

**Columbia River Gorge Commission**  
**Meeting Minutes**  
**August 12, 2008**

***A complete record of this meeting is available on compact disc***

Location: Camas Police Station Meeting Room,  
2100 NE 3rd Avenue, Camas, WA  
Time: 9:30 a.m.

***MEMBERS IN ATTENDANCE***

Harold Abbe  
Jeffrey Condit  
Judy Davis  
Sara Grigsby  
Dan Harkenrider  
Walt Loehrke (9:43 am)  
Lonny Macy  
Carl McNew  
Jim Middaugh (9:35 am)  
Honna Sheffield

***MEMBERS ABSENT***

Jane Jacobsen-excused  
Joe Palena-excused  
Joyce Reinig-excused

***STAFF PRESENT***

Jill Arens, Executive Director  
Jeff Litwak, Counsel  
Kathy Obayashi-Bartsch, Specialist

***AUDIENCE PRESENT***

Davenport, Jessica. Skamania County Planning Department  
deLeon, Melanie. Washington State Executive Ethics Board  
Gotzinger, Bill. Multnomah County Department of Community Services  
Grimmett, Michael. Multnomah County Department of Community Services  
Lang, Michael. Friends of the Columbia Gorge (FOCG)  
Leipper, Bob. Troutdale, OR  
Nichols, Rodger. *The Dalles Chronicle*  
Thayer, Al. Vancouver, WA  
Thiemann, Phyllis. Corbett, OR  
Others were present during the day.

***Call to Order***

Chair Condit called the meeting to order at 9:30 a.m. and role was called.

### **Approval of Minutes –July 8, 2008**

Chair Condit asked the Commission to review the draft minutes. Commissioner Davis made a motion to approve the draft minutes. Commissioner Grigsby seconded the motion. A voice vote was taken and unanimously approved.

### **Public Comment**

Bob Leipper of Troutdale, OR read from prepared testimony regarding the Multnomah County enforcement issues (see attachment A). He said enforcement is an item which has not been thoroughly discussed by the Commission and would be appropriate to include enforcement in the Indicators Project. He discussed the history of Multnomah County planning department and urged the Commission to become more active in their enforcement role.

### **Opportunity for Tribal Nations to address Commission**

No representatives were present.

### **Director's Report**

Jill Arens, Executive Director said the Commissioners receive a packet of newspaper clippings which may include articles that are related to issues or activities that are not necessarily occurring in the Scenic Area. She said this is an effort to broaden the Commission's awareness of issues that may be related to issues in the Scenic Area, of upcoming challenges such as water shortages, and how the states of Oregon and Washington are approaching issues.

Arens said staff met with representatives of the Blue Ridge Pipeline project which is a proposed gas pipeline through the Snowden, WA area. She said several residents have expressed concern with the proposed project. She said staff believe they have convinced them to route the pipeline out of the Scenic Area as much as possible. This project will likely be an issue for future discussion.

Arens said at the October meeting, there will most likely be a presentation regarding fire suppression and fire wise issues with representatives from both states and USFS.

Arens said she attended an Oregon invasive species conference in July and a report will be released in September. She said the focus of the Oregon program is to stop invasive species before they become established in Oregon.

Arens said staff held a pre-application conference with the property owners and the planner working on the proposed Wind River Resort Plan Amendment. She said Commission staff did not make an official determination and another meeting will be scheduled to discuss the policy considerations raised. She said the conditions presented at this time were not sufficient to meet the change of conditions criteria for a quasi-judicial plan amendment.

Arens said staff participated in a Washington state ethics training yesterday and there will be a presentation today for the Commissioners.

Arens said the regular September meeting is cancelled and a full day bus tour of urban areas will be scheduled instead. She said more information about this activity will be released.

### **NSA Manager's Report**

Commissioner Harkenrider said the USFS has been very busy with fire issues and a number of scheduled projects won't be completed as those funds have been designated for fire suppression activities.

Commissioner Harkenrider said the I-84 exit and parking area for the Sandy River Delta has been redesigned and most of the work is now complete. He said the National Guard constructed the parking lot and the completion of the project is due to collaboration from Oregon Department of Transportation, urban league and other groups. He said on August 23, 2008 there will be a dedication of the Confluence Project and the site.

Commissioner Loehrke said the Assessment Committee discussed the Marine Corps project using the analysis of pixels to develop camouflage patterns. He suggested requesting assistance from the Marine Corp to develop a similar application for the Indicators Project. Chair Condit said he would support any free assistance from such a project.

### **Ethics Training Session for Commissioners**

Melanie de Leon, Executive Director Washington State Executive Ethics Board provided a training session for Commissioners. She provided background on the ethics board and an overview of Washington ethics law (see attachment B).

Jeff Litwak, Counsel said the Commission has its own conflict of interest rule and that rule is derived from the more restrictive of Oregon and Washington state laws. He said that rule is updated to reflect changes in Oregon and Washington state law.

The Commission thanked Ms. de Leon for the presentation.

**Break** 10:55-11:15 a.m.

### **Multnomah County Code Compliance Program Report for NSA**

Michael Grimmatt and Bill Gotzinger, Code Compliance Specialists provided a briefing on the status of the Multnomah County Code Compliance Program (see attachment C).

Commissioner McNew asked for more information about the backlog of cases referenced in the presentation. Mr. Grimmatt said in 2000, the county stopped

enforcement activities but continued to receive and log complaints. He said when the enforcement program resumed there were over 500 complaints and the review and consolidation of records in 2006 resulted in the figures reflected in the presentation.

Commissioner Sheffield said under the current system, there is no incentive for property owners to comply with the conditions of approval of a Scenic Area development permit as there is no enforcement action unless the infraction falls under the county's three criteria. Mr. Grimmatt said because of limited resources, the most serious cases are addressed such as health and safety issues.

Commissioner Middaugh requested a list of all closed cases in Multnomah County Scenic Area by case number. He said it would be helpful if all Gorge counties would make a similar presentation about enforcement activities. He asked how the Commission could assist the county with their efforts. Commissioner Harkenrider said this information would be very instructive and helpful for Plan Review.

Mr. Grimmatt said the support and information provided by Commission staff is very helpful. He said there has been some thought to conduct public meetings to inform and educate the public and Commission assistance with this effort would be appreciated.

Commissioner Grigsby said she understands the need to take action on the priority cases, however by not enforcing the conditions of approval on all cases, this does not promote public trust and support. She said it's frustrating for those that make the effort to comply to see others are not complying and are not being held accountable.

Commissioner Loehrke asked if outstanding violations would obstruct a property sale. Litwak said typically in Oregon, a buyer is responsible for due diligence and the government can't stop an owner from selling property. Mr. Grimmatt said violations stay with the property not the property owner.

Commissioner Davis said she supports the earlier comments and suggestions for a comprehensive overview of enforcement activities in all counties.

### **Other Business**

Commissioner Davis reported on a meeting she attended at the Discovery Center related to air quality. She said Oregon formed an Oregon Dairy Task Force that is addressing air quality issues such as the impact of the Boardman, OR dairies on air quality in the Gorge.

### **Executive Session to consult with Counsel regarding current litigation**

The Commission held an executive session pursuant to Commission Rule

350-11-006(1)(g). Litwak provided the Commission with an Oregon Supreme Court media release (see attachment D).

Chair Condit opened the meeting to the public and stated no decisions or actions were taken.

**Adjourn 12:40 p.m.**

Notes taken by Kathy Obayashi-Bartsch  
Minutes approved on October 14, 2008