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*COLUMBIA RIVER GORGE  
COMMISSION MEETING*

January 22, 2002

Rock Creek Recreation Center, Stevenson, Washington

*COMMISSIONERS IN ATTENDANCE*

Kenn Adcock  
Don Dunn  
Jane Jacobsen  
Joe Palena  
Kathy Sheehan  
Wayne Wooster

Doug Crow  
Dan Harkenrider  
Walt Loehrke  
Joyce Reinig  
Anne Squier

*COMMISSIONERS ABSENT*

Michael Farrow

*COMMISSIONERS EXCUSED*

Dave Robertson

*STAFF PRESENT*

Martha Bennett, Executive Director  
Jeff Litwak, Legal Counsel  
Keith Fredrickson, Public Outreach Coordinator  
Allen Bell, Senior Planner  
Brian Litt, Senior Planner  
Bob McIntyre, Administrative Assistant

*AUDIENCE PRESENT*

Baker, Nathan. Friends of the Columbia Gorge. Portland, Oregon  
Davis, Judy. League of Women Voters of Oregon.  
Fritchey, Jim. Husum/BZ Community Council. Husum, Washington  
Garvison, Mike.  
Gorman, Kevin. Friends of the Columbia Gorge. Portland, Oregon  
Grichel, Steve. Skamania County Planning Department. Stevenson,  
Washington  
Haight, Norm. Carson, Washington  
Hall, Priscilla. Portland, Oregon

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Hays, June and Don. Washougal, Washington  
Heuker, Chris  
Irish, Sherry. Washougal, Washington  
Karabut, Diana. Portland, Oregon  
Keister, Larry. Washougal, Washington  
L'Hommedieu, David. Stevenson, Washington  
Lang, Michael. Friends of the Columbia Gorge. Portland, Oregon  
Lloyd, Darryl. Hood River, Oregon  
Mazeski, Mark. Skamania County Planning Department. Stevenson, Washington  
Newton, Tiffany. Friends of the Columbia Gorge. Hood River, Oregon  
O'Donnell, Heather. Skamania County Planning Department. Stevenson, Washington  
Rhoads, Jim. Husum/BZ Community Council. Husum, Washington  
Rouches, Linda. City of Hood River. Hood River, Oregon  
Russell, Dave. No Casino  
Smith, Jerry. Husum/BZ Community Council. Husum, Washington  
Talent, R. Stevenson, Washington  
Thiemann, Phyllis. Brickhaven. Corbett, Oregon  
Vakos, Toni. Hood River, Oregon  
Washines, Clifford. Yakama Nation, Toppenish, Washington  
Witherspoon, Karen. Skamania County Planning Department. Stevenson, Washington

### 1. Roll Call

The meeting began at 9:10 a.m. Roll was called.

### 2. Approval of Minutes

The minutes of the December 2001 Commission meeting were reviewed. Some revisions and corrections were made. Commissioner Sheehan moved to adopt the minutes as corrected. Commissioner Adcock seconded the motion. The Commissioners approved the motion unanimously.

### 3. Public Comment

Jerry Smith of the Husum/BZ Corners Community Council spoke to the Commission about Condit Dam. He expressed his appreciation for the two hours Dan Harkenrider spent talking with his group. He then read an excerpt from the January 9, 1990 Commission meeting minutes. He stated that when the Condit Dam issue came about, it appeared the Forest

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Service was promoting its removal. Chair Squier asked Martha Bennett to circulate those minutes to all Commissioners. Commissioner Adcock requested copies of all minutes relating to the Condit Dam issue around that time period be distributed.

Jim Rhoads of the Husum/BZ Corners Community Council spoke to the Commission about Condit Dam. He said that potential impacts to the area of the White Salmon River south of the dam were not covered in the 14(d) consistency review of the dam removal option included in the 1999 settlement agreement. He noted that FERC did not include that alternative in its original environmental impact statement. He emphasized that FERC originally rejected the “blow and go” method, stating that it was too damaging to the environment. However, the Forest Service signed the settlement agreement, and he believes this has compromised the credibility of the Forest Service. He requested that the Commission distance itself from the Forest Service in this issue, and that if the Commission is not able to arrive at a decision as a unified board, then each individual Commissioner should make their beliefs known, as individuals—not Commissioners—in the newspaper editorial section.

