

Columbia River Gorge Commission

Meeting Minutes

July 14, 2009

A complete record of this meeting is available on compact disc

Location: Columbia Gorge Discovery Center -5000 Discovery Drive, The Dalles, Oregon

MEMBERS IN ATTENDANCE

Harold Abbe
Don Bonker
Judy Davis
Sara Grigsby (9:15 am)
Dan Harkenrider
Walt Loehrke
Lonny Macy
Carl McNew (9:15 am)
Jim Middaugh
Joe Palena
Barbara Roberts
Joyce Reinig
Honna Sheffield

STAFF PRESENT

Jill Arens, Executive Director
Tom Ascher, Planner
Jennifer Ball Kaden, Planner
Jeff Litwak, Counsel
Kathy Obayashi-Bartsch, Specialist

AUDIENCE PRESENT

Berger, Dave. Lyle, WA
Bowen, Matt. The Dalles, OR
Cornett, Todd. Wasco County Planning
Davenport, Jessica. Skamania County Planning
Durow, Dan. City of The Dalles, OR
Fish, Gary. Oregon Department of Land Conservation and Development
Kalberer, Jennie. Kahnaway Art and Ecology (KAE)
Kelsey, Steve. The Dalles, OR
Lang, Michael. Friends of the Columbia Gorge (FOCG)
Miller, Bobbie. The Dalles, OR
Minthorn, Armand. Confederated Tribes of the Umatilla
Miskanti, Greg. KAE
Repar, Mary. Stevenson, WA
Robinson, Barbara. The Dalles, OR
Tenold-Sauter, Colleena. The Dalles, OR
Warren, Nell. KAE

Others were present during the day.

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Call to Order and Role Call

Chair Reinig called the meeting to order at 9:05 am. Chair Reinig and the Commission welcomed Commissioner Don Bonker to the Commission as the newest Commissioner and a Washington State appointee. Commissioner Bonker discussed the history of the National Scenic Area Act legislation. Role was called.

Approval of Minutes - June 9, 2009

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

Public Comment

Nell Warren of Washougal, WA read from prepared testimony regarding a quasi-judicial plan amendment request (see attachment A).

Bobbie Miller of The Dalles, OR provided testimony about the funding of the Discovery Center. She said the land is not paid for and is a financial burden for Wasco County. She also left a book for the Commission's review "Blue Planet in Green Shackles" (see attachment B).

Michael Lang of Friends of the Gorge provided testimony about the Commission's work plan and direction from the Oregon legislature (see attachment C).

Mary Repar of Stevenson, WA provided testimony about cumulative impacts and the impact of urban areas on the National Scenic Area.

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.

Mr. Armand Minthorn, a member of the Board of Trustees of the Confederated Tribe of the Umatilla, said the tribe has appointed two people to serve on the Cultural Advisory Committee: himself as the policy representative and Carey Miller as staff.

Summary of Government to Government Summit

Chair Reinig provided a summary of the Government to Government Summit which took place on June 18th in Toppenish, Washington. She thanked the Yakama Nation for hosting the event at which the tribes and the Commission met to discuss issues of mutual concern.

Draft Cultural Advisory Committee Charter

Jill Arens, Executive Director led the Commission's discussion on the purposes of the committee, its distinction from the Tribal Affairs Committee, and changes to the draft (see attachment D). At the Government to Government Summit, the Commission was requested to draft a charter for this new committee for review and revision by the four treaty tribes and the Commission. She said no decision of the Commission is requested

at this time because of the collaborative nature of the charter creation, but would like the Commission to provide suggestions.

Commissioners offered comments and suggestions on the draft charter as follows:

1. two representatives from the Commission should be appointed
2. meetings should occur more than once a year
3. three year vs. four year appointment terms
4. better define reporting schedule to the Commission
5. better define tribal culture vs. cultural resources
6. define the role of the Forest Service
7. financing for the advisory committee

Comments were made about whether the committee is a Gorge Commission committee or whether it is an independent committee with Commission participation. The Commission may determine the goals and desired outcomes of the committee but the tribes may not have the same goals and desired outcomes. In the future, funding may be available that would allow additional staff support.

