

**From:** [Jarrod](#)  
**To:** [Public Comment](#)  
**Subject:** Plan Amendment Request for Disaster Recovery Comment: Policy on Stays and Timelines for Fire-Rebuild Appeals  
**Date:** Saturday, September 6, 2025 1:13:39 AM

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Dear Chair and Commissioners,

As a resident of the National Scenic Area, I urge you to adopt clear policies that support families rebuilding their lives after wildfires while upholding the protections of the Gorge Act. Wildfire recovery is incredibly time-sensitive. Delays caused by administrative appeals can mean losing contractors, missing critical weather windows, and enduring months of added displacement and financial stress.

While the right to appeal land use decisions is vital, an appeal should not function as an automatic veto of urgently needed recovery efforts. Nor should the use of comments or appeals be enabled as a tool for special interest groups to deter rebuilding or living in the gorge for current residents.

The Commission already possesses the tools to balance these needs. Specifically, CRGC Rule 350-060-0200 grants the Chair authority to set the conditions of a stay (a pause in an approved permit), based on evidence including the monetary damages that the delay will cause.

I strongly encourage the Commission to adopt a formal policy regarding post-fire replacement structures that includes the following principles:

**1. Stays Should Be the Exception, Not the Rule.**

Please clarify that approved fire-rebuild permits are *not* automatically stayed when an appeal is filed. If a third party wishes to halt a family's rebuild, they must formally request a stay and make a strong, evidence-based showing of likely error by the county and irreparable harm to Gorge resources if the project proceeds.

**2. Require Security When a Stay is Granted.**

If the high bar for a stay is met, the Commission should utilize its authority under Rule 350-060-0200 to require the appellant to post security (an undertaking). This security should reflect the documented, real-world harms the delay imposes on the homeowner—such as temporary rent, contractor penalties, or increased construction costs. This ensures that the party requesting the delay bears the financial risk if their appeal is ultimately unsuccessful.

**3. Ensure Fair Access with Hardship Waivers.**

It is crucial that these policies do not block access to justice. Any requirement for security must include a clear, income-based waiver process so that all residents, regardless of means, retain their right to appeal.

**4. Expedite the Calendar.**

Time is critical for fire survivors. Please direct the Chair to use their scheduling power (Rule 350-060-0190) to accelerate briefing and hearing schedules for these cases and strictly limit

extensions.

These procedural safeguards respect the federal Gorge Act's framework, which allows any "adversely affected" person to appeal, while preventing tactical delays from derailing essential community recovery.

Thank you for your commitment to both resource protection and the viability of Gorge communities.

Sincerely,

Dr. Jarrod McClean, PhD  
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