

**Columbia River Gorge Commission**

Meeting Minutes

September 10, 2019

White Salmon Fire Hall  
119 NE Church Street, White Salmon, Washington

***MEMBERS IN ATTENDANCE***

Bridget Bailey  
Bowen Blair  
Lynn Burditt  
Sondra Clark (1:00 pm)  
Lorrie DeKay  
Dan Ericksen  
Robin Grimwade  
Robert Liberty  
Carina Miller  
Rodger Nichols  
Janet Wainwright

***MEMBERS ABSENT***

Keith Chamberlain

***STAFF PRESENT***

Connie Acker, Administrative Assistant  
Nancy Andring, Administrative Analyst  
Aiden Forsi, Land Use Planner  
Joanna Kaiserman, Land Use Planner  
Jeff Litwak, Counsel  
Katy O'Keefe  
Mike Schrankel, GIS Specialist  
Krystyna Wolniakowski, Executive Director

***AUDIENCE PRESENT***

Barnes, Betty J. – City of Bingen Mayor  
Berger, Dave  
Brewer, Angie – Wasco County Planning  
Brown, Keith  
Cornelison, Peter – Friends of the Columbia Gorge  
Gatz, Casey – U.S. Forest Service  
Hinatsu, Stan – U.S. Forest Service  
Irish, Sherri  
Kaplan, Patty  
Keister, Larry  
Kloos, Jeanette – Friends of the Historic Columbia River Highway  
Lang, Michael – Friends of the Columbia Gorge  
Lingley, Terra – Oregon Department of Transportation  
Marcus, Riley – City of The Dalles Planner  
McConville, Brigette – Warm Springs Tribal Council  
McCoy, Steve – Friends of the Columbia Gorge  
Pawlitz, Rachel – U.S. Forest Service  
Repar, Mary  
Robbins, Teresa

Rittenhouse, Ryan – Friends of the Columbia Gorge  
Stone, Tyler – Wasco County Chief Administrative Officer

Others were present during the day.

**Executive Session** (9:00 a.m.) 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 with regard to current litigation or litigation likely to be filed. The Commission came out of Executive Session and Chair DeKay announced the Commission had made no decisions during Executive Session.

**Call to Order and Roll** (10:15 a.m.) Chair DeKay called the meeting to order and Connie Acker called roll.

**Welcome** (10:16 a.m.) Betty J. Barnes, Bingen Mayor, welcomed the Commission.

**Approval of Minutes for August 13, 2019 Commission meeting** (10:18 a.m.)

Commissioner Bowen Blair moved to adopt the August 13, 2019 meeting minutes with changes. Commissioner Janet Wainwright seconded the motion. The motion passed unanimously on a voice vote.

**Opportunity for Treaty Tribe Nations to address Commission** (10:20 a.m.)

As part of the Government to Government consultation process, the Commission welcomed input from treaty tribe members on any issue on the agenda and any other matters. Brigette McConville, Tribal Council Member, Confederated Tribes of Warm Springs, appeared and presented concerns regarding algae and water quality in the Columbia River. Tribal Council Member McConville also discussed housing, Senate Bill 13, partnership with OHSU, and the Confluence Project.

Commissioner Carina Miller provided additional information on Senate Bill 13. Commissioner Miller also provided information on Paddle to Celilo in 2023.

**Opportunity for Public Comment** (10:40 a.m.)

The following provided public comment to the Commission on items not listed on the agenda:

- Mary Repar
  - Concerned about algae in Columbia River and toxicity of river.
  - Impact of fish hatcheries and dams.
  - Economic development.
- Dave Berger
  - Provided photos of various ADU’s in Klickitat County. (Attachment A) Mr. Berger believes there is no need for urban growth expansion in Klickitat County.
  - Provided thoughts on the Yakama Nation housing project.
  - Concerned about algae and water quality issues.
- Ryan Rittenhouse – Friends of the Columbia Gorge
  - Asked for more focus and inclusion of climate change in the Management Plan review.

Commissioner Robert Liberty announced that he will raise the Zimmerly quarry operation as a discussion item during “Other Business” at 4:15 p.m.

Executive Director Krystyna U. Wolniakowski clarified Action Item and Information Item in the agenda. Information Items are not meant to be a passive discussion. In the future if there will be a very active discussion item for Commission guidance, the matter will be labeled “Work Session Item” as opposed to Information Item.

**Information Item\*:** Gorge 2020 Urban Area Boundary Focus Topic: Jeff Litwak, Legal Counsel,

and Aiden Forsi, NSA Land Use Planner, provided a summary of input from the first six public workshops and facilitated a Commission discussion on progress to date. All materials from the workshops are posted on the Commission's website. (11:00 a.m.) (Attachment B)

**Public Comment** (12:00 p.m.)

- Angie Brewer - Wasco County Planning Director
- Tyler Stone – Wasco County Chief Administrative Officer
  - Provided letter with subject: Urban Area Boundary Policy Public Workshops (Attachment C)
  
- Keith Brown
- Teresa Robbins
  - Presented letter and suggestions regarding urban area boundary expansion. (Attachment D)
  
- Michael Lang– Friends of the Columbia Gorge
- Steve McCoy – Friends of the Columbia Gorge
  - Presented memo with subject: Urban Area Boundary Revision Policy (Attachment E)

Commissioner Liberty suggested changes to the Agenda timeline due to time constraints.