Tony Vakos spoke to the Commission about a road east of Hood River that was recently graded by the Confederated Tribes of the Warm Springs. She asked for the Gorge Commission to begin an enforcement action because this is an old logging road that was recently repaired and put into use by the tribe to conduct some tests for the Warm Spring’s proposed casino. She stated that Hood River County stated that this was permissible because it was an old logging road that was repaired—it was not new road construction. Vakos pointed out that the road had not been used for logging for many years, and should be considered a discontinued use. She said the Hood River Planning Department has taken the position that they will not take any action on this issue. She asked for the Commission to investigate this.

Martha Bennett stated that the Gorge Commission had received a complaint about the road several weeks ago. She said she had requested that Hood River County investigate the possible violation. Bennett said the County had asked the Confederated Tribes of the Warm Springs for information about the work they had done on the road. The Tribe had replied to the County with a letter from an engineering firm, and the County had forwarded a copy of this letter to the Gorge Commission for review. Bennett stated that staff had found the information in the letter to indicate that the work done by the tribe could not be considered repair and maintenance and did require a land use permit. She said she had written

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to the county and spoken to Michael Benedict on Friday, January 18, 2002 to request that they either request that the tribe apply for a permit or take an enforcement action against the tribe. She mentioned that it was because of the three-day weekend she had not spoken with Benedict since that prior business day. She told the commission that she preferred to work cooperatively with Hood River County rather than take a separate enforcement action. She asked the commission if they concurred with that course of action.

Commissioner Reinig stated that the legal counsel for Hood River County will not take on land use issues, and that perhaps Commission Counsel Jeffrey Litwak might offer assistance. Chair Squier noted that at some point the county would need to indicate its intent. She added that the Commission staff should not leave this as an open-ended matter, and that if the County delays too long, then the Commission should proceed with appropriate action.

Linda Rouches from the City of Hood River reiterated many of the thoughts presented by the previous speaker on the road building issue in Hood River. She would like the Gorge Commission to take enforcement action.

Michael Lang of Friends of the Columbia Gorge also spoke to the Commission about the road building issue. He said that the road being worked on was an old spur road. He said the tribes claim it was a logging road, but there were no pictures of the road prior to their work, so it can't be argued. The tribes contend it is a repair, not new construction. He stated the road was abandoned many years ago, and as such it lost its legal status. He said if the tribes are using it for geotechnical studies, then it is not being used for logging—which is a new use. He said Friends urges open communication with the tribes and the county to encourage a solution to this problem, but also encourages the Gorge Commission to take action if necessary (see attachment A).

The Commissioners discussed this issue briefly, but all decided that since staff is actively working with Hood River County to resolve the issue, that no action is needed at this time.

#### 4. Appeal Hearing, Irish v. Skamania County and Haight #COA-S-01-07

The Commission heard an appeal of a Skamania County decision approving a cluster development. Present were the petitioner, Sherry Irish represented by Gary Kahn. Bradley Andersen represented Skamania County as the respondent. The property owner, Intervenor-Respondent Norm Haight, represented himself.

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Chair Squier introduced the parties and asked the Commissioners if any had ex-parte contacts or other conflicts of interest to disclose. No Commissioner responded. She then reviewed the procedure for the hearing.

Gary Kahn moved to recuse Commissioner Loehrke from the appeal hearing based on his prior involvement with the Planning Commission of Skamania County relating to the approval of another dwelling on the site. Commissioner Loehrke stated he had served on the Planning Commission, but did not believe he was involved in this case. Loehrke turned to Bart Brush for his legal advice. Mr. Brush stated that recusing himself was not necessary, but it would be the prudent thing to do. Commissioner Loehrke recused himself.