Armand Minthorn of the Confederated Tribes of the Umatilla provided additional comments about the culture of the plateau Tribes. He said treaty resources and cultural resources are the same and cannot be separated. They are protected by the treaties and the National Scenic Area Act through the Management Plan. He envisions the advisory committee will work as a collaborative group with the common goal of protecting cultural resources using county, state and federal law. He suggested that a cultural presentation be made by the Tribes to the full Commission.

The Commission thanked him for his comments and indicated their desire for a cultural presentation. Arens said as additional comments are made regarding the committee charter, these comments will be distributed to all interested parties.

Director's Report

Jill Arens, Executive Director provided an update on the following items:

Washington may take an additional 2% budget reduction from the agency. The Oregon budget notes require a report to the Emergency Board showing substantial progress on three items: report how Commission resources are allocated for the workplan, fees for services and implementation of a Scenic Area Ordinance in Klickitat County. She said this work is described in the work plan in the budget category.

Congressman Schrader is proposing to add the Grand Ronde as a recognized Tribe in the National Scenic Area Act but this legislation has not been introduced. The Chairs of all four treaty tribes met with the Congressman expressing their concerns, and none support adding the Grand Ronde.

The new staff schedule became effective July 1st. Arens said completing certain work projects is a priority since another .5 planning position will be reduced effective October 1st.

The agency must adhere to all state standards for items such as information technology and security reporting. Arens said this is an administrative burden for an agency as small as the Commission; however the Commission is in compliance with every standard. The Commissioners discussed the possibility of a combined report for both states or a standard of reciprocity to reduce the administrative work.

Break 10:30-10:45 am

Economic Grant and Loan Certification: Fun Country Showroom Construction

Tom Ascher, Planner provided a review of the loan certification for a loan approved by the Oregon Investment Board to Fun County, Inc. for construction and expansion at their power sports business in The Dalles (see attachment E). The Commission considered certification of consistency of the loan to the Scenic Area Act.

Public Comment

No one was present for public comment.

Commissioner Abbe made a motion to certify the loan as consistent. Commissioner Palena seconded the motion.

A voice vote was taken and the motion was unanimously approved.

Harold Abbe-aye

Don Bonker-aye

Judy Davis-aye

Sara Grigsby-aye

Walt Loehrke-aye

Lonny Macy-aye

Carl McNew-aye

Jim Middaugh-aye

Joe Palena-aye

Barbara Roberts-aye

Joyce Reinig-aye

Honna Sheffield-aye

Commissioners made comments about the need for education among motor sports and other trail users to protect Gorge resources.

Compact Law 101

Jeff Litwak, Counsel described the law relevant to states amending, withdrawing from, terminating and winding up compacts (see attachment F). Commissioners asked questions and discussed the issue.

NSA Manager's Report

Commissioner Harkenrider provided an update on the following items:

Upper Catherine Creek, WA area - work continues on habitat restoration and fuel reduction.

Post Canyon, OR area - work with Hood River County to better manage trails for ATV and mountain bike trail use is taking place.

Upper Major Creek, WA area - land exchange with Plum Creek and Washington Department of Natural Resources is proceeding and approximately 1,200 acres will be exchanged to the Forest Service.

It is fire season and a few fires have occurred and some are suspicious.

Lunch 11:55 am-1:00 pm

Lyle Cultural Exchange

Jill Arens, Executive Director said on May 15th, the community of Lyle, WA and the River Tribes hosted a cultural exchange. Part of the video of the event was played. Arens said the event was the first collaborative event involving the Lyle, WA community and the River Tribes. She said on the same day, a visiting delegation of Chinese leaders attended the event as well.

Executive Committee Report

Commissioner Abbe, Executive Committee Chair provided a summary of the Executive Committee's meeting at which they discussed the draft work plan. He said the Washington legislature may reconvene in a special session to deal with the revenue shortfalls and potential budget reductions.

