

Columbia River Gorge Commission

Meeting Minutes
December 10, 2019

White Salmon Fire Hall
220 NE Church Avenue, White Salmon, Washington

MEMBERS IN ATTENDANCE

Bridget Bailey – Arrived 9:54 am
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
Mike Schrankel, GIS Specialist
Krystyna Wolniakowski, Executive Director

AUDIENCE PRESENT

Albrich, Elaine – Davis Wright Tremaine
Berger, Dave
Brewer, Angie – Wasco County Planning
Bromham, Lottie – Hood River Valley Highschool Earth Action Club
Cornelison, Peter – Friends of the Columbia Gorge
Cross, Brad – Hood River/Wasco County Surveyor
Granville, Tycho – Wasco County Planning
Heger, Andy – Klickitat County Planning
Klaas, Andrea – Port of The Dalles
Lang, Michael – Friends of the Columbia Gorge
Lingley, Terra – Oregon Department of Transportation
Parker, Vawter
Perron, Bradford
Rittenhouse, Ryan – Friends of the Columbia Gorge
Sauter, Dave – Klickitat County Board of Commissioners Chair
Staten, Heather – Thrive Hood River
Tsumpti, Raymond – Confederated Tribes of Warm Springs
Wu, D Pei – Oregon DEQ
Others were present during the day.

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

Welcome (9:05 a.m.) Dave Sauter, Klickitat County Board of Commissioners Chair welcomed the Commission.

Approval of Minutes for November 12, 2019 Commission meeting (9:06 a.m.)

Commissioner Liberty moved to adopt the November 12, 2019 meeting minutes with suggested changes. Commissioner Ericksen seconded the motion. The minutes were approved with the suggested changes by a voice vote of 11 Yes votes and 1 No vote from Commissioner Chamberlain.

Opportunity for Treaty Tribe Nations to Address Commission (9:12 a.m.)

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. The Treaty Tribe Nations did not offer testimony.

Opportunity for Public Comment (9:12 a.m.)

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

- Bradford Perron – Commented on ADUs and short-term rentals (Attachment A)
- Peter Cornelison, Columbia Gorge Climate Action Network – Commented on the City of Hood River Climate Resolution, and provided a petition signed by Hood River Valley High School students entitled “Climate Change Threatens the Gorge” (Attachment B)
- Lottie Bromham, Hood River Valley High School Student – Read a climate change statement
- Dave Berger – Commented on climate change and racial awareness

Work Session*: Land Use Designations in Each NSA County: (9:30 a.m.) Mike Schrankel, GIS Manager, presented information about the LUD boundaries in each of the counties.

Opportunity for Public Comment: Land Use Designations in Each NSA County (10:00 a.m.)

- Angie Brewer, Wasco County Planning – Notified the Commission that Wasco County will provide landowner notification of clarification to land use designations.
- Tycho Granville, Wasco County Planning, GIS Coordinator – Read a memo dated 12/10/2019 entitled “LUD Clarification Project Feedback”. (Attached C)

Work Session: (10:10 a.m.) The Commission continued discussion on Urban Area Boundary revision concepts, building on the November 12, 2019 discussion. Commissioner Liberty outlined the items of discussion as:

- Identifying the issues in the 4(f) criteria
- Process for making revisions
- The Commission’s process for getting the work done

Commissioner Clark requested that Dave Sauter explain the Dallesport Airport and the agreement between Klickitat County and the City of The Dalles.

Sauter explained that the Columbia Gorge Regional Airport at Dallesport is owned jointly by the City of The Dalles and Klickitat County and encompasses approximately 1,000 acres. Sauter stated that due to FAA regulations, the property is not available for development in a meaningful way other than airport uses. Sauter also stated that adjacent properties also have other FAA restrictions.

Commissioner Nichols asked that if the Commission did not intend to discuss “minor” during today’s meeting, would there be a discussion in the future? Commissioner Liberty stated that there would be an opportunity next year to continue this discussion.

Commissioner Blair read the four 4(f) criteria:

- (A) A demonstrable need exists to accommodate long-range urban population growth requirements or economic needs consistent with the management plan;

- (B) Revision of urban area boundaries would be consistent with the standards established in the management plan and the purposes of the Act (paraphrasing)
- (C) Revision of urban area boundaries would result in maximum efficiency of land uses within and on the fringe of existing urban areas; and
- (D) Revision of urban area boundaries would not result in the significant reduction of agricultural lands, forest lands, or open spaces.

Taking into consideration the 4(f) criteria, Commissioner Blair asked for Commission discussion to answer:

1. What is a demonstrable need?
2. What is maximum efficiency?
3. What is a significant reduction?

Commissioner Liberty also mentioned “long range” and suggested that as another term for discussion.

After the Commission discussed the 4(f) criteria, Commissioner Liberty had questions and statements for the Commission:

1. Is there a hard limit to expansions?
2. Is it a growth management law or a scenic preservation law?
3. Should we consider pre-identifying areas where expansions might be possible or very unlikely because of the scenic resources?
4. Should we treat partially developed areas differently than areas that aren’t developed?
5. Statement: 2(B) and 2(D) are dissimilar from Oregon law so reliance on the Oregon process to answer them would not be possible.
6. Is demonstrated need for population growth and economic need addressed by the Oregon process?
7. What is a significant reduction as used in 2(D)? Is it different from the minor standard question?

BREAK – (11:13 – 11:23)

Building on the discussion presented by Commissioners Blair and Liberty, Commissioner Nichols asked the Commission how it felt about asking for advance notice from counties and cities if they were going to apply for urban growth expansion. All Commissioners raised their hands in agreement with this concept.

