

Columbia River Gorge Commission
Meeting Minutes
August 14, 2007

A complete record of this meeting is available on compact disc

Location: Best Western Inn at the Bridge of the Gods
735 WaNaPa Street, Cascade Locks, OR
Time: 9:00 am

MEMBERS IN ATTENDANCE

Harold Abbe
Jeffrey Condit (9:15 am)
Doug Crow
Judy Davis
Dan Harkenrider
Jane Jacobsen
Walt Loehrke
Lonny Macy
Jim Middaugh
Joe Palena
Joyce Reinig
Honna Sheffield

MEMBERS ABSENT

STAFF PRESENT

Jill Arens, Executive Director
Tom Ascher, Planner
Brian Litt, Planning Manager
Jeff Litwak, Counsel
Angie Kenney, Planner
Kathy Obayashi-Bartsch, Specialist

AUDIENCE PRESENT

Anderson, Pat. Wood Village Parks and Recreation
Baxter, Shelley. White Salmon, Washington
Balmuth, Lori. Hood River, Oregon
Beamer, Kelley. Friends of the Columbia Gorge (FOCG)
Boaz, Carolyn. Columbia Riverkeeper
Bryan, Peggy. Skamania County Economic Development Council
Cheatham, North. Hood River, Oregon
Cornelison, Peter. FOCG
Crafts, Katie. Columbia Gorge Windsurfing Association
Cramblett, Tom. Cascade Locks City Council

Dixon, Will. Portland, Oregon
Haight, Don. Cascade Locks, Oregon
Hollatz, Nicole. Skamania County Planning Department
Irish, Sherri. Washougal, Washington
Johnston, Anita. White Salmon, Washington
Larson, Julie. Lyle, Washington
Keister, Larry. Washougal, Washington
Knowles, Christine. Hood River, Oregon
Leipper, Bob. Troutdale, Oregon
Lloyd, Chris. Underwood, Washington
MacDonald, Greg. Underwood, Washington
Maddux, Linda. Hood River, Oregon
Meeks, Patricia and Lloyd. White Salmon, Washington
Miller, Bobbie. Gorge Landowners United for Equity (GLUE)
Myers, Blayne. Underwood, Washington
Nichols, Rodger. *The Dalles Chronicle*
Newell, Denny. Klickitat County Economic Development
Odyan, Iluba. Washington Department of Ecology
Pearce Paul. Skamania County Commission
Repar, Mary. Stevenson, Washington
Schmitz, Holly and Tom. White Salmon, Washington
Singer, Michelle. PSU, Institute of Tribal Government
Spadaro, Jason. SDS/Broughton Lumber
Swyers, Rita. GLUE
Wiley, Mary. Portland, Oregon
Wood, Tom. FOCG

Others were present during the day

Call to Order

In Commissioner Condit's absence, Vice-Chair Reinig called the meeting to order at 9:00 a.m. and role was called.

Approval of Minutes

June 12, 2007

Vice-Chair Reinig asked the Commission to review the corrected minutes, noting the correction on page 10. Commissioner Davis asked for clarification about the change. Litt explained that his comment on the proposed Wasco County wind farm was corrected. Commissioner Sheffield made a motion to approve the corrected minutes and Commissioner Jacobsen seconded the motion. A voice vote was taken and unanimously approved.

July 10, 2007

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

Opportunity for Tribal Nations to address Commission

Vice-Chair Reinig asked if there were any tribal representatives present. There were none. She said because there are many people wishing to offer public comment, testimony will be limited to 3 minutes per person.

Public Comment

Chris Lloyd read from prepared testimony (see attachment A) and asked for clarification of overnight accommodation related to the Broughton Landing project. He said a resort facility does not need privately owned residences or condominiums. He asked the Commission to consider alternatives to the proposed Broughton Landing Project and restrict the development to a lodge, cabins and campsites for short term rentals.

Vice-Chair Reinig said public testimony should be restricted to comments on issues not on the agenda and all comments on the Recreation Resort Plan Amendment will be heard when the Commission addresses that issue. Chair Condit arrived and the gavel passed to him.