Draft Work Plan for July 1 – December 31, 2009

Jill Arens, Executive Director provided a review of the proposed work plan (see attachment G). She said additional staff reductions took effect July 1st which include reduction of Counsel hours, Administrative Assistant from full time to .75 time and a change from Planning Manager to Principal Planner. In addition, a planning staff will be reduced by .5 time as of October 1st.

Commissioner Abbe said the Executive Committee recommends that none of the items listed in the To Be Determined category besides the 25th Anniversary event should be included in the 6-month work plan.

The Commission reviewed and discussed the work plan for the first six months of the new fiscal year. The draft work plan reflects the staffing levels as of July 1st.

The Commission discussed the possibility of a Committee working on the 25th Anniversary celebration and external affairs work with minimal staff involvement. They discussed the idea of collaborating with stakeholders and other interested parties.

Commissioners discussed the Oregon budget note and the work required by the legislature which effectively limits the ability of the Commission to perform other work. It was stressed that this is a 6-month work plan but because of the economic uncertainty and potential reductions, there is a strong possibility that this work plan is ambitious.

Commissioners discussed placing the 25th Anniversary in the strategic category. The Commissioners discussed work on the Urban Area Boundary Revision Handbook and the lack of the Air Quality project on the work plan.

Commissioners suggested using different Committee assignments and ad-hoc committees to accomplish some of the work items.

Commissioner Davis made a motion to adopt the 6-month work plan as presented with the following changes: move the 25th Anniversary to the Strategic category and do not commit to work on any of the additional items in the To Be Determined category.

A vote was taken and passed unanimously.

Harold Abbe-aye

Don Bonker-aye

Judy Davis-aye

Sara Grigsby-aye

Walt Loehrke-aye

Lonny Macy-aye

Carl McNew-aye

Jim Middaugh-aye

Joe Palena-aye

Barbara Roberts-aye

Joyce Reinig-aye

Honna Sheffield-aye

Rules Committee Recommendation to Revise Urban Areas Boundary Revision Handbook

Commissioner Davis, Rules Committee Chair and Jennifer Ball Kaden, Planner provided a review of the Rules Committee's work (see attachment H). The Commission was asked to decide next steps for considering the Rules Committee's proposed revisions and additions to the Urban Areas Boundary Revisions Handbook and proposed Guiding Principles.

Public Comment

Michael Lang of Friends of the Columbia Gorge (FOCG) provided written testimony (see attachment I). He said the FOCG supports rule revision rather than an updated handbook or guide

Mary Repar of Stevenson, WA said she does not support revision of the handbook.

Dave Berger of Lyle, WA said he believes the Rules Committee should have a more varied composition. He does not support revising the handbook

Todd Cornett of Wasco County, OR Planning said he provided written testimony in the past. He said the change of the word from "or" to "and" in the interpretation of "minor revision" creates a much higher threshold for an urban area expansion and Wasco County does not support this proposed change.

Dan Durow of City of The Dalles, OR said the City does not support the proposed changes to the handbook.

Steve Kelsey of The Dalles, OR said there is considerable vacant land in the City of The Dalles and does not support expansion of urban areas in general.

Barbara Robinson said she does not support expansion of urban areas into the Scenic Area (see attachment J).

Matt Bowen of The Dalles, OR said he supports the proposed change using the word "and" instead of "or" in the handbook because it makes expansion of urban areas more difficult.

Colleena Tenold-Sauter of The Dalles, OR said she supports the proposed handbook changes which would make expansion more difficult and would keep the changes minor or insubstantial.

The Commissioners discussed the proposed changes and the testimony provided. Several Commissioners said they support rule revision rather than a handbook revision.

A motion was made by Commissioner Middaugh to table the item. The motion was seconded by Commissioner Roberts.

A vote was taken and approved unanimously

Harold Abbe-aye

Don Bonker-aye

Judy Davis-aye

Sara Grigsby-aye

Walt Loehrke-aye

Lonny Macy-aye

Carl McNew-aye

Jim Middaugh-aye

Joe Palena-aye

Barbara Roberts-aye

Joyce Reinig-aye

Honna Sheffield-aye

Other Business

There was no other business.

Adjourn 3:05 p.m.

| Approved on 9-8-09

KOB