
COLUMBIA RIVER GORGE COMMISSION MEETING

August 14, 2001

Rock Creek Recreation Center, Stevenson Washington

COMMISSIONERS IN ATTENDANCE

Kenn Adcock	Doug Crow
Dan Harkenrider	Walt Loehrke
Jim Luce	Joe Palena
Louie Pitt	Joyce Reinig
Kathy Sheehan	Wayne Wooster
Anne Squier	

COMMISSIONERS EXCUSED

Don Dunn	Dave Robertson
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STAFF PRESENT

Martha Bennett, Executive Director
Jeffrey Litwak, Agency Counsel
Keith Frederickson, Public Outreach Coordinator
Brian Litt, Senior Planner
Bob McIntyre, Administrative Assistant

AUDIENCE IN ATTENDANCE

Allen, Patrick. Oregon Economic Community Development Department, Salem, Oregon
Allen, Phil. Oregon Department of Environmental Quality
Archer, Katie. White Salmon, Washington
Bachman, Bob. US Forest Service
Baker, Nathan. Friends of the Columbia Gorge. Portland, Oregon
Barber, Jill. Columbia Gorge Audubon Society. Mosier, Oregon
Barker, Chuck. Audubon Society
Benedict, Susan. White Salmon City Council. White Salmon, Washington
Bryan, Peggy. Skamania County EDC. Stevenson, Washington
Burton, Jules. Hood River, Oregon
Cheatham, North. Apeasay, Inc.
Cohn, Bart. Hood River, Oregon
Cohn, Marc. Hood River, Oregon
Cornelison, Peter. Hood River, Oregon
Crowley, Susan. Hood River, Oregon
Curtis, Lee. MCEDD
Elliott, Bob. Southwest Clean Air Agency

Ferris, Mike. US Forest Service, NSA Office. Hood River, Oregon
Fredericksen, Dara. Washington State OTED
Gahimer, Anita. Port of Skamania County. Stevenson, Washington
Ginsburg, Andy. Oregon Department of Environmental Quality
Grammon, Joanna. Skamania County Pioneer. Stevenson, Washington
Horton, Dena. Congressman Brian Baird's Office
Johnston, Stuart. Lyle, Washington
Karnopp Dennis. Confederated Tribes of the Warm Springs. Bend, Oregon
Knight, Lisa. Hood River, Oregon
Knowles, Christine
Lee, Sandy. City of Cascade Locks. Cascade Locks, Oregon
Lemons, Nancy. The Dalles Chronicle. The Dalles, Oregon
Lichtenwald, Daniel
Lindquist, Mindi. US Senator Patty Murray's Office. Vancouver, Washington
Lloyd, Darryl. Hood River, Oregon
Maule, Judith. Central Cascades Alliance. Hood River, Oregon
May, Galen. Northwest Wind Power
Meriwether, David. Hood River, Oregon
Morgan, Warren. Hood River, Oregon
Moyjer, Paul. White Salmon, Washington
Newell, Sally. Columbia Gorge Regional News
Newton, Tiffany. Friends of the Columbia Gorge. Hood River, Oregon
O'Donnell, Heather. Skamania County Planning Department. Stevenson, Washington
Peck, Dana, Klickitat County
Richmond, Scott.
Rouches, Linda. Hood River City Council. Hood River, Oregon
Russell, Dave. Hood River, Oregon
Sapp, Meghan
Sauter, Dave. Klickitat County
Sims, Pat. Portland, Oregon
Swart, Dick. Hood River, Oregon
Talent, Bob. Skamania County
Thiemann, Phyllis. Brickhaven. Corbett, Oregon
Vakos, Toni. Hood River, Oregon
Walker, Eric. Hood River County
Washines, Clifford. Yakama Indian Nation
White, Bonnie. CGAS
Wilkins, Maxine. Portland, Oregon
Wilson-Noyes, Louise. Hood River
Woodrich, Ken. Hood River, Oregon

MEETING AGENDA

1. Roll Call
2. Public Comment
3. Introduction of Keith Frederickson
4. Economic Grant Certification Requests
5. Hearing on Proposed Resolution
6. Approval of Minutes
7. Director's Report

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8. NSA Manager's Report
 9. Air Quality Work Plan
 10. Bureau of Indian Affairs Pending Decision for Conversion of Lands from Fee to Trust
 11. Other Business
 12. Executive Session
 13. Adjournment

1. Roll Call

The meeting began at approximately 9:05 a.m. Roll was called.

2. Public Comment

No one present wished to make public comment regarding items not on the agenda.

3. Introduction of Keith Frederickson

Martha Bennett introduced Keith Frederickson, recently hired as the Public Outreach Coordinator, and expressed her appreciation to have him on board.

