

Columbia River Gorge Commission

Meeting Minutes

September 11, 2007

A complete record of this meeting is available on compact disc

Location: Hood River County Administration Building

601 State Street, Hood River, Oregon

Time: 9:00 am

MEMBERS IN ATTENDANCE

Harold Abbe

Jeffrey Condit

Doug Crow (9:10 a.m.)

Judy Davis

Dan Harkenrider

Jane Jacobsen (9:15 am)

Walt Loehrke

Lonny Macy

Carl McNew (9:05 am)

Jim Middaugh

Joe Palena (10:30 am)

Joyce Reinig

Honna Sheffield

MEMBERS ABSENT

STAFF PRESENT

Jill Arens, Executive Director

Tom Ascher, Planner

Jennifer Kaden, Planner

Angie Kenney, Planner

Brian Litt, Planning Manager

Jeff Litwak, Counsel

Jessica Metta, Planner

Kathy Obayashi-Bartsch, Admin. Specialist

AUDIENCE PRESENT

Balmuth Laurie. Hood River, Oregon

Casseseka, Clifford. Yakama Nation

Chuduk, David. Broughton Lumber

Cornelison, Peter. Friends of the Columbia Gorge (FOCG)

Crowley, Susan. Hood River, Oregon

Davenport, Jessica. Skamania County Planning Department

Haymon, Rachael. Trout Lake, Washington

Lang, Michael. FOCG

Leipper, Bob. Troutdale, Oregon

Macdonald, Ken, Trout Lake, Washington
McSherry, John. Port of Skamania
Miller, Bobbie. Gorge Landowners United for Equity (GLUE)
Nemanich, John. Trout Lake, Washington
Nichols, Rodger. *The Dalles Chronicle*
North, Cheatham. Hood River, Oregon
Pepper, Ellendee. Trout Lake, Washington
Pitt, Jr. Louie. Confederated Tribes of the Warm Springs
Repar, Mary. Stevenson, Washington
Reynolds, Moira. Hood River Downtown Business Association
Roeder, Casey. Skamania County Chamber of Commerce
Ryan, Sue. *Hood River News*
Singer, Michelle. Portland State University Institute for Tribal Government
Spadaro, Jason. SDS/Broughton Lumber
Stewart, Michael. White Salmon, Washington
Svensson, Susan. White Salmon, Washington
Thiemann, Phyllis. City of Cascade Locks, Oregon Marketing and Events
Usen, Mike. SE Group
Ward, Chris. SE Group
Others were present during the day

Call to Order

Chair Condit called the meeting to order at 9:00 a.m. and role was called. He said the Commission's discussion on the work plan is postponed to the October meeting.

Approval of Minutes

August 14, 2007

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

Public Comment

Bobbie Miller of Gorge Landowners United for Equity (GLUE) said members of the group were upset that Geoff Thompson and Angelo Simione were not allowed to complete their testimony at the last Commission meeting. She said members of GLUE wish to be included in the upcoming Future Forum and requested that the issue of how humanity is impacted in the Gorge is addressed.

Mary Repar of Stevenson, Washington said the Commission should explore a mechanism for a moratorium on building in the Scenic Area until a cumulative effects study is complete. She suggested using satellite imagery for the Indicators Project with night pictures as the impacts of development are often more visible at night (see attachment A).

Commissioner Abbe said the Commission cannot manage growth from outside of the Scenic Area and the Commission's work is impacted by the growing pressure to

develop in the Scenic Area. Ms. Repar said the Commission is charged to determine a way to protect the Gorge from development pressures.

Chair Condit said in reference to Ms. Miller's comment, there are times when testimony is suspended due to potential legal issues. He said when personnel issues arise, it is the Executive Director that should be contacted. He said there are potential liability issues for the Commission if personnel issues are discussed in a public forum.

Opportunity for Tribal Nations to address Commission

Louie Pitt, Jr. of the Confederated Tribes of the Warm Springs provided an update on the various items. He said there is a meeting on September 24th between the Gorge Commission's Tribal Affairs Committee and Tribal Counsel. He said Columbia River Inter-Tribal Fish Commission (CRITFC) is one branch of the Tribes technical groups and the Commission will be hearing a presentation from this group later today. He said on September 29th and 30th there will be a Festival of Nations in Cascade Locks and invited all to attend. He said all the residents in Celilo have been relocated to temporary housing.

Hearing on Amendments to Gorge Commission's Land Use Ordinance to incorporate provisions of Horse Boarding and Management Plan Consolidation Plan Amendments

Jessica Metta and Jennifer Kaden, Planners provided a review (see attachment B) of the amendments to the Commission's Land Use Ordinance to incorporate provisions of horse boarding and Management Plan Consolidation Plan Amendments. The Gorge Commission conducted a hearing to determine consistency of amendments to the Commission's land use ordinance with the Management Plan. The amendments incorporate provisions of the Horse Boarding Plan Amendment (PA-06-04) and the Management Plan Consolidation Plan Amendment (PA-06-05)

Commissioner Crow asked about the status of horse boarding operations in the Gorge. Metta said the individual with the horse boarding operation plans to submit an application as soon as the amendment is in place.