Bradley Andersen requested that the Commission remand the case to Skamania County on the procedural error, which the county concedes, without hearing oral argument on the substantive issues. The Commission discussed whether to vote on remanding the case or hearing oral argument. Several expressed a desire to hear the argument. Commissioner Reinig emphasized the Commission's desire to work with the counties, and believed the Commission should support the desire of the county to remand. Chair Squier said she had denied the prior motion to remand, and she does not believe the Commission's rules permit this, stating that to do so would force the petitioner into an involuntary withdrawal. Oral argument began.

Gary Kahn, representing the petitioners, presented his oral argument, reserving 12 minutes for rebuttal.

Bradley Andersen then presented his oral argument. He emphasized that the county knows there are errors with this decision, and urged the Commission to remand this decision back.

Norm Haight then spoke to the Commissioners about the proposed development.

Gary Kahn presented his rebuttal. Kahn stated that a remand will not correct many of the errors, and it would be possible to see this very same appeal before the Commission again in the future. The Commission deliberated.

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Martha Bennett stated the heart of the matter is the definition of a cluster development. Commissioner Reinig said the property owner has come up with a novel development, but it is not an application of cluster development that she can accept. Commissioner Sheehan agreed with Commissioner Reinig because while in some situations it may be reasonable to cluster new houses with existing houses on the same parcel, placing new houses near houses on neighboring parcels does not qualify a proposal as a cluster development. Commissioner Crow favored a remand. Commissioner Jacobsen stated that in other areas of the country, this development certainly would not fit the definition of cluster development.

Commissioner Reinig moved to remand the case back to Skamania County noting that the record does not contain substantial evidence to find for the respondent on the four assignments of error. Commissioner Adcock seconded this. Bart Brush cautioned the Commissioners, stating that they should consider reversing the decision, based on a violation of applicable law. The Commissioners discussed this. Commissioner Reinig withdrew her motion, and Commissioner Adcock accepted the withdrawal.

Commissioner Sheehan stated that the county requested a remand, but perhaps a reversal might be cleaner because it does not imply that some aspects are approved by virtue of not specifically mentioning them in the order to remand.

Commissioner Dunn moved to reverse the decision base on violation of applicable law for cluster developments and procedural errors. Commissioner Sheehan seconded this. A vote was taken, and the Commissioners voted as follows:

Sheehan	Yes	Reinig	Yes
Palena	Yes	Loehrke	Abstained
Jacobsen	Yes	Dunn	Yes
Crow	Yes	Adcock	No
Wooster	No	Squier	Yes

The motion to reverse the county decision passed 7 to 2.

The Commission recessed for lunch at 12:35 p.m. and reconvened at 1:45 p.m.

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## 5. Economic Development Certification Request

Martha Bennett introduced economic development certification request #S010077. Rolf and Astrid Diek/Wind Mountain Resort request a \$30,000 loan under the Skamania County Micro loan fund to complete construction of the small Wind Mountain Resort located on the north side of State Route 14 just west of Wind Mountain Road in the Home Valley Urban Area. (See Attachment B).

Martha Bennett stated that staff had reviewed this application and determined that it is consistent with the provisions of the Act and Management Plan.

The Commission voted unanimously to certify this request.

## 6. Cultural Resources Probability Map

Allen Bell stated that Policy 6.A(6) in the Management Plan requires the Gorge Commission to prepare and adopt a map showing areas that have a low probability of containing archaeological resources. He explained that Commission and Forest Service staffs are in the process of preparing this map. Michael Boynton, Archaeologist, U.S. Forest Service, is conducting the technical work.

Mr. Bell said the probability map will be an important part of the development review process. Some types of proposed developments in "low probability areas" will no longer require an archaeological survey. The map will allow Forest Service archaeologists to spend more time surveying proposed building sites that are most likely to include archaeological resources. It will also help address the fact that Forest Service archaeologists have a fixed amount of time to survey a growing number of proposed building sites.

Mr. Bell explained that Policy 6.A(6) requires the Commission to prepare the map with the help of the four tribal governments and the Oregon and Washington state historic preservation offices.