4. Economic Grant Certification Requests

Martha Bennett introduced two economic grant certification requests (please see attachments A and B). The first request was for a \$10,000 feasibility study for the Old Corbett School in Corbett, Oregon. The second was for a \$3,000 grant for a mural project on the Bridge of the Gods in Cascade Locks. Staff found both applications consistent with the National Scenic Act and the Management Plan. The Commissioners voted unanimously to certify both requests, with Commissioner Crow abstaining from the vote. Commissioner Louie Pitt expressed a concern that mural projects should consider the long cultural history of tribal people, rather than only history that begins with Lewis and Clark.

5. Hearing on Proposed Resolution

Brian Litt, Senior Planner, introduced a proposed resolution to a long-standing violation of the Scenic Area guidelines by Dan Stingl. Mr. Litt provided the background including a description of what was originally approved to be built on the site, and how the buildings do not comply with NSA guidelines today. He stated that the Gorge Commission issued a notice of violation in November of 1998, and that Mr. Stingl did not contest any of the violations.

Mr. Litt then went over the proposed resolutions to the violations, including planting of vegetation, repainting of buildings and scuffing of metal roofing material. Mr. Stingl was aware of the hearing, but chose not to participate. Mr. Litt also recommended adding to the resolution a requirement to repaint a 100 square foot pump house a dark earth-tone color. Staff recommended this action to legalize the pump house, which was built without Commission review and approval.

Commissioner Reinig expressed a concern that the second story of the garage building looks like it could become an apartment, and then converted to a rental unit. Mr. Litt noted that he had discussed this with Mr. Stingl, and it was clear that residential use was not an approved use of the property. Mr. Stingl understood this, and stated the building would be used for storage only. Some commissioners feel that this property needs to be watched carefully. Commissioner Sheehan recommended that staff inform Mr. Stingl that any residential use of the garage would be a violation.

Commissioner Adcock noted the amount of time that had elapsed since the notice of violation had been presented, and today's proposed resolution, and asked why it has taken so long to get to the resolution. Mr. Litt replied that taking care of this issue has simply been a matter of having the resources, and competing priorities.

Commissioner Crow expressed a concern about the likelihood that the trees that are required will survive because they are very large. He also asked if Mr. Stingl would be required to irrigate the trees. Litt responded that the proposed resolution requires Mr. Stingl to maintain the vegetation.

Commissioner Sheehan moved to accept the proposed resolution, with changes made to include the pump house. Item B on page 2 should read, "Mr. Stingl shall paint the window trim, garage door, and pump house the same color", and item C shall read "Mr. Stingl shall treat the roof surface of the RV garage and pump house so the surface has low reflectivity". Commissioner Adcock seconded this. The Commissioners voted as follows:

Adcock-Yes	Crow-Yes
Loehrke-Yes	Luce-Yes
Palena-Yes	Pitt-Yes
Reinig-Yes	Sheehan-Yes
Squier-Yes	Wooster-Yes

The motion to accept the proposed agreement with the changes noted passed unanimously.

6. Approval of Minutes

The May and July 2001 minutes were reviewed and discussed. There were some modifications and clarifications needed to the May minutes, and they were approved with the noted changes. The July minutes were approved as written.

7. Director's Report

Martha Bennett thanked the Commissioners for meeting with her. She has made notes of all of their questions and concerns, and will bring a report answering those concerns to the next meeting. She appreciates their work in helping her get "up to speed".

Ms. Bennett provided an update on Plan Review. She noted that a copy of the comments received in the Plan Review process was provided in the Commissioner mailing. She stated some of the comments are direct in nature, others somewhat philosophical. The staff is attempting to sort these comments into "issue statements" that will be used to define the work plan for Plan Review. A list of priorities will need to be developed, as will a corresponding work plan. She provided a three-month schedule to the Commissioners. She noted that the schedule would be reviewed by the Monitoring Committee at their August 22, 2001 meeting.

The Commissioners might help the process by assisting in meeting with the counties and tribes, and providing useful feedback to the staff. Commissioner Adcock asked if an oversight committee might be helpful. Ms. Bennett responded that the monitoring committee is the body responsible for overseeing the process. Chair Squier added that citizens will be involved in working on the issues that are selected for Plan Review. Bennett further clarified that the nature of public involvement will depend on the work plan that is developed later in the fall.

Ms. Bennett stated that a discussion would take place in October regarding the e-mail policy. A draft work plan is underway regarding ancient subdivisions, and that will be reviewed at the next Commission meeting. Staff will be looking for feedback. She then discussed an opportunity for Commissioners to take part in a tour of the Historic Columbia River Highway on September 18, 2001.