Opportunity for Tribal Nations to address Commission

Chair Condit asked for comments from tribal representatives. Louie Pitt Jr. of the Confederated Tribes of the Warm Springs said there will be opportunities for the Commission to be part of tribal planning efforts and details will be forthcoming. He said the project at Celilo includes temporary housing until the permanent housing has been completed. He said the Tribes have supported the Scenic Area Act particularly in terms of resource protection and maintaining treaty rights and wish to maintain good lines of communication with the Commission.

Geoff Thompson of the ViewPoint Inn provided a restaurant menu (see attachment B) and said the ViewPoint Inn is now open to the public. He said there is a personnel issue that he wishes the Commission to be aware of. Chair Condit said issues related to staff should be shared with the Executive Director and this is not an appropriate time for such a discussion.

Angelo Simione of the ViewPoint Inn said his testimony (see attachment C) is related to the personnel issue raised by Mr. Thompson.

Staff Report on Proposed Plan Amendment for Recreation Resort

Jill Arens, Executive Director explained the process in which public comments related to the proposed Plan Amendment are being handled. She said all the Treaty Tribes were contacted to discuss this issue and other issues as well. She provided a review of the proposed Plan Amendment schedule, which includes release of the proposed Plan Amendment in September with a 30-day public comment period. Once the comment period is complete, the Executive Director's report will be issued within 60-days with the goal of conducting a public hearing in December.

Tom Ascher, planner summarized the staff report (see attachment D1) and provided a presentation (see attachment D2), including draft policy direction and options for a proposed Recreation Resort Plan Amendment, reflecting Commission direction from the July 2007 Commission meeting. Ascher described the purpose of the plan amendment proposal as addressing a unique problem in the Scenic Area: how to create an incentive for the conversion of a nonconforming industrial use at a large, visually discordant building complex located in the foreground of a Key Viewing Area and Scenic Travel Corridor to use that is consistent with the purposes and standards of the Scenic Act.

Brian Litt, Planning Manager provided a review of the Management Plan provisions related to the proposed Plan Amendment (see attachment D2). He said it's important for the Commission to understand existing uses, commercial recreation designation and recreation intensity classes and provided a review of these classifications.

Litt said existing uses include dwellings and industrial uses, which may continue under the plan if used in the same manner and for the same purpose. Existing industrial uses may expand within the dedicated site. This refers to areas with current uses, but does not allow expansion into disused buildings.

Litt then summarized the two major chapters of the plan dealing with recreation. Part I, Chapter 4 included overall goals and policies, as well as the Recreation Intensity Classes, which regulate resource-based recreation. The Recreation Designation chapter covers allowable uses on those lands designated Public or Commercial Recreation, and where recreation was deemed the primary use either existing or for the future. He noted that overnight accommodations, as currently allowed, are not a resource-based recreation use and are thus not regulated by the RICs. Litt summarized potentially allowable review uses at the mill site. These include up to 35 units of overnight accommodations, and up to 175 campground or RV sites. He noted that application of the resource protection guidelines could reduce the total amount of development actually allowed.

Commissioner Middaugh asked for clarification on the criteria needed to be considered a discontinued use. Litt said if a use ceases for one year, it is no longer considered an existing use.

Commissioner Davis asked if dwellings are treated different than overnight accommodations. Litt said the Management Plan differentiates between dwellings and overnight accommodations.

Ascher provided a review of the Plan Amendment adoption process. He said once a Plan Amendment is approved and found consistent, each Gorge county adopts an ordinance that incorporates the Plan Amendment. He said the Commission provides the framework and the counties provide more specific provisions, which can be more restrictive. Ascher also described a process for evaluating and identifying measure to protect and enhance the adjacent recreation site at the Hatchery.

Ascher said the phasing of the development should be "front-loaded" to provide mitigation and enhancements early in the project development. He said the Broughton site has a village landscape setting and the type and design of allowed commercial uses should be very limited to minimize commercial impact on urban areas. The proposed resort will have commercial restrictions that differentiate between uses in a village setting from urban areas.