Commissioner Middaugh asked how to proceed with the vote if he does not agree with the substance of the horse boarding plan amendment but supports the Management Plan Consolidation.

Jeff Litwak, Counsel said the issue for the Commission is whether the land use ordinance is consistent with the Management Plan. The substance of the Plan Amendment issues is not in question today.

Public Comment

There was no public comment.

Commissioner Reinig made a motion to approve the amendment and submit it to the Secretary of Agriculture for concurrence. Commissioner Jacobsen seconded the motion and the motion passed unanimously.

Harold Abbe-aye
Jeffrey Condit-aye
Doug Crow-aye
Judy Davis-aye
Jane Jacobsen-aye
Walt Loehrke-aye
Lonny Macy-aye
Carl McNew-aye
Jim Middaugh-aye
Joyce Reinig-aye
Honna Sheffield-aye

Assessment Committee Report

Commissioner Harkenrider, Committee Chair asked staff to provide an update on the Assessment Committee's work. Angie Kenney, Planner provided an update on the progress of the *Vital Signs Indicators Project*. The Technical Advisory Team charter was presented and a timeline discussed (see attachment C).

Commissioner Jacobsen asked if people were already identified to serve as members of the teams. Jill Arens, Executive Director said specific people were identified and suggestions of others are appreciated. She said people with a scientific background working with data sets and performing analysis are needed.

Commissioner Abbe asked how much of the organizational structure will be in place after the project is underway. Arens said it is intended that the teams could be disbanded in 6 months once the project is underway.

Commissioner Sheffield asked if the technical team and community advisory team are equally weighted and what their roles will be. Kenney said both teams will report to the Assessment Committee and present to the Commission; and the teams will work together.

Commissioner Crow said he attended the Assessment Committee meeting and several people have been identified for the committees. He said the Community team will discuss what they believe is important in the Gorge and the technical teams will have specific knowledge of an issues, such as Oregon State Parks has data on the number of campsites utilized in the Gorge.

Commissioner Sheffield asked why some of the assignments were made. She said Friends of the Columbia Gorge is listed on the technical team rather than on the community group. Arens said the group assignments are not confirmed and what is

presented reflects requests from some of the groups. She said the teams will not vote on issues but work collaboratively to advise the Commission.

Commissioner Harkenrider suggested that core teams are responsible for a subgroup with a specific issue such as Scenic Resources to streamline the process.

Commissioner Davis suggested the Tribes are involved in the areas that are of interest to them. She said their interests include more than cultural resources and their interests should be reflected.

Arens said it is important for the Chair of the teams to be someone who is well respected, impartial and with experience facilitating discussion. She said Dr. Frank Toda was contacted to be Chair of the technical committee but is unable to serve on at this time.

Public Comment

Michael Lang of Friends of the Gorge (FOCG) said they are pleased to be included in the project. He said in the past, the purpose of the Indicators Project was focused on preparing the Commission for the next Management Plan review. He asked for staff to explain the correlation between the Indicators Project and the Future Forum event.

Arens said the Future Forum is a collaborative effort for the region to look at the Gorge and make assessments. She said this event will be part of a process to engage the public in an ongoing manner, resulting in better understanding and better decision making in the long term.

Commissioner Harkenrider said during the Management Plan review, the Commission struggled with the gauging the relationship between communities and the effects on the Scenic Area. He said this event is an opportunity to have a discussion with the community to look at outside influences as well.

Louie Pitt, Jr. of the Confederated Tribes of the Warm Springs said the Tribes wish to protect natural resources. He said the Tribes are interested in being involved in the protection of resources and the Future Forum is a great opportunity.

Mary Repar of Stevenson Washington said ecosystem health is a critical element to be included in the project. She said she prefers a holistic approach that does not end at man-made boundaries.

Clifford Casseseka of the Yakama Nation said there is a lot of traditional Indian knowledge that is difficult to express to mainstream culture. He said it's important that the Tribes are involved. He said clean air in the Gorge is an issue not to be forgotten and as a result of working with Tidewater Barge, their first barge with a "clean diesel" engine will be launched on September 14th.

Commissioner Crow said the Assessment Committee discussed the need for the involvement of the Tribes to share traditional knowledge as part of the Indicators Project.

Update of Commission Rules Following 2007 Legislative Sessions

Commissioner Reinig said the Rules Committee met and discussed the Commission rules impacted by the 2007 Legislative Sessions. Jeff Litwak, Counsel provided a summary (see attachment D) of the recommendations from the Rules Committee to initiate rulemaking on the Commission's Open Meetings, Public Records, and Administrative Procedures rules. He said these rules must be reviewed periodically to ensure they are consistent with the more restrictive of the states' new legislation as required by Section 5(b) of the Scenic Area Act.

Commissioner Sheffield said the language about people with disabilities was changed in Washington several years ago and is surprised that this change had not already been made.

Public Comment

Michael Lang of FOCG said he attended the Rules Committee meeting and suggested the Commission's rules pertaining to urban area boundary should be revised.

Commissioner Middaugh asked if there are any other rules that should be revised.

