

Columbia River Gorge Commission

Meeting Minutes

June 14, 2011

9:00 am

Hood River County Administration Building

601 State Street, Hood River, Oregon

A complete record of this meeting is available on compact disc

MEMBERS IN ATTENDANCE

Harold Abbe
Don Bonker
Keith Chamberlain
Sondra Clark
Judy Davis
Sara Grigsby
Dan Harkenrider
Jim Middaugh
Antone Minthorn (9:10 am)
Joe Palena
Joyce Reinig

MEMBERS ABSENT

Carl McNew-excused

STAFF PRESENT

Jill Arens, Executive Director
Jennifer Ball Kaden, Planner
Jeff Litwak, Counsel
Kathy Obayashi-Bartsch, Administrative Analyst

AUDIENCE PRESENT

Barney, Casey. Yakama Nation
Durbin, Kathie. *The Columbian*
Ericksen, Dan. The Dalles, OR
Hesse, Tom. *The Dalles Chronicle*
Heuker, Tim. Warrendale, OR
Invie, Margaret. Underwood, WA
Lang, Michael. Friends of the Columbia Gorge (FOCG)
Leipper, Bob. Troutdale, OR
Nichols, Rodger. The Dalles, OR
Repar, Mary. Stevenson, WA

Others were present during the day.

Call to Order and Roll Call

Chair Reinig called the meeting to order at 9:00 am and roll was called. Chair Reinig announced the appointment of Rodger Nichols as the Wasco County appointee and adding an executive session to the agenda to discuss litigation.

Approval of Minutes – March 8, 2011

Chair Reinig asked the Commission to review the draft minutes. Commissioner Davis made a motion to adopt the minutes as drafted. Commissioner Abbe seconded the motion. A voice vote was taken and the motion was approved.

Public Comment

Mary Repar of Stevenson, WA thanked the outgoing Commissioners for their service and welcomed Keith Chamberlain as the newest Commissioner, representing Skamania County.

Margaret Invie, property owner in Underwood, WA commented on an appeal to a Director's decision regarding a neighboring property (see attachment A).

Budget 2011-2013 Update

Jill Arens, Executive Director provided an update on the 2011-2013 budget. Oregon will provide a general fund biennial budget of \$814,900 with an additional 3.5% hold back required from all general fund agencies. This budget combines operational expenses and Oregon Commissioner expenses, which allows greater flexibility managing funds. The Oregon legislature was very supportive of the Commission.

Washington's budget presents a more complicated situation. Policy legislation to consolidate the Commission with the Department of Ecology did not pass but the budget was developed based on savings from the consolidation. The Commission's budget in the first year is \$364,000. The second year's budget will require technical adjustment as it is tied to the Department of Ecology's budget at \$373,000. Any adjustments will occur in the 2012 supplemental budget. A 3% reduction in staff salaries is reflected in this budget and this is in addition to the past 3 years of no salary or cost of living increases. This funding level provides the Commission with \$728,000 from Oregon and Washington funds in the first year.

The budget as is will require a reduction equivalent to 1.5 FTE, so filling the Principal Planner position will be postponed.

Opportunity for Treaty Tribe Nations to address Commission

As part of the consultation process treaty tribe members may speak about any issue on the agenda or any other matter. Casey Barney of the Yakama Nation said Gorge counties provide notification of projects involving ground disturbance. The timing of the notice does not always allow enough time for him to travel to the project site. Jennifer Ball Kaden, planner, explained these are projects that do not require on-site monitoring because there are no known cultural resources. As a courtesy to the Tribes, the county notifies the Tribes and allows on-site monitoring.

Director's Report

Jill Arens, Executive Director provided a proposed staff/volunteer ethics policy (see attachment B) required by the State of Washington and asked the Commissioners for comments. This policy was prepared by the State of Washington and has the approval of the Washington Ethics board if no changes are made. Arens suggested adopting the policy as is.

Arens said that she and Chair Reinig will be requesting support of legislators in Washington DC for the Vital Signs Indicators Project next week.

Arens provided an update on the 25th Anniversary. She said the diverse groups comprising the 25th Anniversary Committee received a Travel Oregon Partnership award for collaboration of diverse groups. The recognition event in August is scheduled at the Skamania Lodge to celebrate the passage of the Scenic Area Act.

The community event in October is scheduled at the Discovery Center and will provide a variety of activities for the general public including activities for children. More information about all activities is available on the 25th Anniversary website.

NSA Manager's Report

Dan Harkenrider, NSA Manager said the Forest Service will be engaging in a "Valuing Place" project which strives to better understand what connects people to public land and provides a vehicle to instill the value of public lands.

The Forest Service is working on the Sustainable Recreation Project which works with many interest groups to develop a management strategy for sustainable recreation in the Gorge.

The Forest Service scheduled paving of the Sandy River parking area after numerous complaints and the receipt of transportation funds. The Cape Horn trails area will have two tunnels to provide pedestrian access in August which is also part of the Washington State Highway 14 work.

