

Columbia River Gorge Commission

Meeting Minutes
February 11, 2020

Bridgeside Restaurant, Sam Hill's Den Room (downstairs)
745 NW Wa Na Pa Street, Cascade Locks, Oregon

MEMBERS IN ATTENDANCE

Bridget Bailey – arrived at 12:43 p.m.
Bowen Blair
Lynn Burditt
Keith Chamberlain
Sondra Clark
Lorrie DeKay
Dan Ericksen
Robin Grimwade
Robert Liberty
Meninick Jerry
Carina Miller
Rodger Nichols
Janet Wainwright

MEMBERS ABSENT

STAFF PRESENT

Connie Acker, Administrative Assistant
Aiden Forsi, Land Use Planner
Bryce Guske, Land Use Planner
Joanna Kaiserman, Senior Land Use Planner
Jeff Litwak, Counsel
Lisa Naas Cook, VSI Planner
Jessica Olson, Senior Natural Resources Planner
Mike Schrankel, GIS Planner
Krystyna Wolniakowski, Executive Director

AUDIENCE PRESENT

Brewer, Angie – Wasco County Planning
Coleman, Colleen – City of Mosier
Cornelison, Peter – Friends of the Columbia Gorge
Fink, Patty – Columbia Area Transit (CAT)
Fowler, Chip
Fowler, Valerie
Gatz, Casey – U.S. Forest Service
Heath, Delvis
Hege, Scott – Wasco County Board of Commissioners
Hess, Jurgen
Lang, Michael – Friends of the Columbia Gorge
Langley, Terra – ODOT
Larscallen, Ber
McCoy, Steve – Friends of the Columbia Gorge
McConville, Brigitte
McConville, Sean
Parga, Beatriz
Repar, Mary
Roth, Michelina

Snyder, Jon – State of Washington, Sr. Policy Advisor, Outdoor Recreation & Economic Development
Skakel, Katie
Smith, Glendon
Ward, Darold

Others were present during the day.

Call to Order and Roll: Chair Liberty called the meeting to order and Connie Acker called roll. (9:00 a.m.)

Welcome: Gordon Zimmerman, Cascade Locks City Administrator welcomed the Commission to Cascade Locks (9:01 a.m.)

Public Appeal Hearing on Appeal of Executive Director Decision No. C19-0004 (modified), filed by Friends of the Columbia Gorge: (9:09 a.m.) The Gorge Commission held a public hearing on an appeal filed by the Friends of the Columbia Gorge of a Director’s Decision approving an application to construct a single-family dwelling with conditions of approval. Pursuant to Commission Rule 350-70, the hearing included opportunity for public testimony on the application. The Chair of the Commission will issue a final written order at a later date.

Chair Liberty opened the hearing and explained the hearing procedure as contained in the Notice of Hearing (Attachment A) that the Commission sent the parties. Chair Liberty asked if there were any questions. No persons asked any questions. Chair Liberty then asked members of the Commission to disclose conflicts of interest, ex parte communications, and appearance of fairness issues. Commissioners Blair, Nichols, Liberty, and Burditt made disclosures. Chair Liberty asked if anyone had questions about the Commissioners’ disclosures or had concerns with the Commissioners participating in the hearing. None of the parties questioned the Commissioners’ disclosures and none challenged any Commissioner’s participation in the appeal hearing.

Chair Liberty noted Friends’ objection to the submission by the Fowlers of an additional document (Attachment B) to staff the previous week. Chair Liberty made a judgment to allow the additional material reasoning that because it could be presented at the hearing today in any event, all parties would benefit from additional time to consider the material before the meeting. In response to a question from Chair Liberty, Friends reserved its objection to the alleged procedural error.

Joanna Kaiserman, Senior Land Use Planner, presented “Staff Report for Appeal” (Attachment C1) and showed presentation slides. (Attachment C2)

These documents are exhibits to the hearing record.

Steve McCoy, representing Friends of the Columbia Gorge, and Jurgen Hess, an expert on behalf of Friends of the Columbia Gorge, presented their appeal and submitted documents:

- Appellant’s Exhibit 1 – Assignments of Error (Attachment D1)
- Appellant’s Exhibit 2 – Oral Argument power point (Attachment D2)
- Appellant’s Exhibit 3 – Hood River News article entitled “Cruise ships cut economic wake” (Attachment D3)
- Appellant’s Exhibit 4 – Ponderosa Pine Characteristics (Attachment D4)

These documents are exhibits to the hearing record.