8. NSA Manager's Report

Mr. Harkenrider provided an update of the happenings in the National Scenic Area office. He emphasized that the Forest Service is a full partner in the Plan Review process. He stated that the Forest Service is on schedule for producing letters to individuals interested in offering their properties through the 8(o) process. He anticipates having six million dollars available for acquisitions in federal fiscal year 2002, and will be requesting 11 to 15 million dollars for fiscal year 2003.

He said it is a heavy fire season. There have been 21 fires in the Scenic Area this year, and currently many Forest Service staff are on fire assignment.

9. Air Quality Work Plan

Brian Litt opened the presentation of the air quality work plan. He reviewed the history and reasoning for the air quality work plan, and some of the major directives of it. He stated that public input was taken in developing the work plan, and feels this plan is well thought-out and establishes a solid framework on moving forward. He then introduced two presenters, Myron Saikevicz and Annette Liebe.

Mr. Saikevicz provided a brief overview of the work plan. He stated that it is not a regulation document, but rather a roadmap that describes a process for learning more about Gorge air quality, sets some goals, and describes a process for reaching those goals. The main overall goal is to increase the number of days key viewing areas in the Gorge can be seen. He discussed the process used to develop the plan, public input, and key stakeholders.

He stated that the process was collaborative, inclusive, and fair. He described key aspects of the plan, and the different phases the process will take. Phase 1 will include a technical foundation study, and phase 2, if needed, will provide more detailed air quality information. The total cost might range from three to six million dollars.

Annette Liebe discussed the decision making process. This would include an advisory committee made up of thirty-two individuals from a variety of different backgrounds including government agencies, environmental groups, and others. This committee will be responsible for evaluating the results of the study, and making recommendations to the state agencies on courses of action. She noted the representation from inside, and outside the Gorge, and any proposed courses of action will be evaluated for economic impacts. She noted the advisory committee meetings would be public.

She noted that of the comments gathered so far, there was a large portion of comments that urged action be taken on air quality quickly. Another component of public input is the desire for the Gorge Commission to define its role in the process.

Public comment on the air quality issue was then taken:

Judith Maule, Executive Director, Central Cascades Alliance, stated that an air quality plan could have potential benefits for the entire region, not just the Gorge, and she commended the agencies for gathering input from a variety of sources. Maule stated that interim standards should be considered and that the work plan should include an ecological risk analysis, particularly as it relates to native species. She asked that the work plan include funding for different groups to participate, which may need technical expertise to participate.

Dan Lichtenwald spoke about the composition of the advisory group. He expressed a concern that there are too many economic development interests on the group. He recommends the bi-state agencies consider a permanent air quality district that would consider the congressional mandates of the Act. He urged the consideration of interim air quality guidelines, and expressed concerns about the quality and level of detail of the map of the Scenic Area in the report.

Bonnie White, Columbia Gorge Audubon Society, supports comments submitted by Friends of the Columbia Gorge. She stated that the draft work plan delays implementation of action until 2006, and many new sources of pollution will be in place by then, and the problem will continue to worsen. She encouraged a phased implementation approach.

Pat Sims said she doesn't consider the timing of the work plan acceptable. With gas power plants being planned, sources of pollution will continue to grow. She stated that sometimes "further study" simply means waiting for a favorable political climate. She asks that action be taken immediately. In regard to the advisory committee, she would like to see someone appointed that has the health concerns of individuals at heart. She stated there is a lot that can be done to help improve air quality in smaller ways until the larger plan is implemented.

Maxine Wilkins said she often has difficulty seeing the Washington side of the river, and that perhaps it is time to turn the issue over to a non-governmental entity. She stated that pollution sources exist in and outside the Gorge, and generations to come are going to face this problem unless something is done now.

Dana Peck, Resource Developer, Klickitat County, said he feels the studies proposed must be done right, and he is strongly opposed to interim air quality guidelines. He spoke about the trends of air pollution back to 1988, and he said that DEQ data illustrates that air quality, except for ozone, has improved in the Portland metropolitan area. Peck said impacts should be taken into consideration before a study is undertaken.

Eric Walker, Senior Planner, Hood River County, said the Hood River County board is in support of the work plan. He said the study must be with the best available science, even though the cost is very high. He feels the work plan does not include an assessment of the benefits from existing regulations. Finally, he stated that the Gorge Commission needs to clarify its role in the process.

Nathan Baker, Friends of the Columbia Gorge, supports the work plan, but does not like that it is taking such a long time to take action. He stated that lead, sulfur and other contaminants are in the air now, and other new sources of pollution are developing. He expressed a concern that a study recently released by the Bonneville Power Administration suggests that air quality in the Gorge could become worse, according to the study, for an estimated 57 days per year. He encourages a precautionary approach, but interim standards are needed to prevent further

damage. Delaying action now will mean greater consequences for the future. He suggested implementation of air quality offset regulations for any new sources.