Commissioner Crow asked for the sum of the existing footprint of commercial and residential buildings at the site. Ascher said that information is needed from the developer.

Commissioner Sheffield asked staff to comment on the village setting. Ascher said a village setting is one of the Management Plan's landscape settings that are used to describe the diversity of the scenic area. Litt said a rural center designation such as Corbett, Oregon is quite different than the Broughton Mill site, but has the same village landscape setting designation.

Commissioner Palena asked if the volume of the buildings is considered or just a cumulative footprint. Commissioner Jacobsen said both the cumulative footprint and cubic volume should be considered as well. Ascher said it is more difficult to calculate volume as this information is not readily accessible from sources such as the tax assessor's office. The compatibility guideline does take height and bulk of buildings into account.

Commissioner Loehrke asked about the size of the existing fish hatchery buildings. Ascher said they are approximately 10,000 square feet and single story structures.

Ascher said the scale of proposed development affects many aspects, including the economics of adjacent communities and the county. He said traffic is impacted by scale as there are traffic issues both inside and outside of the proposed development.

Commissioner Crow asked if there is existing contamination on the site, would this limit or prohibit development entirely. Ascher said whether the site is contaminated or not has yet to be determined.

Commissioner Abbe said the developer has to be careful of overbuilding due to the economic aspect of the development.

Break at 10:30-10:50 a.m.

Chair Condit called the meeting to order at 10:55 am.

Continuation of Staff Report and Public Comment

Ascher said at the last meeting, the Commission indicated interest in creating restrictions through design and other regulations to promote short term use rather than long-term use. He said staff needs more direction from the Commission on this issue.

Commissioner Crow asked about the difference between a condominium and a time-share ownership of units. Ascher said condominium units are owned privately but the land is not owned and is jointly maintained by the condominium association.

Commissioner Sheffield said a condominium owner only owns the building but not the land and a time-share is like a condominium with shared ownership of the building.

Commissioner Middaugh asked whether the area would be considered a single recreation facility due to the proximity of the existing Hatchery recreation site. Litt said the specific proposal would have to be reviewed to know how that RIC guideline would be applied. He said even if it is considered a single recreation facility due to proximity, this could impact the resource-based recreation component but not the overnight accommodation component of the proposed resort.

Commissioner Loehrke asked about the open space land designation. Ascher said the areas of current open space designation would remain and allowed uses could occur. Litt said there are a number of allowed review uses allowed in the open space designation such as low intensity recreation which would include trails. He said a review use may be allowed but must be reviewed for approval.

Commissioner Abbe said in his opinion, full-time occupancy would require more public infrastructure and short-time occupancy would require less public infrastructure. He said short-term occupants would tend to use services in urban areas, such as restaurants more frequently than long-term occupants. Ascher said he generally agrees with these opinions.

Chair Condit stated that if the Hatchery and the Broughton project are considered the same recreation site, the Commission could require a master plan that includes the Hatchery. Ascher agreed.

Commissioner Crow asked about the involvement of other agencies in the master plan. Ascher said other landowners would be involved in the master plan, such as Washington State Parks, Corp of Engineers and others.

Public Comment

Paul Pearce of Skamania County Commission commended the Commission for the work on this issue and is pleased with the speed with which this issue has been handled. He said the Skamania County Commission does not support the project because of gratitude to timber families but because of the economic development need in the county. He said all of the issues raised will be reviewed by Skamania County planning and permitting processes.

Mary Repar of Stevenson, Washington read from prepared testimony (see attachment E) and asked staff to determine the cumulative footprint of the Broughton buildings that are currently in use. She said a landowner is allowed a reasonable use of property, which is not necessarily the most economically beneficial to the landowner. She said the

primary mission of the Commission is to protect the Gorge and must consider the cumulative impacts of such a development.