Mr. Bell then reviewed a list of tasks and a schedule for preparing the probability map. First, staff will develop a strategy for identifying areas that have a low probability of containing archaeological resources. Second, they will use the strategy to prepare the probability map. He said the tribes and state historic preservation offices would have 30 days to review the draft strategy for identifying areas that have a low probability of containing

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resources. The staff plans to present the final draft strategy and map to the Commission in June 2002.

Mr. Bell added that the strategy and map contain sensitive information about the location of archaeological sites. Therefore, these documents are not public, and will be kept confidential as required by the Scenic Area Act and the Management Plan.

Commissioner Adcock asked if property owners would have access to this information. Mr. Bell stated that it is the policy that if any cultural resource is found on a property, the owner will be immediately notified. He noted that this map would not show specific properties, so it may not be very valuable to a specific landowner.

Clifford Washines of the Yakama Nation said that in the initial construction of the Management Plan, the tribes were not consulted much. He knows of archeological sites that are now underwater; for example, Drano Lake. He said there are federal laws in place to protect archeological resources as soon as they are discovered. He stated that he needs more than 30-days to comment on the preliminary draft strategy. He hopes that the tribes will get involved in this project.

Chair Squier said that we want these maps to be useful, and it is very important for the tribes to be involved and agree on the criteria for identifying the probability areas. Commissioner Adcock remarked that the 30-day comment period is too short and recommended more time.

#### 7. Plan Review Briefing—Scenic Chapter Issues—Part 1

Martha Bennett introduced the presentation, stating that Brian Litt would review the next phase of Plan Review, and that would be followed by a brief presentation by Ms. Ross on the specific definitions that are found in the Plan. She added that the Commission will discuss a staff recommendation on issues for the scenic chapter at a February 26 special meeting.

Mr. Litt stated that this presentation is the first step in the next part of Management Plan Review. He said the first issue is to review scenic standards for practicality, clarity and flexibility, how well they achieve scenic protection, and reduce redundancy where possible.

The second issue is to resolve conflicts between scenic resources and other resources/values (fire hazard, energy, safety, property rights, etc).

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Mr. Litt then presented a flowchart of policies and guidelines.

Diana Ross from the Forest Service then spoke about technical terms, policy, analysis methods, key viewing areas, visual quality, design elements, harmony and implementation.

She said scenic protection is based on creating a relationship between the landscape and the other portions of the scenic area. We must pick a spot on the “scenic quality continuum” to be our goal and work toward that goal. In terms of visual subordination, this means that development must not be the dominant feature of the landscape, and she provided some visual examples.

Ross then stated that we need analysis tools to provide the means to predict and evaluate the degree of dominance or subordination to the landscape of any type of development. She provided a brief overview of the history of analysis methods. She then discussed several visual quality objectives.

She explained distance in terms of a visual field, and provided examples of each:

Foreground—from yourself to 1.5 miles in distance

Middle ground—1.5 to 4 miles away from yourself

Background—anything beyond 4 miles away from yourself

Finally, Ms. Ross stated that it is important to use elements that are in harmony with the surroundings, and provided several photos illustrating what is in harmony and what is not.

Commissioner Adcock stated that a lot of this is subjective, and that we should not be ashamed of our architecture. Commissioner Crow asked how *minimizing visibility* came to mean *no visibility*. Commissioner Loehrke agreed with Crow that this is the issue. Commissioner Squier agreed that as a general societal principle, we should not be ashamed of our architecture; however the charge within the Scenic Area is to protect and enhance the natural scenic values of the Columbia River Gorge and doing so necessarily will constrain the use of visible architectural form.

Brian Litt then reviewed a memo written by Martha Bennett and himself requesting the Commission approve the next step to establish a scenic resource working group for Plan Review. This group would consist of

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approximately 16 individuals to develop recommendations for revising scenic resources provisions of the Management Plan. (See attachment B).

Commissioner Reinig expressed concern; she does not agree with this idea. She stated that she has had lots of experience with work groups in the past, and stated that the work groups expected their recommendations to be approved. She expressed concern that these groups would be perceived as having special access to the Commission that others do not have, and that political interest would sway these groups.