Phyllis Thieman, said she is worried about Gorge residents being saddled with more regulations. She also mentioned the fire situation, and its contribution to air quality. She also expressed concern about undefined terms in the work plan.

Clifford Washines, Yakama Indian Nation, said the air quality studies headed by the two states do not address tribal treaty issues at the federal level. He said it is upsetting that the work plan does not recognize tribal beliefs. He also discussed the work plan, and its referral to tribal existence in the past tense, which he took exception to. He also noted that several important resources, such as plants used for foods and medicines are not recognized in the work plan. He said he hopes the Gorge Commission takes tribal needs seriously.

Peggy Bryan, Skamania County Economic Development Council, supports imposing and implementing current guidelines, and strongly opposes interim guidelines. She said she thinks the various agencies are doing a good job, and should focus on acquiring funding. She agreed that the process would allow for voluntary measures or measures the advisory group determines are necessary even if before completion of all studies.

Bud Quinn, Skamania County Commissioner, said Skamania County does not support interim guidelines. He said the agencies should be allowed to do their work, and supports the work plan as it has been submitted.

Lee Curtis, said that in regard to economic indicators, there is some degradation in the counties, and the Gorge areas are definitely lagging behind the rest of the state. There are indications of a serious economic downturn.

Annette Liebe and Myron Saikevicz provided follow up after the public comment. In regard to interim guidelines, Ms. Liebe said the technical team did not believe there was sufficient information to institute interim guidelines.

The Commission deliberated. Commissioner Crow said he felt the advisory committee did not represent industry very well. Crow noted several particular industries, but he was most concerned about the importance of the transportation industry, particularly because the Gorge is important in several types of transportation. Commissioner Luce stated that it would be better to keep those industries well informed rather than adding more members to an already very large committee. Commissioner Reinig agreed that the committee is heavily weighted toward agencies, and greater representation on the part of industry would be needed before the public would accept this plan. Reinig agreed with Crow's concerns about the transportation industry. Both Crow and Reinig stated that they want to ensure that the air, auto, barge, and rail transportation interests need to be involved, but they agreed that they do not need to be added to the advisory committee. Commissioner Adcock expressed concern about the funding.

Commissioner Luce moved that the Commission support the staff recommendation of approving the work plan as presented, and to direct the Executive Director to work with the three air quality agencies and the United States Forest Service to send a letter to the Bonneville Power Administration requesting them to supplement the air quality work. Luce said the letter ought to request staff, technical, and monetary participation. Commissioner Palena seconded the motion.

Commissioner Sheehan commended the agencies for their ability to bring together so many different entities from such varied backgrounds together so quickly to work on this.

The motion was voted on, and the Commissioners voted as follows:

Adcock-Yes	Crow-Yes
Loehrke-Yes	Luce-Yes
Palena-Yes	Pitt-Yes
Reinig-Yes	Sheehan-Yes
Squier-Yes	Wooster-Yes

The motion passed unanimously.

10. Bureau of Indian Affairs Pending Decision for Conversion of Lands from Fee to Trust

Martha Bennett provided a report to the Commission, and stated that the staff requests direction from the Commission on how to respond to an application submitted to the Bureau of Indian Affairs by the Warm Springs Tribe to convert land from fee to trust. The Gorge Commission and the United States Forest Service were copied on a letter from the Bureau of Indian Affairs to Hood River County, which invited Hood River County to comment. The Gorge Commission has received comments on this from a variety of different sources. Ms. Bennett's report outlined some of the major directions the Gorge Commission might take from this point, ranging from no response at all to expressing concerns about the precedent of removing land from the Scenic Area comments.

Chair Squier cautioned the Commissioners to limit their discussion to the fee to trust issue, and avoid any discussion of possible specific land uses that might be proposed for the property. She also noted that this issue is one that could be handled by Martha, but Martha felt the issue was important enough to get Commission input. Commissioner Sheehan said that was refreshing. Commissioner Reinig expressed her belief that Commissioner Pitt should recuse himself from the discussion due to his membership in the Warm Springs Tribe. Counsel was asked his opinion, and he stated that Commissioner Pitt was free to take part in the discussion since this was not a contested case-type of hearing. Commissioner Pitt however recused himself from the discussion, out of a desire to avoid any possible criticism of the Commission's conduct. He did however note that his involvement in this has been limited to educating the counties on the fee to trust issue.