Christine Knowles of Hood River, Oregon addressed the staff report. She said the report reflects a change in direction to focus on a single property rather than commercial recreation as a land use zone. She said it seems contradictory to use conversion of campsites to determine the number of allowed overnight accommodations when examples of resource based recreation include camping but not overnight accommodations. She said there also appears to be a change in the Commission's standards from protection and enhancement of resources to minimizing impacts on resources. She said master plan requirements are an excellent idea but should be detailed enough to make an accurate assessment of a proposed project.

Laurie Balmuth of Hood River, Oregon said other commercial uses such as a medical facility, high-tech business and other uses would do more for the economy of the Gorge than a resort and are in keeping with a village setting. She said impact of a whole building is different than the impact of a shed and does not think staff should consider a storage shed in the same category as a building.

Steven Bronsveld of Underwood, Washington said he works for the owner of Skamania Coves, which is a commercial recreation resort. He said pursuing the Plan Amendment for only one commercial recreation zone property is a contradictory action. He said the reason that the Skamania Coves resort has not been developed as is currently allowed is because of economics, which is the same reason that the Broughton proponents are using as a need for the Plan Amendment. He said he considers this a housing development, not a resort development.

Patricia Anderson of Wood Village, Oregon said she is a former owner of a resort and provided written testimony (see attachment F) expressing concern that the Commission would allow a large scale commercial development in the Columbia River Gorge National Scenic Area. She said the Gorge's beauty should be protected and the first thing that needs to be determined is a demonstrated need for a resort development.

Mary Wiley of Portland, Oregon read a letter from Elizabeth Copeland of Underwood, Washington (see attachment G) expressing Ms. Copeland's concerns with the Recreation Resort Amendment and proposed Broughton Landing Project. Ms. Wiley said local business will be negatively impacted and this is another development for upper income people, which has the same impact of a "gated community" because of the economic barrier.

Jason Spadaro, representing Broughton Lumber Company said in 2005, the company came to the Commission to discuss this issue and embarked on the Plan Amendment process. He said Broughton has involved many stakeholders and experts from various fields. He said it is important that the scale and type of uses allowed are not overly restricted for a viable resort development.

Commissioner Crow said he is concerned that in 10 years, the facility is an abandoned or a failed effort.

Commissioner Middaugh said it would help to understand why the current regulations will not allow a viable resort development. Mr. Spadaro said with the existing regulations a viable resort option would include fewer amenities. He said many options were explored with a range of trade-offs and he would provide the Commission with a matrix of these options.

Commissioner Jacobsen asked if other resorts were researched to determine an appropriate scale and amenities. Mr. Spadaro said their experts researched other facilities world-wide.

Commissioner Sheffield asked if their experts considered units that are not privately owned and not used full-time. Mr. Spadaro said their experts considered this option as well.

Chair Condit said he concurs with Commissioner Middaugh's request for an analysis of current regulations that explain why the current regulations will not allow a viable resort development.

Commissioner Jacobsen asked Mr. Spadaro what other public land owners have been involved. Mr. Spadaro said Jim Runkels of the Corp of Engineers and Jim Harris of Washington State Parks have been involved.

Chris Lloyd provided testimony earlier in the meeting.

Lloyd Meeks of White Salmon, Washington said the Hatchery is one of the most unique windsurfing sites and is very well used when the conditions are windy. He said in previous meetings, the Washington State Parks ranger said there are 400 parking sites but in practical terms there are 150-200 parking sites depending on how many large recreational vehicles are present and how people park their vehicles. He said the facility is filled from the end of the school term to the start of the next school term. He said someone who stays at the Broughton facility for windsurfing will drop their vehicle off at the Hatchery, return to their lodging and return later in the day for windsurfing. He said this will impact the current users greatly.

Commissioner Middaugh asked Mr. Meeks if the resort proponent builds additional parking and launching facilities what impact would that have. Mr. Meeks said additional parking and launching would be used by non-resort users if there were no restrictions on who may park or launch but the overall impact will be more users on an already highly congested area.

Sherry Irish said she has lived in the Scenic Area for over 20 years. She said she willingly painted her farmhouse and re-roofed in dark colors to protect the scenic quality of the Gorge. She said if this Plan Amendment is approved, this will set a precedent for