Martha Bennett stated the importance of clarifying the roles of the participants. Commissioner Sheehan expressed that it would be good to have some fresh perspectives on this, and that perhaps some valuable ideas may arise.

Chair Squier noted that she is concerned about the language in the memo that suggests that members need to be able to “come to agreement”. Crow agreed with Squier that the group’s function was to generate ideas much as a “think tank” would. Sheehan agreed that new ideas should be the goal.

Mr. Litt explained that this would be an extremely diverse group of individuals who are actively engaged in the community. It would be clear that there may be areas where no agreement will be reached, but the input received by them will be valuable. Commissioner Reinig stated that she does not like the idea of being told what to do by someone involved in a special interest group. Commissioner Adcock said that the Scenic Area Act specifies that advisory groups be used, and that the key will be to clearly specify their duty. Chair Squier said the advisory groups would be just one facet—the Commission will still be taking public input and making the decisions. There was general agreement to proceed with the proposed scenic resources working group.

#### 8. Director’s Report

Martha Bennett provided the monthly Director’s Report. She presented a memo from Ray Kelly, the Committee Administrator of the Oregon Legislative Oversight Committee. She stated that the three meetings have been scheduled for March 15, June 26 and October 15.

In regard to the budget, she stated that Governor Locke of Washington proposed no cuts for the Gorge Commission or the two Washington counties for the administration of the National Scenic Area Act. Oregon

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however, has proposed a 2 percent cut that would reduce the Oregon budget about \$13,600, which will have the effect of also reducing the Washington budget about \$4,000. The budget numbers will not be final until both legislatures meet.

Bennett said she is working on the direction the Commission gave in December to assemble a comprehensive federal appropriation request. She is working with the Forest Service to determine how much is still left in the original authorizations in the Act. She added that she is also working to include Gorge projects that other agencies are requesting, such as funds to complete the Historic Columbia River Highway project. Bennett added that she is coordinating with air quality entities to try and get new money to implement the air quality workplan. She emphasized that the air quality workplan is new work, and would require new money. She would not recommend funding that work by substituting something else. Commissioner Adcock stated that the Forest Service is the most sensible place to look for money for the air quality issue.

Martha Bennett stated that she is trying to gather information from counties regarding how they treat ancient subdivisions. Most counties have responded to her request.

Commissioner Loehrke asked Martha about a letter on the Northwestern Lake issue. Martha replied that her notes indicate that the Commission opted to wait for the presentation from the Forest Service prior to doing that.

#### 9. NSA Manager's Report

Dan Harkenrider provided the NSA Manager's Report to the Commission.

He spoke about the meeting he had with the Husum/BZ Corners group. He said they were not happy that the Forest Service had not kept the Gorge Commission updated on the Condit Dam issue. He went back through the records, and noted that this was a FERC action, and the review included all of the evaluations. He said there would be a presentation to the Commission on this topic at an upcoming meeting.

Dan Harkenrider said there had been a proposal to use land acquisition money for the air quality workplan. He said the acquisition money is derived from a special pool of money created by taxes on offshore oil drilling. This money is not available for any other use than acquisition. He stated he takes exception to the Forest Service being singled out as the responsible

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entity for air quality issues, adding that the solution to the problem is not the sole responsibility of the Forest Service simply because they brought it up.

He provided a briefing on the Klickitat County "rails to trails" program, stating that there are still lots of concerns over property ownership rights and liability. These are substantive issues that need to be resolved.

#### 10. Other Business

There was no other business.

#### 11. Executive Session

Chair Squier announced that the meeting would go into Executive Session, pursuant to Commission Rule 350-11-06(1) to discuss current litigation matters with counsel. The audience was cleared and no reporters remained for the discussion.

Executive session ended at 5:20 p.m.

#### 12. Adjournment

The Commission returned to open session at 5:21 p.m. There being no follow up needed from the Executive Session, and no further business, the meeting adjourned at 5:22 p.m.