Public comment was taken on the issue:

Nathan Baker, Friends of the Gorge distributed a fact sheet to the Commissioners, and stated that this issue threatens the National Scenic Area. If allowed, there could be future development. He said the Commissioners do have authority to comment on this issue, and to encourage review by the Forest Service.

Toni Vakos, urged the Commission for an extension of the comment period, and urged the full NEPA environmental impact statement, and to take a firm pre-emptive position that no Scenic Area lands, now or in the future, be taken into trust.

Dave Russell said the Gorge Commission has the right to respond, and will be expected to do so. He urged the Commission to craft a response to this application and join Hood River in its opposition to this issue. This could open the door to more applications.

Ken Woodrich presented a petition signed by fifty-nine people in the east side of Hood River who oppose this. He stated once the land goes into trust, Scenic Area guidelines no longer apply to the land. He stated local landowners have abided by the Scenic Area guidelines, which has not always been easy, but he appreciates the protections created by it.

Christine Knowles thanked the staff for the excellent memo, and urges the Commissioners adopt all three options.

Linda Rouches said the city of Hood River is opposed to this. The city simply cannot handle the extra traffic that development on the land might bring, and the road leading to the area would be devastated by the traffic.

Susan Crowley said the application submitted by the Warm Springs Tribe is incomplete. She asked the Commissioners to affirm the staff request.

North Cheatham said his property lies directly between the city and the property in question. He urges fair and consistent application of the Management Plan. Taking land out of the Scenic Area is not an option for everyone, and he is in support of the Management Plan.

Louise Wilson-Noyes said she agrees with previous speakers, and that this is not an anti-tribe sentiment. She urges the adoption of all, except the "no" option, of the memo submitted by the staff.

Dennis Karnopp, from the Confederated Tribes of the Warm Springs, said they are strong supporters of the Gorge Commission, and said there is a NEPA document to be filed very shortly. Commissioner Luce asked if there ever was a public scoping meeting about this. Mr. Karnopp stated that he did not know.

Peter Frothingham urged objection to the proposal. He said if this was approved, the Tribes could petition for the land adjacent to the site.

Warren Morgan urged the Commission to object to this proposal. He stated that uncontrolled development in the area could impact the City of Hood River in very important ways, and the very foundation of the Scenic Act could be in jeopardy.

Darryl Lloyd emphasized that nothing threatens the character of the Gorge more than this issue, and the Scenic Resources must be protected due to the potential uses of this land.

Jules Burton marveled at the beauty of the Gorge and asks the Commission to consider the children and the opportunity for them to enjoy it.

Craig Sabina supports all of the statements in opposition to transferring land from fee to trust, and he urged the Commission to oppose it. He stated that he understands the economic plight of the Tribes, but is worried about the economic impact of whatever might happen on that property. He said there is no way a casino will be viable on that spot, other supports will be needed as well.

The Commission deliberated the issue. Chair Squier emphasized again, the Commission was only discussing the fee to trust issue, not specific land uses. Commissioner Luce read aloud to the

Commission a letter that he drafted up as a basis for discussion. Commissioner Reinig thanked the staff, and stated that the Commission must respond to this issue, however, care must be taken as this is new territory, and urged adoption of option two.

Martha Bennett explained her recommendation that the Gorge Commission not pursue option 2. The substance of option 2 would be accomplished by asking the Bureau of Indian Affairs to comply with Section 14(d) of the Act, which requires the Forest Service to review actions of other federal agencies to ensure that those actions are consistent with the National Scenic Act and the Management Plan. The Commission ought not at this time be expressing any opinion on consistency of specific uses. Bennett said the issue is the decision-making process, and that the Commission should have the same concerns, no matter what the proposed use would be. Commissioner Harkenrider stated that the Forest Service does have the authority to respond, and will do so. He stated also that trust land is not subject to National Scenic Area guidelines. Loehrke stated that it is important to support Hood River County's decision-making authority in the process of responding. (Options in record).

Commissioner Adcock moved that the Commission write a letter to the Bureau of Indian Affairs including options 1 and 3 from the staff memo, and also include the major points of Commissioner Luce's letter. Commissioner Sheehan seconded the motion. Chair Squier called for a vote, and the Commissioners voted as follows:

Adcock-Yes	Crow-Yes
Loehrke-Yes	Luce-Yes
Palena-Yes	Pitt-Yes
Reinig-Yes	Sheehan-Yes
Squier-Yes	Wooster-Yes

The motion passed unanimously.

11. Other Business

Commissioner Pitt spoke regarding consistency with some review of the actions of other federal agencies in addition to the Bureau of Indian Affairs, and he asked that the Commission be consistent throughout the Gorge. Commissioner Pitt mentioned that in the past he had tried to get actions of the Bonneville Power Administration reviewed, and he and the Forest Service had been unsuccessful. Commissioner Crow thanked Commissioner Pitt for bringing this up. Chair Squier directed Martha Bennett to follow through in requesting federal consistency review on matters that are within the Commission's jurisdiction.