Charles and Valerie Fowler presented testimony, showed presentation slides and submitted photos:

Slide Presentation (Attachment E1)

Applicants’ Exhibit 1:

- Photo 1 - Human eye view from Memaloose Overlook with a red box inserted (Attachment E2)
- Photo 2 - Magnified view of area contained within red box in photo 1 (Attachment E3)
- Photo 3 – Magnified location of house in Photo 2 (Attachment E4)

The Commission reviewed the email received from Barbara Robinson dated February 11, 2020 with the subject "Fowler property". (Attachment F)

These documents are exhibits to the hearing record.

Break – 10: 55 a.m.

The Commission heard rebuttal.

The Commission deliberated.

Commissioner Miller moved to approve the Fowlers' application as approved by the Executive Director. Commissioner Grimwade seconded the motion. The Commission voted as follows:

Bridget Bailey – Abstained (absent for the argument and most of the deliberation)

Bowen Blair - N

Keith Chamberlain - Y

Sondra Clark - Y

Lorrie DeKay - Y

Dan Ericksen - Y

Robin Grimwade - Y

Robert Liberty - N

Meninick Jerry - Y

Carina Miller - Y

Rodger Nichols - Y

Janet Wainwright - N

LUNCH (12:49 p.m.)

Confederated Tribes of Warm Springs Traditional Word of the Day: (1:18 p.m.) Brigitte McConville, Vice Chair Tribal Council Member, Confederated Tribes of Warm Springs, shared the traditional word of the day which is Wałaxłx. Wałaxłx means "Her Face Paint." Brigitte explained that there is a red pigment in the wall of the earth near what is now called Cascade Locks. This red pigment is chipped out and used as sunscreen. When on the river, Wałaxłx is put on tribe members' skin to avoid sun burn.

Brigitte informed the Commission of recent Federal funding for in-lieu and access sites on the river. Infrastructure issues on in-lieu sites will be upgraded and fish drying and processing areas will be improved. Brigitte also reiterated the housing crisis that the tribes are facing.

Opportunity for Treaty Tribe Nations to Address Commission: As part of the Government-to-Government consultation process, the Commission welcomes input from treaty tribe members on any issue on the agenda and any other matters. Delvis Heath spoke on behalf of the Treaty Tribe Nations (1:24 p.m.)

Jon Snyder, State of Washington, Sr. Policy Advisor, Outdoor Recreation & Economic Development, Governor Inslee's office (1:30 p.m.) One of Governor Inslee's top priority is climate change and includes:

- Clean fuel standards
- Regulate clear air rule
- Zero emission vehicle policy
- Ride share companies
- Funds for additional EV charging stations
- Extension of tax incentives for community solar projects
- Climate change risks for major projects
- Comprehensive analysis of statewide emission reduction strategies

Approval of Minutes of January 21, 2020 Commission Meeting: Commissioner Miller moved to adopt the January 21, 2020 meeting minutes. Commissioner Wainwright seconded the motion. The Commission voted to approve the meeting minutes on a unanimous voice vote. Chair Liberty reminded the Commission that by moving to approve the meeting minutes, the Commission was not confirming the accuracy of the way specific policy directions are described in the Gorge2020 Focus Topic and Technical Review spreadsheet (Attachment G) developed after January's Commission meeting, although he believed the worksheet to be accurate. Those policy directions will be reviewed at future meetings. (1:33 p.m.)

Opportunity for Public Comment: The following provided public comment to the Commission on items not listed on the agenda (1:35 p.m.):

- Mary Repar
 - Desire to have Commission comment on changes to NEPA, as part of federal public process
 - Commented on Goldendale energy project
 - Stevenson Grange #121 has a community resiliency program discussing dam removal

Work Session* - Gorge2020 Climate Change: Jessica Olson, Sr. Natural Resources Planner, and Casey Gatz, Land Management Planner, Forest Service, presented an overview of climate change and adaptation planning for the National Scenic Area. Staff sought Commission discussion and guidance for next steps to incorporate climate change adaptation into the Gorge 2020 Management Plan review process. (1:40 p.m.) (Attachment H)

Opportunity for Public Comment: Gorge 2020 Climate Change. The following provided public comment to the Commission on climate change:

- Darold Ward
- Michael Lang, Friends of the Columbia Gorge - Provided a memo entitled "Comments on Climate Change Mitigation and Adaptation: Strategies and Potential Actions" (Attachment I)
- Colleen Coleman, Mosier City Manager
- Mary Repar
- Peter Cornelison
- Eric Strid, Columbia Gorge Climate Action Network
- Patty Fink, Executive Director, Columbia Area Transit (CAT)