Notes taken by Bob McIntyre

Date adopted by Commission: March 12, 2002

# FRIENDS OF THE COLUMBIA GORGE

January 18, 2002

Michael Benedict, Director  
Hood River County Planning and Community Development  
309 State Street, Room 101  
Hood River, OR 97031-2093

Subject: Alleged NSA land use violation on land owned by the Confederated Tribes of the Warm Springs Reservation (CTWSR)

Dear Mr. Benedict:

Friends of the Columbia Gorge requests that the Hood River County Planning Department take necessary actions to remedy an apparent violation of Hood River County's National Scenic Area ordinance. The alleged violation involves road grading activity on land recently acquired by the CTWSR adjacent to their trust lands on the east side of Hood River.

Last November, contractors for the CTWSR graded 700 feet of new road across steep terrain, creating a visible scar that can be seen from as far away as White Salmon. Side cuts on the new road are estimated to be ten feet high. The road grading occurred without a permit from Hood River County. The purpose of the road building was to conduct geologic testing for a proposed casino and resort.

The new road is on land recently purchased by the Tribe and is subject to Hood River County's National Scenic Area land use ordinance. New road building is a use that must be reviewed and approved by the County. However, the Tribes' engineering consultant, Terry Angle of Brussard Engineering, claims that the contractor only repaired an existing logging road and that a permit is not required (See enclosed letter). For the following reasons, this is not true.

1. Though there may have been an old abandon logging road on the property, the road was no longer in usable condition. Repair and maintenance only applies to serviceable structures (Article 75.040). Serviceable is defined as "presently useable" (Article 75.040). In Angle's letter he admits that portions of the road were washed out. Other portions of the road had soil that had sloughed from an old cut. Rocks and logs that had accumulated over the years blocked other

ATTACHMENT A

sections of the road. In summary, if there was an old abandoned logging road it was no longer in serviceable condition, therefore a permit was required.

2. If there was an old logging road on the property, its use had been abandoned years ago. In the National Scenic Area, a use that is discontinued for one year or more loses its legal status. A permit would be required to reestablish the road. Unless used for logging, the road would be required to meet all relevant provisions of the NSA ordinance.
3. The Tribes' use of the road was not for logging. The road was used for geological testing for the purpose of siting a casino and resort. Even if the logging road legally existed, repairing the road for a different use requires approval by Hood River County. Saying that an old logging road can be graded and repaired for site preparation for a casino is like saying that a house can be repaired for use as a casino.

Based on my recent conversations with you, I understand that your office is considering taking no further action to enforce the NSA ordinance and remedy this violation. Friends of the Columbia Gorge requests that you take all necessary actions to address this violation and bring the CTWSR lands into compliance with the NSA ordinance. This may include restoring this landscape by removing the road and replanting the area with native vegetation.

Thank you very much for considering this request to uphold the National Scenic Area ordinance in Hood River County.

Sincerely,

  
Michael Lang  
Conservation Director

Enclosure

**DIRECTOR'S REPORT**

**TO:** Columbia River Gorge Commission

**FROM:** Martha Bennett, Executive Director  
Gary Pagenstecher, Planner

**DATE:** December 31, 2001

**SUBJECT:** Economic Development Loan Request: -- FILE NO: S01-0077

**APPLICANT:** Rolf and Astrid Diek/Wind Mountain Resort

**BACKGROUND:**

Section 11(c)(1) of the Columbia River Gorge National Scenic Area Act (P.L. 99-663), and Commission Rule 350-120, require the Commission to certify that all activities undertaken under a National Scenic Area economic development grant and/or loan are consistent with the purposes of the Act, the Management Plan, and a land use ordinance adopted pursuant to the Act. Commission Rule 350-120-030 requires the Commission's Executive Director to prepare a report and recommendation on each certification request received by the Commission. This is the Executive Director's Report for certification request S01-0077. The request will be heard at the January 22, 2002 Commission meeting at the Rock Creek Center in Stevenson, Washington.