Harkenrider announced his retirement from the Forest Service at the end of August and this departure will also end his term on the Gorge Commission.

Request for Temporary Rule

Jill Arens, Executive Director and Jeff Litwak, Counsel provided a summary (see attachment C) of the request for a temporary rule concerning deadlines for reviewing development review applications for completeness and issuing decisions on the applications. The temporary rule would retain the same time periods as goals instead of as mandatory deadlines. This rule would be valid for 120 days during which time the Commission might choose to make permanent changes. Staff recommends the rule to address staffing reductions for the 2011–13 biennium.

Public Comment

Michael Lang of Friends of the Columbia River Gorge said that Friends generally supports the temporary rule but suggested different language (see attachment D).

Bob Leipper of Troutdale, OR said he generally supports this rule and would like the Commission to address changing another rule to give notice of amended decisions to current owners of surrounding property.

The Commission deliberated on the request for a temporary rule and Commissioner Middaugh made a motion to support the staff recommendation as modified by the changes provided by Friends of the Columbia Gorge. Commissioner Grigsby seconded the motion.

A vote was taken and passed 9 yes to 1 no.

Harold Abbe-yes

Don Bonker-yes

Keith Chamberlain-no

Sondra Clark-yes

Judy Davis-yes

Sara Grigsby-yes

Jim Middaugh-yes

Antone Minthorn-yes

Joe Palena-yes

Joyce Reinig-yes

Consistency Review of Multnomah County Ordinance 1176

The Gorge Commission held a hearing to determine consistency of amendments to Multnomah County's Scenic Area Ordinance with the Management Plan. The amendments make changes to allow alternative energy systems (accessory solar and wind systems). Jennifer Ball Kaden, Planner provided a summary (see attachment E).

Public Comment

Mary Repar of Stevenson, WA provided comment opposing the staff recommendation.

Michael Lang of Friends of the Columbia Gorge provided comment in support of the staff recommendation (see attachment F).

Bob Leipper of Troutdale, OR provided comment opposing the staff recommendation.

The Commission deliberated on the consistency of the amendments with the Management Plan and Commissioner Abbe made a motion to find the amendment consistent with the Management Plan. Commissioner Middaugh seconded the motion.

A vote was taken and unanimously approved.

Harold Abbe-yes

Don Bonker-yes

Keith Chamberlain-yes
Sondra Clark-yes
Judy Davis-yes
Sara Grigsby-yes
Jim Middaugh-yes
Antone Minthorn-yes
Joe Palena-yes
Joyce Reinig-yes

Break 10:35-10:45 am

Consistency Review of Multnomah County Ordinance 1179

The Gorge Commission held a hearing to determine consistency of amendments to Multnomah County's Scenic Area Ordinance with the Management Plan. The amendments allow fish processing, prohibit the expansion of industrial uses, and make changes to legislative procedures. Jennifer Ball Kaden, Planner provided a summary (see attachment G).

Public Comment

Michael Lang of Friends of the Columbia Gorge referenced prior written comments (see attachment F) and supports the staff recommendation.

Tim Heuker of Warrendale, OR expressed support of the ordinance.

The Commission deliberated on the consistency of the amendments with the Management Plan and Commissioner Abbe made a motion to find the amendment consistent with the Management Plan. Commissioner Bonker seconded the motion.

A vote was taken and unanimously approved.

Harold Abbe-yes
Don Bonker-yes
Keith Chamberlain-yes
Sondra Clark-yes
Judy Davis-yes
Sara Grigsby-yes
Jim Middaugh-yes
Antone Minthorn-yes
Joe Palena-yes
Joyce Reinig-yes

USFS Revisions to the SMA Portion of the Management Plan

The Forest Service will transmit revisions for the SMA portion of the Management Plan (see attachment H). Lynn Oliver, USFS Landscape Architect provided a summary of the revisions. There was no public comment because the Act requires the Commission incorporate the revisions without change.

Executive Committee Report

Commissioner Abbe, Chair of the Executive Committee provided an update of the May 31st meeting (see attachment I). The Committee discussed the 2011-2013 budget and the impact on staff workloads and agency priorities. The lack of staff resources requires reducing the work on the Vital Signs Indicators Project, reducing the number of Commission meetings and consolidating Committee meetings with Commission meetings. The Committee also discussed the emergency rule and the need for the Rules Committee to work on this issue. Arens commented that discussion included the highest priority being service to the public and partner agencies.

Other Business

There was no other business.

Recognition of Outgoing Commissioners

Chair Reinig said several Commissioners will be concluding their service including Judy Davis, Joe Palena, Barbara Roberts and Dan Harkenrider. These Commissioners were recognized for their dedication and service.

Executive Session to Discuss Litigation

The Commission met in Executive Session pursuant to Commission Rule 350-11-006(1)(g) to consult with Counsel about current litigation. No decisions were made during the Executive Session.

Chair Reinig called the regular meeting back to order at 11:50 am and no decisions were made.

Adjourn 11:50 am