Commissioner Nichols asked the Commission how it felt about pre-mapping areas where it might be easier to justify an urban area boundary revision. Commissioner Blair stressed that the Commission should prioritize types of lands. Commissioner Blair thought that the Commission would agree that it is better to expand into rural center land rather than cultural areas or open space. Commissioner Blair commented that he wants to make sure that the Commission does not set up the expectation on the part of counties or cities that these are the areas that should be expanded into. Commissioner Blair said he would be against “urban reserves.”

Commissioner Nichols asked, in general, whether the Commission believed that it would be more likely to approve, whatever degree of movement, into an area that is already developed or partially developed more so than AG lands, forest lands, etc. All Commissioners agreed, except for Commissioners Bailey, Clark and Grimwade. Commissioner Miller abstained.

Commissioner Nichols asked whether the Commission agreed with the process of a 6-month notification, preapplication, application, independent review, and determination. All Commissioners agreed, except for Commissioners Ericksen and Clark.

Work Session and Public Comment on Chapter 2 Economic Development*: (11:50 a.m.) Joanna Kaiserman, NSA Planner, provided a brief overview on the results of the September 24, 2019 Economic Vitality Work Group meeting (Attachment D) and the current draft of the Economic Development Chapter (Attachment E).

Opportunity for Public Comment: Work Session and Public Comment on Chapter 2 Economic Development

- Michael Lang, Friends of the Columbia Gorge – Questioned the comment period public notice to revisions on economic development.

Commissioner Blair stressed his concerns about language in the draft Economic Development Chapter:

- 3. Page 2 - The Gorge Commission will support . . . the economic vitality efforts of regional and community organizations . . .
- 8. Page 2 – The Gorge Commission shall allow commercial uses that are consistent with land use designations . . .
- 7. Page 2 – The Commission shall provide a clear process for urban area boundary revisions and shall coordinate with land use management agencies . . .
- The Gorge Commission shall recognize the unique role of ports in the National Scenic Area . . .

Commissioner Blair addressed his concern about the words “will” and “shall”. He went on to state that he agreed with 7. on page 2 but he did not believe it should be in the economic vitality plan. He stated that revising urban areas has little if anything to do with economic vitality.

With regard to ports, Commissioner Blair questioned why the draft recognized their unique role as opposed to many other entities’ unique roles.

As written, Commissioner Blair stated that he could not support the draft. Commissioner Blair offered the word “may” rather than will or shall.

Commissioner Liberty stated he could not support the draft without changes to 3, 8 and 11.

After Commission discussion, it was decided that the public comment period would be extended to February 1, 2020. The notice for public comment period will be emailed again and reposted on the Commission website.

LUNCH (12:22 p.m.)

Action Item*: **Gorge Commission Risk Register as part of the WA State Audit:** (1:07 p.m.) Aiden Forsi, NSA Planner, presented the risk register as required by the State of Washington. (Attachment F)

Commissioner Blair offered a couple of changes:

1. Page 1 – Risk Descriptions – “If we do not follow the rules, we will get sued” – “If we do not enforce our rules, we will get sued.”

Commissioner Blair thought that a better statement would be, “If we do not follow our rules, we will get sued and we will not be able to accomplish our mission or the resources will be damaged.”

2. Page 3, third one down, Risk Description – “Reviewing county decisions too strictly could damage our relationships with county planners who implement our resource protections.” Commissioner Blair offered that the other side of that coin is that if we essentially review county decisions too leniently, it could damage the resources. Commissioner Blair thought some small wordsmithing was appropriate.

Commissioner Wainwright asked that perhaps the four Treaty Tribes should be included somewhere under “Proactive Outreach Coordination Partnerships”. Commissioner Wainwright stressed that tribal outreach is very important.

Commissioner Grimwade moved to accept the risk register as presented with the changes requested and acknowledge that the register is a living document and will change periodically. Commissioner Wainwright seconded the motion. The motion to accept the risk register passed on a unanimous voice vote.

Executive Director's Report: (1:30 p.m.) Krystyna U. Wolniakowski provided updates on the status of other "Gorge2020" topics, the annual workplan and other topics.

- Gorge2020 update
- Climate Change
- Possible need for two-day Commission meeting (April 28/29?). Unanimous consensus on one two-day meeting. The Commission agreed the regular commission meeting would be held on the first day and that the second day would be Commission work session only.
- Litigation report
- Federal legislation and outreach

U.S. Forest Service NSA Manager's Report: (2:01 p.m.) Lynn Burditt provided an update on Forest Service activities in the National Scenic Area.

- Presented PowerPoint presentation on the Gorge and NSA
 - Tracy Hill Firewood Event
 - Hazard tree removal at Herman Creek, Larch Mt. Trail
 - Invasives
 - Bridges at Catherine Creek, Fern Creek, High Creek, Wahkeena Trail repair, Larch Mt. Bridge
 - Hood River to Bonneville BPA lines
 - National Public Lands Day
 - Congestion
 - Wild and Scenic Rivers
 - FLAP Activities
 - Sandy River Delta fee implementation
 - Cascade Locks trail system
 - Drano fuels reduction
 - Intentional investments in youth & partnership

Other Business (2:36 p.m.)

Thank you to Chair DeKay for her dedication and service as the Commission Chair.

EXECUTIVE SESSION: (2:44 p.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 regarding current litigation or litigation likely to be filed. The Commission did not make any decisions in executive session.

Adjourned (3:31 p.m.)

Approved 1/21/2020