12. Executive Session

The Commission went into Executive Session at 3:38 p.m. to discuss matters of pending litigation. Chair Squier read the rule governing executive sessions, and the audience was cleared. The only attendee in the audience to remain was Nancy Lemons of The Dalles Chronicle.

The Commission returned from executive session at 4:45 p.m.

13. Adjournment

There being no discussion or action needed following the Executive Session, the meeting was adjourned at 4:45 p.m.

Minutes taken by Bob McIntyre

Date of Adoption: *OCTOBER 9, 2001*

DIRECTOR'S REPORT

TO: Columbia River Gorge Commission

FROM: Martha Bennett, Executive Director
Gary Pagenstecher, Planner

DATE: August 2, 2001

SUBJECT: Economic Development Grant Request: -- FILE NO: H01-0068

APPLICANTS: City of Cascade Locks

BACKGROUND:

Section 11(c)(1) of the Columbia River Gorge National Scenic Area Act (P.L. 99-663), and Commission Rule 350-120, require the Commission to certify that all activities undertaken under a National Scenic Area economic development grant and/or loan are consistent with the purposes of the Act, the Management Plan, and a land use ordinance adopted pursuant to the Act. Commission Rule 350-120-030 requires the Commission's Executive Director to prepare a report and recommendation on each certification request received by the Commission. This is the Executive Director's Report for certification request H01-0068. The request will be heard at the August 14, 2001 Commission meeting at the Rock Creek Recreation Center in Stevenson, Washington.

PROJECT DESCRIPTION:

The City of Cascade Locks is requesting a \$3,000 National Scenic Area economic development grant to fund a 14-foot by 24-foot mural on the south abutment of the Bridge of the Gods. The mural would depict historic themes and provide a western gateway element to the City of Cascade Locks' downtown.

The total project cost is \$7,000. The Oregon Investment Board grant will be matched by the City of Cascade Locks (\$1,000) and the Mt. Hood Economic Alliance (\$3,000).

The Oregon Investment Board gave preliminary approval of the grant request (pending Gorge Commission certification) at its June 15, 2001 meeting.

CRITERIA FOR CERTIFICATION:

Consistency with the Purposes of the National Scenic Area Act

The purposes of the Act are to: 1) protect and provide for the enhancement of the scenic, cultural, recreational, and natural resources of the Columbia River Gorge, and 2) to protect and support the economy of the Columbia River Gorge area by encouraging growth to occur in existing urban areas and by allowing future economic development in a manner that is consistent with the protection of the resources of the Gorge.

The mural project proposes painting the southern concrete bridge abutment adjacent to the parking lot for the Historic Columbia River Highway bicycle path and near the Pacific Crest trailhead. The mural will depict historic events that have occurred at that place on the Columbia River, including the Lewis and Clark expedition and Charles Lindberg's flight under the bridge. This activity would not adversely affect, scenic, natural, or recreation resources, consistent with the first purpose of the Scenic Area Act.

The mural project would affect the Bridge of the Gods, which was found to be eligible for the National Register of Historic Places by the Oregon Department of Transportation in the mid-1980s. The Oregon State Historic Preservation Office was notified of the proposed mural project. In a letter dated July 13, 2001, to Robert Willoughby, City of Cascade Locks, Christine Curran, Preservation Specialist with the Oregon SHPO, stated: "It does not appear that the installation of the mural will have an adverse effect on the characteristics that qualify the Bridge of the Gods for the National Register. This review has resulted in a 'No Historic Properties Adversely Affected' determination." Therefore, this activity would not adversely affect cultural resources, consistent with the first purpose of the Scenic Area Act.

The project will occur within the Cascade Locks Urban Area. The project would protect and support the economy of the Gorge by encouraging growth in existing Urban Areas and by allowing future economic development in a manner that is consistent with the protection of the resources of the Gorge, consistent with the second purpose of the Act

Section 11(c)(2) of the Scenic Area Act states that economic development funds may not be used to relocate a business from one community to another. Section 11(c)(3) of the Scenic Area Act states that economic development funds are not to be used for program administration. The proposed grant is consistent with these sections of the Scenic Area Act.

Section 11(c)(4) of the Scenic Area Act states that economic development funds are to be used "only in counties which have in effect land use ordinances found consistent by the Commission and concurred on by the Secretary." The proposed grant would be used in Hood River County, which has in effect an ordinance found consistent by the Commission and concurred on by the Secretary.