**Lunch** (12:35 p.m.)

Chair DeKay opened discussion regarding Urban Area Boundary Focus Topic. (1:05 p.m.)

Commissioner Dan Ericksen moved to have the Commission send this issue to staff to arrange for a mediator to bring the sides together to try to come up with a mutual solution. Commissioner Rodger Nichols seconded the motion. After a discussion, the Commission voted as follows:

Bridget Bailey - N  
Bowen Blair - N  
Sondra Clark - Abstain  
Lorrie DeKay - N  
Dan Ericksen - Y  
Robin Grimwade - Abstain  
Robert Liberty - N  
Carina Miller - N  
Rodger Nichols - Y  
Janet Wainwright - N

The motion failed with 2 yes votes, 6 no votes, and 2 abstentions.

Commissioner Bridget Bailey moved that “minor revision” be defined as one with no reduction in general or special management area acreage. The motion was not seconded.

Commissioner Liberty moved that the Commission direct the Executive Director to send a formal inquiry to the county commission chairs and mayors as appropriate and the planning directors, or their equivalent, about whether they will be proposing any UAB amendments prior to June 30, 2023. That's this biennium and next. If a governing body indicates that it may request a UAB amendment, then it should offer a short statement of one or two pages identifying acreage range for the amendment, the justification for the amendment and a time range when the amendment would be proposed. The details of this statement will not be binding on the jurisdiction but will be relied on by the Commission in its budgeting, meeting schedule and work plans for the current and next biennium. The director will request that the response be made in time to be reviewed by the Commission at its first meeting in 2020. The motion was seconded by Commissioner Miller. After a discussion, the Commission voted as follows:

Bridget Bailey - Y

Bowen Blair - Y  
Sondra Clark - Abstain  
Lorrie DeKay - Y  
Dan Ericksen - N  
Robin Grimwade - Y  
Robert Liberty - Y  
Carina Miller - Y  
Rodger Nichols - N  
Janet Wainwright - Y

The motion passed with 7 yes votes, 2 no votes, and 1 abstention.

Commissioner Liberty moved to have the Commission endorse as a minimum requirement for regional analysis the areas identified in the staff draft, which are bridgehead communities. So, when we're looking at demonstrable need for UAB amendment for any of these areas, those communities would be the starting point. The bridgehead communities are Hood River, Bingen, White Salmon, The Dalles, Dallesport, Cascade Locks, Stevenson and North Bonneville. The motion was seconded Commissioner Blair.

After Commission discussion and at the request of Commissioner Liberty, Legal Counsel Jeff Litwak rephrased the motion to have the Commission endorse as minimum areas for analysis the regions that are the bridgehead communities. Any demonstrable need analysis would take into account a regional supply of land and a regional supply of need. The bridgehead communities are The Dalles, Dallesport, Hood River, White Salmon, Bingen, Cascade Locks, Stevenson and North Bonneville. The other communities are left unattached and may be considered in individual proposals. After a discussion, the Commission voted as follows:

Bridget Bailey - Y  
Bowen Blair - Y  
Sondra Clark - N  
Lorrie DeKay - Y  
Dan Ericksen - N  
Robin Grimwade - Y  
Robert Liberty - Y  
Carina Miller - Y  
Rodger Nichols - N  
Janet Wainwright - Y

The motion passed with 7 yes votes and 3 no votes.

Commissioner Liberty moved: This applies to the four urban growth boundaries in Oregon. That any consideration of a UAB amendment by the Commission be preceded by or concurrent with the Oregon Urban Growth Boundary revision process and that the substantive requirements of that process are a floor for our consideration. The motion was seconded by Commissioner Ericksen. After a discussion, the Commission voted as follows:

Bridget Bailey - Y  
Bowen Blair - Y  
Sondra Clark - Y  
Lorrie DeKay - Y  
Dan Ericksen - Y  
Robin Grimwade - Y  
Robert Liberty - Y  
Carina Miller - Abstain  
Rodger Nichols - Y  
Janet Wainwright - Y

The motion passed with 9 yes votes and 1 abstention.

**Break** (2:20 p.m.)

**Information Item: Gorge 2020 Recreation Focus Topic:** Aiden Forsi, NSA Land Use Planner, Gorge Commission, Casey Gatz and Stan Hinatsu, Forest Service, presented the four issues that emerged from scoping comments and technical input, and they sought guidance on these from the Commission. Staff used the PRES model (Point Reason Example Summary) to facilitate the discussion. (2:33 p.m.) (Attachment F)

Using PRES model:

Question 1: The Plan's current approach is to meet recreation demand with more supply; constructing more recreation sites. Are there other considerations that could be added to the RIC Guidelines to respond to demand without necessarily building more?

