

Columbia River Gorge Commission

Meeting Minutes

May 9, 2006

A complete record of this meeting is available on audiotape

Location: Rock Creek Recreation Center, 710 SW Rock Creek Drive
Stevenson, Washington

Time: 9:00 a.m.

MEMBERS IN ATTENDANCE

Harold Abbe
Kenn Adcock
Jeffrey Condit
Doug Crow
Judy Davis
Jane Jacobsen
Dan Harkenrider
Walt Loehrke
Jim Middaugh
Joe Palena
Joyce Reinig
Honna Sheffield

MEMBERS ABSENT

Roberta Kirk (excused)

STAFF PRESENT

Martha Bennett, Executive Director
Brian Litt, Senior Planner
Jeff Litwak, Counsel
Kathy Obayashi-Bartsch, Administrative Assistant

AUDIENCE PRESENT

Andersen, Steven. Cascade Planning Associates
Casseseka, Clifford. Yakama Nation
Cornelison, Peter. Friends of the Columbia Gorge (FOCG)
Davenport, Jessica. Skamania County Planning Department
Duncan-Cole Mary Ann. City of Stevenson
Ericksen, Dan. Wasco County
Flint, Lewis. Gorge Landowners United (GLU)
Hawk-Elwood, Rebecca. Yakama Nation
Love, Kelly. US Representative Brian Baird
Miller, Bobbie. GLU
Pitt, Louie Jr. Confederated Tribes of the Warm Springs
Simione, Angelo. GLU
Swyers, Rita. GLU

Thompson, Geoff. GLU
Treleaven, Michael. Gonzaga University
Witherspoon, Karen. Skamania County Planning Department
Wooster, Wayne. Air Sciences Inc.
Others were present during the day.

Call to Order

Chair Davis called the meeting to order at 8:45 a.m. for an executive session pursuant to Commission Rule 350-11-006(1)(a) to consider the employment of an Interim Executive Director.

Chair Davis closed the executive session at 1:30 p.m. and opened the meeting to the public and said the Commission took no action during the executive session.

Commissioner Condit made a motion that the chair and vice-chair will negotiate a contract with the leading candidate and will bring the contract to the full Commission for ratification at a special meeting. Commissioner Middaugh seconded the motion.

Commissioner Reinig asked if ratification of the contract will have to wait until the next Commission meeting as she did not want there to be a lengthy delay. Chair Davis said the Commission could conduct a conference call meeting for contract ratification.

Martha Bennett, Executive Director suggested amended the motion to include the appointment of Senior Planner, Brian Litt as Acting Director until an interim Director begins service for the Commission. Commissioners Condit and Middaugh accepted this amendment. A voice vote was taken and unanimously approved.

Chair Davis closed the meeting for an executive session at 1:35 p.m. to consult with legal counsel regarding litigation under Commission Rule 350-11-006(1)(g).

Chair Davis called the regular meeting to order at 2:50 p.m. and said no official action occurred in the executive session, and no follow-up actions are needed.

Approval of Minutes

Chair Davis asked the Commission to review the draft minutes for April 11, 2006. Commissioner Reinig made a motion to adopt the minutes. Commissioner Adcock seconded the motion. A voice vote was taken and the motion was unanimously approved. Commissioner Middaugh said as he was not present at the April meeting, he abstained from voting.

Chair Davis said it is the policy of the Commission to conduct all its business in a manner that is professional, courteous, civil and respectful of all persons. She said according to Robert's Rules of Order, everyone has a right to an orderly meeting, where the discussion is relevant to the matters before the Commission.

Public Comment

Geoff Thompson of Corbett, Oregon thanked staff and Commissioner Middaugh for their testimony to the Multnomah County Board of Commissioners regarding use of historical buildings.

Bobbie Miller of The Dalles, Oregon concurred with Mr. Thompson's comments. She asked why the job description for the Executive Director did not include experience with economic development as criteria for the position. Bennett said economic development experience has been criteria for the Executive Director position since 1987.

Angelo Simione of Corbett, Oregon concurred with Mr. Thompson's comments and commended staff for their testimony before the Multnomah County Board of Commissioners.

Rita Swyers of Hood River County, Oregon expressed her support of the View Point Inn and the Commission's efforts with the Multnomah County Board of Commissioners.

Opportunity for Tribal Nations to address Commission

Louie Pitt, Jr. of the Confederated Tribes of Warm Springs provided an update of the air quality projects and other projects such as the Ceilio long house facility, fish processing facility in White Salmon, and work on Gorge petroglyphs. He commended Ms. Bennett for her efforts with the Commission and the revised Management Plan.

Rebecca Hawk-Elwood of the Yakama Nation read from a Yakama Nation managerial statement (see attachment A) summarizing the significance of air pollution in the Gorge and asking the Commission to examine the steps it can take to ensure the area is preserved.

Clifford Casseseka of the Yakama Nation said the Commission must abide by the federal law, the National Scenic Area Act. He said as part of this federal mandate, the Commission is charged with consulting with the Tribes. He said speaking with himself, Ms. Hawk-Elwood or other staff does not constitute consultation with the Tribal Council. He said the Commission has not consulted with the Tribes and should be making this effort as is mandated by federal law.