Conclusion: The subject grant is consistent with both purposes of the Scenic Area Act.

Consistency with the Management Plan

The subject grant would fund a project in the City of Cascade Locks Urban Area and therefore is not subject to Management Plan land use and resource protection guidelines.

Management Plan economic development policies support the goals and strategies in the Economic Development Plan, written by the two states (Management Plan, Economic Development, Goals, pg. III-53 - III-54). Oregon's economic strategy includes Action Plans for supporting year-round tourism. The subject grant would be used for activities consistent with this aspect of the Economic Development Plan.

Conclusion: The subject grant is consistent with applicable provisions of the Management Plan.

Consistency with Land Use Ordinances

The subject grant does not involve a land use action within the General or Special Management Areas of the National Scenic Area, and therefore is not subject to a land use ordinance.

RECOMMENDATION:

The subject grant request, H01-0066, from the City of Cascade Locks, is recommended for certification.

DIRECTOR'S REPORT

TO: Columbia River Gorge Commission

FROM: Martha Bennett, Executive Director
Gary Pagenstecher, Planner

DATE: August 3, 2001

SUBJECT: Economic Development Grant Request: -- M01-0070

APPLICANT: **Fire and Earth LLC (by Martin Eichinger)**
1302 NW Kearney St., Suite E
Portland, OR 97209

BACKGROUND:

Section 11(c)(1) of the Columbia River Gorge National Scenic Area Act (P.L. 99-663), and Commission Rule 350-120, require the Commission to certify that all activities undertaken under a National Scenic Area economic development grant and/or loan are consistent with the purposes of the Act, the Management Plan, and a land use ordinance adopted pursuant to the Act. Commission Rule 350-120-030 requires the Commission's Executive Director to prepare a report and recommendation on each certification request received by the Commission. This is the Executive Director's Report for certification request M01-0070. The request will be heard at the August 14, 2001 Commission meeting at the Rock Creek Recreation Center, Stevenson Washington.

The Gorge Commission, at its March 14, 2000 meeting, certified a grant request from Martin Eichinger for a \$10,000 Scenic Area economic development grant to conduct a feasibility study for the reuse of the Old Corbett School (FILE NO. M99-0045). The grant, subsequently made available to Mr. Eichinger by the Oregon Investment Board, was returned unused, because a condition requiring the willingness of the Corbett School District to sell the building to Mr. Eichinger was not met. Mr. Eichinger has since reached a purchase agreement with the School District that meets the Investment Board's condition. This certification report considers a grant to fund project development for substantially the same development proposal.

PROJECT DESCRIPTION:

Martin Eichinger has applied for a \$10,000 grant from Scenic Area economic development funds to conduct a feasibility study for the reuse of the Old Corbett School in Corbett, Oregon. The Fire and Earth Art Center project is a proposed multi-use, visual arts and educational development project. The proposal outlines a vision to create an activity node that will draw and mix a wide cross section of people with a common interest in creativity, the aesthetic qualities of the Columbia River Gorge, and learning as a way of life. The total cost of the feasibility study is \$24,000. This would be a four-phase project with the feasibility analysis being the first phase.

The Corbett School is located in Multnomah County on the Old Columbia River Gorge Hwy. The facility is in the General Management Area, and designated Rural Center. The school building was built in 1925, is currently owned by the Corbett School District, and has been vacant since 1996. It consists of a 33,600 square-foot building and parking for 26 vehicles, on a 4.2-acre parcel.

The proposal to renovate the vacant school into a visual arts community center is designed to stimulate economic growth in the Columbia Gorge area, add value to the Scenic Gorge Highway by providing a tourist destination, and enhance the region's quality of life. The facility will provide artists an environment that is inspirational and encourages productivity. The organization of spaces and programs are designed to encourage a sense of community both within the group of variously participating artists and with the larger community of Corbett, the area schools, Columbia Gorge visitors and art patrons.

The facility elements would include classrooms, artist's working studios, guest artists and student lodging, an art gallery and retail space, café, compatible community and other non-profit activity space, and an outdoor sculpture garden. The programs would include the following educational components: a public school visitation program, an apprenticeship program coordinated with the local high school and local community college, intensive workshops with resident and invited master artists for short duration instructional stays, a residency program for arranged periods of time for select artists to do independent study and artwork. Public interface components would include: operation of the gallery, marketing the facility, tours of the facility for tourists, operation of the short stay portion of the facility, and coordination of the use of select spaces by community and other non-profit organizations. The central theme of the center will focus on the aesthetic inspiration of the Columbia River Gorge Scenic Area and on the creation of new art that honors that aesthetic.