**PROJECT DESCRIPTION:**

Rolf and Astrid Diek are requesting a \$30,000 National Scenic Area economic development loan under the Skamania County Micro Loan Fund (The Micro Loan Fund was established in 1994 under a Scenic Area economic development grant to the Skamania County Economic Development Council). The loan would be used to complete construction of the small Wind Mountain Resort located on the north side of State Route 14 just west of Wind Mountain Road in the Home Valley Urban Area. The Resort currently includes a two-story 3,326 square foot building, which houses a gift shop, mini-mart, and three unfinished lodging rooms. The project would complete the interiors of the unfinished lodging rooms, and develop four recreational vehicle (RV) campsites on two adjoining parcels.

The Skamania County Economic Development Council's Micro Loan Fund Committee approved the subject loan request at its December 17, 2001 meeting.

ATTACHMENT B

## **CRITERIA FOR CERTIFICATION:**

### CONSISTENCY WITH THE PURPOSES OF THE NATIONAL SCENIC AREA ACT

The purposes of the Act are to: 1) protect and provide for the enhancement of the scenic, cultural, recreational, and natural resources of the Columbia River Gorge, and 2) to protect and support the economy of the Columbia River Gorge area by encouraging growth to occur in existing urban areas and by allowing future economic development in a manner that is consistent with paragraph (1).

The proposed Wind Mountain Resort improvements would occur completely within the Home Valley Urban Area. The subject parcel is zoned Community Commercial. The loan would fund the completion of interior spaces of the existing resort building and construction of four RV campsites including gravel roads and utilities. Staff consulted with the Skamania County Planning office and found that the applicants received a building permit for construction of the resort building and that the four RV sites proposed for two adjoining parcels are allowed (two per parcel) in the Community Commercial zone without permits.

Finishing the room interiors of the existing building and development of the RV campsites as proposed would not adversely affect scenic resources. Mike Boynton, Archeologist with the US Forest Service NSA, reviewed the Columbia Gorge Cultural Resource Site Inventory Map and found no cultural resources identified within the project area. A review of the Gorge Commission's natural resource inventories showed no sensitive plant or wildlife resources within 1,000 feet of the project area, and no water resources on, or in the vicinity of, the subject parcels. There are no recreation resources adjacent to the subject parcel.

The subject loan would support the Gorge economy by funding tourist and recreation development activities within an existing urban area in a manner consistent with the protection of scenic, cultural, recreational, and natural resources.

Section 11(c)(2) of the Scenic Area Act states that economic development funds may not be used to relocate a business from one community to another. Section 11(c)(3) of the Scenic Area Act states that economic development funds are not to be used for program administration. The subject loan request is consistent with these sections of the Scenic Area Act.

Section 11(c)(4) of the Scenic Area Act states that economic development funds are to be used "only in counties which have in effect land use ordinances found consistent by the Commission and concurred on by the Secretary." The proposed loan would be used in Skamania County, which has in effect ordinances found consistent by the Commission and concurred on by the Secretary.

**Conclusion:** The subject loan is consistent with the purposes and the provisions of Section 11(c) of the Scenic Area Act.

### CONSISTENCY WITH THE MANAGEMENT PLAN

The subject Loan will be used in the Home Valley Urban Area, and therefore is not subject to Management Plan land use and resource protection guidelines.

Management Plan economic development policies (Management Plan, Economic Development, Goals, pg. III-53 - III-54) support the strategies in the *Economic Development Plan 1999 Update*, written by the two states. Within the *1999 Update* the *Washington Economic Vitality Plan* includes five strategies. Strategy 1: Business Development and Retention, focuses on maintaining and developing new job and business opportunities. Strategy 2: Tourism and Retail Development, focuses on strengthening the region's ability to capture visitor and local retail dollars. The subject loan would be used for activities consistent with these strategies.

**Conclusion:** The subject loan is consistent with applicable provisions of the Management Plan.

#### CONSISTENCY WITH LAND USE ORDINANCES

The subject loan will be used for activities in the Home Valley Urban Area, and therefore is not subject to Scenic Area land use review.

#### **RECOMMENDATION:**

The subject loan request, S01-0077, from Rolf and Astrid Diek, is recommended for certification.