



July 13, 2026

Columbia River Gorge Commission
P.O. Box 730
White Salmon, WA 98672
Via email to: info@gorgecommission.org

Re: Gorge Commission Rulemaking Hearing

Dear Chair Miller and members of the Commission:

Friends of the Columbia Gorge (Friends) submits these comments for the rulemaking hearing on the proposed revisions to Divisions 11, 12, 14, 16, and 82 of the Gorge Commission Rules.

For reasons explained below, Friends requests a continuance of the rulemaking hearing to at least the next Gorge Commission regular meeting, but only for the proposed package of administrative rules (Divisions 11, 12, 14, and 16). Friends does *not* request a continuance for the proposed rules to implement the disaster response plan amendment (Division 82).

Open Meetings, Public Records, Conflicts of Interest, and Administrative Rules (Divisions 11, 12, 14, 16)

Through a series of unfortunate events, Friends has had less than seven days notice of this rulemaking hearing, which is insufficient time for Friends to review this large package of proposed rules and supporting agency materials involving open meetings, public records, conflicts of interest, and administrative rules (collectively, “administrative rules”).

Friends received notice of the rulemaking hearing (and the proposed rules accompanying the notice) by email on July 7, 2026, at 2:06 p.m. That was less than seven days before the hearing, which is scheduled for July 14, 2026, at 9:20 a.m.

The six to seven days of notice that were provided here is far less than the thirty days of notice prescribed by Commission Rule 350-16-004(2), and the twenty-eight days of notice prescribed by Commission Rule 350-16-004(3)(c).

For this proposed rulemaking, the Commission did post a copy of the proposed rules on its website at some point before the email notice. The exact date of that website posting is unknown to Friends. Friends has long monitored the Commission’s website for rulemaking notices. Unfortunately, a few weeks or months before the proposed rules were posted, the Commission removed its webpage for rulemaking materials, which was until that point located at <https://gorgecommission.org/about-crgc/proposed-rules/>. At some point, possibly at a later date, this content was relocated to a new

webpage at <https://gorgecommission.org/rule-making/>. But Friends was unaware of the relocation of this content within the Commission's website, and therefore was not tracking the new page. Given the very short notice period here of less than seven days, and to have an adequate opportunity to fully study the proposed changes, Friends requests a continuance of the rulemaking hearing on the proposed administrative rules to at least the next regularly scheduled Commission meeting.

Friends' request is consistent with Commission Rule 350-16-004(6), which states in pertinent part that "[u]pon request of an interested person . . . the [C]ommission shall postpone the date of its intended action no less than 21 nor more than 90 days in order to allow the requesting person an opportunity to submit data, views or arguments concerning the proposed action."

Division 82

Proposed Rule 350-082-0150(9) (emphasis added) states as follows:

This section applies to temporary structures and uses as allowed in 350-082-0200(5). The Executive Director does not require an application for a temporary structure or use. *The Executive Director shall issue a letter and site plan to a landowner approving a temporary structure or use.*

The italicized language above could be read as presupposing (or even dictating) a particular outcome (approval). Friends does not believe this is the intent of the language. The italicized sentence could and should be made more clear with language like this:

The Executive Director **may** issue a letter and site plan to a landowner approving a temporary structure or use.

If the Commission adopts the proposed rules for Division 82, the Commission should include this slight clarifying change, which would cure the issue of potentially mandating approvals. Friends has no other comments on the remainder of the proposed Division 82 rules.

Conclusion

In conclusion, Friends respectfully requests a continuance of the rulemaking hearing for the proposed administrative rules, and proposes the slight clarifying change discussed above for the proposed Division 82 rules.

Thank you for the opportunity to make these comments. If you have any questions or comments, please do not hesitate to contact me.

Sincerely,



Steven D. McCoy
Staff Attorney