- Site Permits @ RIC 1, 2, 3
- More Supply – Manage Demand
- More supply creates more demand – Manage Supply/discourage visitation
- Shift individual auto paradigm - transit
- Permitting on popular trails
- Rationing is currently occurring w/supply – inequality should be addressed
- Permitting – digital metering
- Permit \$ allocate to locals – limit new supply
- Not more supply. Be equitable w/permits & access
- Improve management practices – monitor for resource impacts

Questions 2: How can Recreation Intensity Classes incorporate other factors (Ongoing Use/user experience/seasonality/dispersal/etc.)?

- Resource and social conditions - Management tools to ongoing use and over quality
- Include historical context
- Seasonal resource protection measures
- Incorporate ongoing use tools
- Seasonal permits for high use sites – enforcement
- Interpretation and education to instill respect - media
- Permitting and education in combination – direct use to Discovery Center, etc.
- Peak season fee based permitting
- Guiding permits for high use sites – not increase supply
- More incentives to permits
- More camping & RV sites
- Not necessarily local priority

Question 3: Should agencies applying for public recreation developments be allowed variances from RICs where fully complying with SNC protection measures?

- Until better enforcement, no or limited variance – already occurring unofficially
- Very strict guidelines for variances
- If public agencies can make the determination while fully perfecting SNCR
- Allow variances, particularly for public safety
- No variances for new sites – design guideline improvement - create RICs for extremely high sites
- Support variances when enforcement/monitoring
- Review sites in groups, not individual sites
- More garbage cans

Question 4: How could RICs consider higher intensity of use and development at high volume trailheads that would disperse use over the landscape to lower intensity?

- Enforcement at lower intensity sites
- Higher volume for hardened sites
- Parking is always the issue
- Adopt variance for higher volume sites
- Define resource and social limits – create limits for site capacity
- Parking lots are an impact on the resource
- Dispersal could create more vectors for trash or fire
- Increasing parking is not the answer
- Gorge-wide shuttle system – do not increase site parking sites

Commissioner Miller asked that the Commission alter the Agenda and proceed to Other Business. Chair DeKay granted Commissioner Miller's request.

### **Other Business (4:00 p.m.)**

Attorney Jeff Litwak updated the Commission on the Zimmerly mining operation matter. The Commission discussed options regarding the Zimmerly mining matter.

Commissioner Bailey moved that the director prepare and if warranted issue a summary order requiring the rock quarry at Washougal, it was recently referred to as the Zimmerly matter, to promptly stop all activity relating to the operation of said rock quarry and this is pursuant to Commission Rule 350-30-100. Commissioner Blair seconded the motion but voiced concerned with "if warranted" language.

After the Commission discussed Commissioner Bailey's motion, Commissioner Bailey offered to rephrase the motion to move that the Executive Director be directed to evaluate if a notice of alleged violation should be issued for the quarry site located outside of Washougal in Clark County and further that if no notice of alleged violation is issued that the Executive Director submit a report why this action should not be taken and specifically the report must address the mandatory language in section 350-30-030. *There was no second on this rephrased motion.*

The Commission had a lengthy discussion regarding how to proceed with regard to the Zimmerly matter.

Commissioner Liberty suggested tabling Commissioner Bailey's motion and make the matter an item on the next meeting's agenda. Commissioner Nichols seconded Commissioner Liberty's suggestion to table Commissioner Bailey's motion.

Commissioner Bailey restated her first motion again: Pursuant to U.S. Code Section 54(m)(a)(1), move the director prepare and if warranted issue a summary order requiring the rock quarry at Washougal to promptly stop all activity relating to the operation of said rock quarry. Also cited Commission Rule 350-30-100.

Executive Director Krystyna Wolniakowski asked for a clarification: If after 15 days if Zimmerly does apply for a permit, they have committed to file a permit, then what is the action we are to do?

Commissioner Blair: If they have not stopped mining within 15 days, you have to initiate action to stop them, even if they have applied for a permit.

The Commission continued to discuss the matter.

Commissioner Liberty withdrew the motion to table Commissioner Bailey's motion. Commissioner Nichols withdrew the second.

Commissioner Bailey: My motion was just asking the ED to look into it and go ahead and file if she finds that she should or bring it back to us and explain why she hasn't.

After a lengthy discussion, the Commission voted as follows:

Bridget Bailey - Y  
Bowen Blair - N  
Sondra Clark - Y  
Lorrie DeKay - Y  
Dan Ericksen - Y  
Robin Grimwade - Y  
Robert Liberty - Y  
Carina Miller - Y  
Rodger Nichols - Y  
Janet Wainwright - Y

The motion passed with 9 yes votes and 1 no vote.

Commissioner Blair moved that we give Clark County 15 days to initiate efforts to stop the mining and if they have not done that within that 15-day period we direct our Executive Director to initiate proceedings to stop the mining. Carina Miller seconded the motion.

The Commission discussed the compatibility of the previous motion to the motion that Commissioner Blair proposed. Commissioner Miller withdrew her second.

Commissioner Miller restated that the with the motion the Commission passed, Krystyna is going to report back with her findings and recommendations at the next meeting. Commissioner Miller moved to end discussion of this topic. Commissioner DeKay seconded the motion. The motion passed unanimously on a voice vote.

**Adjourned** (5:25 p.m.)

Approved 10/08/2019