Chair Condit said the focus is on revisions as a result of 2007 legislative changes and supports taking a broad look at the Commission's rules for revision. Commissioner Reinig said the Rules Committee will take a broader view and review other Commission rules in the future.

Litwak said the issue is whether you are ready to initiate the rule making process.

Commissioner Crow made a motion to initiate rulemaking as outlined in the staff report and Commissioner Sheffield seconded the motion. The motion passed unanimously.

Harold Abbe-aye
Jeffrey Condit-aye
Doug Crow-aye
Judy Davis-aye
Jane Jacobsen-aye
Walt Loehrke-aye
Lonny Macy-aye
Carl McNew-aye
Jim Middaugh-aye
Joyce Reinig-aye
Honna Sheffield-aye

Break 10:25-10:45

Columbia River Inter-Tribal Fish Commission (CRITFC) Presentation (see attachment E1-E2)

Arens introduced Charles Hudson, Public Affairs Manager and Jeremy FiveCrows, Public Information Officer of the Columbia River Inter-Tribal Fish Commission (CRITFC). The Columbia River Inter-Tribal Fish Commission (CRITFC) is the technical support and coordinating agency for fishery management policies of the four Columbia River treaty tribes. CRITFC, formed in 1977, employs biologists, other scientists, public information specialists, policy analysts, and administrators who work in fisheries research and analyses, advocacy, planning and coordination, harvest control and law enforcement.

Charles Hudson, Public Affairs Manager presented information about the authorities of CRITFC, the research and restoration efforts underway, and enforcement issues.

Jeremy FiveCrows, Public Information Officer provided a review of the importance of salmon and fishing in the Gorge to the Tribes and Tribal treaty rights.

Charles Hudson discussed the conflict of the late 1960's and early 1970's as well as the impact of the Indian Self-Determination Act. He said four tribes; Confederated Tribes of the Warm Springs, Yakama Nation, Confederated Tribes of the Umatilla and Nez Perce joined together to form the Columbia River Intertribal Fish Commission to provide services and a forum for fishery issues. He provided a review of the agency's authority, services and duties.

Commissioner Crow asked about the potential for over fishing in the John Day area. Mr. Hudson said the salmon in that area are not in danger of being over fished. Approximately 23% of the salmon run is caught but the numbers continue to increase. He said there are certain limits and when that threshold is reached, fishing ceases. He said there is real-time management of the fish harvest through on the water, in the air and on the ground management efforts.

Commissioner Reinig asked him to comment on the conflicts between fishing and recreational users. Mr. Hudson said the enforcement officers can best answer that question and he offered to have an officer speak to the Commission on this issue. He said he is aware of the need to improve public education and outreach efforts.

Commissioner Middaugh asked him to comment on the impact on tribal fishing sites. Mr. Hudson said CRITFC does not regulate or manage usual and accustomed fishing sites and can only offer guidance.

Commissioner Middaugh asked about the impact on juvenile fish by windsurfing. Mr. Hudson said he has not heard of impacts of recreation (windsurfing) on the juvenile population. The main issues impacting juveniles are 1) survival through the hydro

system; 2) predation by pike minnows; 3) travel time on the rivers; and lastly 4) pollution and toxicity.

Commissioner Middaugh asked him to comment on CRITFC's research on the salmon population in terms of the Commission's Indicators Project. Mr. Hudson said any collaboration or shared research to reach the goal of 5 million salmon is a welcome opportunity.

Executive Committee Report

Commissioner Reinig said the Executive Committee decided to move the work plan to October's meeting to allow enough time for items on the agenda today. She said the Committee discussed training for new commissioners. She said there has not been much consistency in the past and the Committee is interested in developing an orientation process. She said the Committee will work with Arens to develop a proposal for Commissioner training.

Lunch 11:45 am-1:15 p.m.

Recreation Resort Plan Amendment Update

Chair Condit called the meeting to order at 1:15 p.m. and said the Commission is in a listening mode and will not be commenting or making decisions at this meeting. He asked people wishing to make public comments to limit their testimony to three minutes. Chair Condit said concern was expressed regarding the time frame for accepting public comment. He said there is a period of 30 days notice but testimony will be taken after the 30 days as well. He said testimony will not be restricted to the 30 day period.

Tom Ascher, planner provided an update on the Recreation Resort Plan Amendment. He described the text of the proposed Recreation Resort Plan Amendment to the Management Plan (see attachment F1-F2).

Public Comment

Rachel Haymon of Trout Lake, Washington said she is deeply concerned about this proposal and does not support it at all. She said the creation of a community outside of the designated urban areas is not in keeping with the Scenic Area Act. She said the amendment is written in a way to allow multiple ownership of units and this will result in long term residency. She said there are already development pressures in the area as is evidenced in Klickitat County's controversial proposal to rezone property in the Husum, BZ Corners area and this project further adds to the impact on the Gorge. She said this project does not address any real need and believes better alternatives exist for the property. She said if the Commission makes this change, it will be used as a precedent to apply to other places, resulting in opening "Pandora's Box". She said the Commission needs to consider what level of development the Gorge can really support and sustain. She said it is troubling to see such a proposal considered in a National Scenic Area.