Note: On September 2, 1997 the Commission certified a \$10,000 grant request by the Crown Point Country Historical Society for a market analysis to assess the feasibility of various new uses for the historic Corbett School. The study concluded: "The long-term feasibility of reuse may be dependent on the ability to combine multiple uses under one

roof—some private, some public. Consequently, successful redevelopment is expected to be challenging—as a relatively complex project involving multiple participants.”

CRITERIA FOR CERTIFICATION:

Consistency with the Purposes of the National Scenic Area Act

The purposes of the Act are to: 1) protect and provide for the enhancement of the scenic, cultural, recreational, and natural resources of the Columbia River Gorge, and 2) to protect and support the economy of the Columbia River Gorge area by encouraging growth to occur in existing urban areas and by allowing future economic development in a manner that is consistent with the protection of the resources of the Gorge.

The proposed feasibility study would require no physical development. The subject grant would not affect, scenic, natural, cultural, or recreation resources. However, the Corbett School is seventy-five years old and one of only a few buildings remaining from Corbett's early development. While the feasibility study itself would have no impact on the condition of the school, the study may find that reuse of the Corbett school is feasible. In that case the subject grant could contribute to the future preservation and reuse of an important historic resource. The subject grant would be used for activities that are consistent with the first purpose of the Scenic Area Act.

The feasibility study is an important step towards what could be a significant economic development in the Corbett community. Indirectly, the grant may contribute to a quality redevelopment of the Corbett school, which would enhance the local economy. The proposed grant would support the second purpose of the Act.

Corbett is not an urban area. The Act's second purpose states that economic development outside of urban areas must be consistent with resource protection and enhancement. In a pre-application conference on June 28, 2001, the applicant and a Multnomah County land use planner discussed the proposed development for consistency with the Multnomah County Scenic Area land use ordinance. The feasibility study will address the issues raised in the conference to ensure the proposed uses for the school could be approved.

Section 11(c)(2) of the Scenic Area Act states that economic development funds may not be used to relocate a business from one community to another. The grant is for a feasibility study to develop a new Community Arts Center. Section 11(c)(3) of the Scenic Area Act states that economic development funds are not to be used for program administration. The grant will be used for professional services needed to determine the feasibility of the Center proposal. The proposed grant is consistent with these sections of the Scenic Area Act.

Section 11(c)(4) of the Scenic Area Act states that economic development funds are to be used "only in counties which have in effect land use ordinances found consistent by the Commission and concurred on by the Secretary." The proposed grant would be used in

Multnomah County, which has in effect ordinances found consistent by the Commission and concurred on by the Secretary.

Conclusion: The subject grant would not affect scenic, natural, cultural, or recreation resources protected by the Scenic Area Act. The grant would fund a feasibility study. If the study's findings support the redevelopment concept, the project could have a positive economic impact within Corbett. The proposal is consistent with both purposes of the Scenic Area Act.

Consistency with the Management Plan

The subject grant would fund a feasibility study and does not involve a land use action. Therefore, the grant is not subject to the Management Plan land use and resource protection guidelines. However, should the feasibility study reach a positive conclusion, any subsequent land uses must be consistent with the allowed uses specified in the Management Plan.

The Corbett school is within the rural center land use designation. The Management Plan lists a number of allowed review uses for rural centers. These uses include community centers and meeting halls, and schools. Commercial services that meet rural community's needs and tourist needs are also allowed. These include shops and offices, travelers' accommodations, restaurants, and gift shops. These commercial uses must be limited to 5,000 square feet of floor area per building or use (Management Plan, Rural Centers, Review Uses, pg. II-70).

Management Plan economic development policies support the goals and strategies in the Economic Development Plan, written by the two states (Management Plan, Economic Development, Goals, pg. III-53 - III-54). The Oregon Economic Development Plan's primary goal is to increase employment opportunities and achieve greater economic diversity for the region. The subject grant envisions a community arts center employing 26, including teacher/artists, artist's assistants, gallery staff, café, and school and building operations staff. Key strategies for economic development include recruiting new businesses that capitalizes on the comparative advantages of the National Scenic Area, and projects that revitalize communities. The Earth and Fire Art Center project focuses on the visual arts and aesthetics of the Gorge. The grant would be used for activities consistent with these key goals and strategies in the Economic Development Plan.

Conclusion: The subject grant is consistent with applicable provisions of the Management Plan.

Consistency with Land Use Ordinances

The subject grant does not involve a land use action, and therefore is not subject to a land use ordinance. However, should the feasibility study reach a positive conclusion, any

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subsequent land use modification would require review for compliance with all applicable requirements of the Multnomah County Land Use Ordinance.

RECOMMENDATION:

The subject grant request, M01-0070, from Martin Eichinger, is recommended for certification.