Commissioner Middaugh asked how consultation efforts with the Tribes would be achieved.

Mr. Casseseka said there is protocol involved, such as developing an agenda of items to be discussed before the Tribal council. Ms. Hawk-Elwood said the US Forest Service has a consultation process that may be a good model to use.

Commissioner Jacobsen asked if it would be appropriate for a Gorge Commissioner to attend Tribal meetings as she does as the Commission's representative with the Gorge Discovery Center. Mr. Casseseka said this would be appropriate way for the Commission to develop a list of items to be discussed with the Tribal Council.

Commission Discussion on Columbia Gorge Air Quality Project

Martha Bennett, Executive Director said the Gorge Commission requested a letter as a follow-up step to the March 2006 presentation on the preliminary results of the causes of haze in the Gorge report presented by Southwest Washington Clean Air Agency and Oregon Department of Environmental Quality.

She summarized the content of the letter (see attachment B) which includes a request to the Governors of Oregon and Washington for assistance, why air quality is important and the way air quality relates not only to environmental protection but the economic development of the area.

Commissioner Crow asked that a copy of the letter is sent to the Tribes.

Commissioner Middaugh agreed that future collaborative efforts should be more focused on action.

Bennett said the annual air quality report will be provided in September rather than August as originally scheduled.

David Collier, Oregon Department of Environmental Quality and Paul Mairose of Southwest Regional Air Quality said due to the release of the technical data, they request the annual report is presented to the Commission in September rather than August. They said the extra month will provide a better summary report.

Commissioner Jacobsen asked if this delay will continue to affect future reports. Mr. Mairose said this delay will not affect future reports.

Commissioner Adcock asked who is on the technical team. He said Klickitat County has a consultant and asked if he is involved. Mr. Mairose said Mr. Norville is involved on the technical committee.

Bennett said there are four items that will not be addressed by September as originally planned. Brian Litt, Senior Planner said the items are:

1. How will the Gorge Commission decide whether the results of the technical study and any proposed follow-up action meets the purposes and standard of the

Act? What additional work or analysis will be needed to replace the evaluation that would have come of an advisory committee process?

2. Should the Gorge Commission and US Forest Service have a more active role in designing a process to develop an air quality strategy?

3. What role should the original working group (Project Coordination Team) that helped develop the Gorge air quality work plan have in a new strategy development?

4. What tools and authorities are available to agencies involved in the Gorge air quality project?

External Affairs Committee Report

Commissioner Abbe provided an update of the tours for legislative contacts that are scheduled in early June. He asked the Commissioners to contact him if they are available to attend.

Director's Report

Bennett asked for advice from the Commission regarding a plan amendment in Hood River County. She said the applicant submitted their application and the Commission conducted a preliminary review. The applicant then requested their application be put on hold as there was the possibility that City of Hood River would be making an urban boundary line adjustment and this property would be included. She said the applicant asked staff to reinstate their plan amendment application. She said the Commission could pick up where it left off, could undertake a new preliminary review or use the newly adopted plan amendment rules. She said this last option was questionable as they submitted their application before the new rules were adopted.

Commissioner Middaugh said perhaps the new rules would better facilitate the application. Bennett said this application would qualify as a quasi-judicial application.

Commissioner Reinig said at the time the application was submitted, it was reasonable to expect the City of Hood River would request an urban boundary line adjustment.

Commissioner Condit said staff should offer the new rules to the applicant and if they do not accept the new rules, a secondary preliminary review would be appropriate. There was general agreement that staff should proceed in this manner.

Bennett said Clark County adopted the land use ordinance that incorporates the revisions to the Management Plan, including the use of historic buildings. She thanked the Commissioners for their efforts with Clark County.

Commissioner Crow commended Ms. Bennett for her service with the Commission and provided her with a parting gift.

NSA Manager's Report

Commissioner Harkenrider said planting at the Sandy River Delta is occurring and there are several other projects planned for the area. He said in order to restore the area, a grazing program using 250 goats is occurring. He said the long term goal is to restore hardwood trees in the area and this is a first step to eradicate blackberry bushes.

Commissioner Harkenrider said a fuel reduction program is planned for the Catherine Creek and the Rowena areas. He said this is a collaborative effort with private owners. He also said there have been two fires in 2006 and both were related to railroad operations.

Other Business

Chair Davis commended Bennett for her service and said this is Ms. Bennett's last Commission meeting.

Commissioner Middaugh said he is willing to contact the USFS about the consultation process with the Tribes. Chair Davis thanked Commissioner Middaugh and said she would be meeting with Commissioner Palena, chair of the Tribal Matters Committee to discuss this matter.

Adjourn

Chair Davis adjourned the meeting at 4:20 p.m.

The next regular meeting is scheduled for 06/13/06 at the Hood River Inn in Hood River, Oregon at 9:00 a.m.

Minutes taken by Kathy Obayashi-Bartsch

Minutes approved on 6-13-06