed to the motion without objection.

Minor Revision & Cumulative Impacts

Jennifer Kaden recapped the suggested changes to the interpretation of "minor revision" discussed at the April 22 Rules Committee meeting. She explained the significance of changing the word "or" to "and" is that both impacts and size would be considered. Brian Litt echoed the significance of the suggested change saying it raised the bar for revisions to be considered "minor." Kaden also discussed feedback she had received about the term "address" for the phrase related to cumulative impacts and explained that it may be confusing to include the term "cumulative impacts" in the interpretation of "minor revision" when it already is discussed under the handbook section that interprets Criterion B.

Joyce Reinig offered that if the term "cumulative impacts" could be interpreted as something other than how it is interpreted under Criterion B, it should be deleted. Judy Davis agreed that if the Committee wasn't sure what it meant in this context, it should be left out. She concurred with changing "or" to "and" for "minor revision." Walt Loehrke echoed Davis saying the term "cumulative impacts" would add confusion if it was included in the interpretation of "minor revision." By consensus, the Committee agreed to change "or" to "and" and to delete the phrase related to cumulative impacts in the interpretation of "minor revision."

Dave Berger requested the Committee consider adding consideration of impacts to cultures in the interpretation of "minor revision." The Committee decided to leave it as it is.

Policy statement

Jennifer Kaden provided copies of a proposed policy statement Judy Davis drafted and copies of suggested changes emailed by Sara Grigsby. The Committee discussed Grigsby's suggestions and made some of them. Michael Lang suggested adding a reference to "wild lands" in second bullet. The Committee had no objection. Other minor edits were suggested. Jennifer Kaden suggested adding a bullet to articulate the spirit of partnership suggested by DLCD and CTED in their presentation to the Commission. Cindy Walbridge asked whether the policies could become standards for approval. The Committee said no and decided it was self-explanatory with the title "Guiding Principles for Urban Area Boundary Revisions." Judy Davis envisioned the statement would be added to the front of the Handbook. The Committee directed staff to work out the final edits.

Next Steps

Hearings on the recommended changes to the Handbook before the Gorge Commission on June 9 and July 14, 2009

The meeting adjourned at 4:35 p.m.