The Commission discussed climate change, asked questions of staff and provided policy direction:

Stream Buffers:

Commissioner Bailey – Inquired of cold-water stream study from staff

Commissioner Wainwright – In favor of expanding buffers

Commissioner Blair – In favor of expanding buffers

Commissioner Nichols – Need for landowner notification prior to changing buffers

Commissioner Clark – Agreed w/Commissioner Nichols on landowner notification

Commissioner Chamberlain – Concerned of intent of increasing buffers and Commission goals

Commissioner Ericksen – In favor of expanding buffers

Chair Liberty proposed: 1) Expansion of buffers from 100 to 200 feet and ascertain who would be affected, 2) evaluate whether the expansion would have benefits, and 3) whether revegetation could be leveraged. A majority of the Commissioners agreed with the proposal. The Commission requested that staff prepare a report on how much time the above proposal would entail.

Climate Change Vision Statement

Commissioner Blair believed the Commission should develop a climate change vision statement. Ten Commissioners agreed and others were neutral.

Fire protection policies should apply to other land use designations, other than forest:

Commissioner Wainwright – In favor

Commissioner Nichols – Stakeholders should be consulted and take public testimony

Commissioner Blair – In favor

Commissioner Clark – Asked whether we should contact counties re: their fire policies currently in place

Commissioner Blair emphasized the importance of a climate change vulnerability study, climate change adaptation mitigation strategy, and a climate action plan. A majority of Commissioners agreed.

Break – 3:33 p.m.

Work Session* - Urban Area Boundaries: The Commission continued its discussion of the Section 4(f) criteria. (3:45 p.m.) Commissioner Ericksen presented his paper entitled Urban Area Boundary Revision Division. [\(Attachment J\)](#)

Opportunity for Public Comment: Urban Area Boundaries. The following provided public comment to the Commission on urban area boundary expansion.:

- Mary Repar
- Scott Hege, Wasco County Commissioner
- Michael Lang, Friends of the Columbia Gorge

Action Item - Executive Committee Meetings: (4:35 p.m.) The Commission discussed matters related to duties of the Executive Committee and public notice as a committee meeting or a Commission meeting. There was a consensus that no changes be made to the Executive Committee at this time.

Work Session - Legislative Concepts for Federal and State: The Commission continued its discussions from the January 21, 2020 Commission meeting to identify key concepts to share with federal and state legislators. (4:39 p.m.)

Executive Director's Report: Krystyna U. Wolniakowski presented budget proposals and the Commission discussed and provided comment. [\(Attachment K\)](#)

Budget Proposals:

- *Compliance Monitoring/Enforcement Planner: \$200,000 for 2 years*
There was general consensus from Commissioners for this budget request.
- *Climate Change Planner: \$180,000 for 2 years*
There was general consensus from Commissioners for this budget request.
- *Urban Area Boundary Revisions Process: \$200,000 for 2 years*
Commissioners were split in agreement on this budget request. Commissioners Wainwright and Grimwade believed that this budget request should have the lowest priority as it would be a “tough sell” at this time.
- *Replacing ACCESS Database Phase 2: Solutions Implementation \$600,000*
There was general consensus from Commissioners for this budget request. Commissioner Bailey could not form an opinion on this request without further information on the project.

Krystyna also provided updates on the Gorge2020 Focus Topic and Technical Review spreadsheet. [\(Attachment G\)](#)

U.S. Forest Service NSA Manager's Report: Commissioner Burditt provided an update on Forest Service activities in the National Scenic Area. (5:09 p.m.)

- Reported possible significant budget cuts in domestic spending
- Outlined plan review topics that will be on the March Commission Meeting agenda

Other Business (5:15 p.m.) – Commissioner Nichols moved to approve the Executive Committee appointments (Commissioners Burditt, Liberty, Miller, Grimwade, Wainwright and Nichols) and the ad-hoc

committee to determine a more defined process for evaluating Executive Directors (Commissioners DeKay, Blair and Chamberlain with Commissioner Grimwade as Chair). These appointments were made at the January 21, 2020 Commission Meeting. Commissioner Wainwright seconded the motion. The Commission voted to approve the appointments on a unanimous voice vote.

EXECUTIVE SESSION: The Commission held an executive session pursuant to Commission Rule 350-11-006(1)(g) to consult with counsel concerning the Commission's legal rights and duties regarding current litigation or litigation likely to be filed. The Commission did not make any decisions in executive session. (5:18 p.m.)

Adjourned (5:30 p.m.)

Approved - 4/14/2020