

BEFORE THE COLUMBIA RIVER GORGE COMMISSION

IN THE MATTER OF PLAN)
AMENDMENT NO. PA-06-04)

FINAL ORDER
APPROVING PLAN
AMENDMENT PA-06-04

_____)
The Columbia River Gorge Commission (Commission) initiated a legislative plan amendment to amend the Management Plan for the Columbia River Gorge National Scenic Area to make two changes to the Management Plan: (a) to change the definition of horse boarding to allow non-profit horse boarding, and (b) to add horse boarding as a review use with additional approval criteria to the General Management Area (GMA) 10-acre Residential Land Use Designation.

The Director's Report on this proposal was issued December 27, 2006. On January 9, 2007, the Commission held a public hearing on the proposal, pursuant to Commission Rule 350-50. At this hearing, Robert Leipper, Gary Pratt, Mary Repar, Kurt Osborne, Michael Lang, Conservation Director for Friends of the Columbia Gorge, and Michael Benedict, Planning and Building Services Director for Hood River County testified to the Commission. The Commission continued the hearing to March 13, 2007 to allow public notice and opportunity to comment on the Commission's discussion to possibly add horse

boarding as a review use to the GMA 5-acre Residential Land Use Designation, pursuant to Commission Rule 350-50-100(g)(2)(ii)(B).

The Commission met on March 13, 2007 to continue the hearing and consider a March 1, 2007 Addendum to the Director's Report. The Director recommended not revising the proposal to add horse boarding to the GMA 5-acre Residential zone. At this hearing, Robert Leipper, Mary Repar, Peter Cornelison, and Michael Lang, Conservation Director for Friends of the Columbia Gorge testified to the Commission. The Commission considered comments that regulating the number of horses allowed for the use would provide greater protection to Gorge resources and proposed to amend the text of the proposed amendment to require that approvals for horse boarding must include findings setting a maximum number of horses allowed for the use. Additional public comment was taken on this motion pursuant to 350-50-100(g)(2)(ii)(A). Robert Leipper, Mary Repar, and Michael Lang again testified to the Commission.

Based on the full record before the Commission, the Commission voted to approve Plan Amendment No. PA-06-04, with the additional requirement that approvals for horse boarding must include findings setting a maximum number of horses allowed for the use.

The Commission adopted the staff's analysis for consistency with the three plan amendment criteria contained in the December 27, 2006 Director's Report and the March 1, 2007 Addendum to the Director's Report.

The Commission further concluded that requiring approvals for horse boarding to include findings specifying a maximum number of horses is more

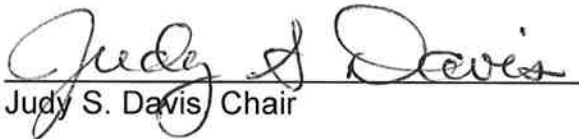
consistent with the purposes and standards for the Management Plan, specifically protection of natural resources, than the original text contained in the Director's Report. The Commission found that a dense concentration of horses can result in denuding the land where horses graze of soil and vegetation; this also affects adjoining properties as well. By requiring counties and the Commission staff to make findings about the carrying capacity of the land and other aspects of the proposal to limit the number of horses boarded so that land is not denuded, natural resources would be better protected than not specifying a maximum number of horses allowed, and adverse effects to adjoining properties would also be mitigated.

The Commission considered specifying the maximum number of horses allowed in the text of the amendment (such as number of horses per acre), but discussed that different lands throughout the Scenic Area have different carrying capacities, and that the determination should be made specific for each proposal with assistance from natural resource and other experts.

Based on the findings and conclusions contained in the December 27, 2006 Director's Report and the March 1, 2007 Addendum to the Director's Report, and the Commission's discussion requiring approvals for horse boarding make findings specifying a maximum number of horses, the Commission concludes that this Plan Amendment, PA-06-04, is consistent with the criteria for approval contained in Commission Rule 350-50-030. The adopted language is found in Attachment A.

Finally, Commission Rule 350-50-100(3)(h) requires the Commission to determine if this amendment is mandatory for counties to adopt into their Scenic Area land use ordinances. The Addendum to the Director's Report stated that non-profit horse rescue uses in the 10-acre Residential zone had been reviewed by the counties through different means, such as through accessory buildings or accessory uses. This plan amendment provides a consistent approach to reviewing non-profit horse boarding in the 10-acre Residential zone in a manner that offers greater protection to Gorge resources than these other means. Non-profit horse boarding and horse boarding in the Residential 10-acre land use designation are not mandatory for counties to adopt, but if they wish to allow these uses, then they must adopt this plan amendment into their land use ordinances. However, counties must adopt the requirement to set a maximum number of horses allowed for horse boarding in the GMA Agriculture and Forest zones because this amendment offers greater protection to Gorge resources.

IT IS SO ORDERED this 26 day of March, 2007



Judy S. Davis Chair

NOTICE: You are entitled to judicial review of this final order within 60 days of the date of this order pursuant to section 15(b)(4) of the Scenic Area Act.

ATTACHMENT A: ADOPTED LANGUAGE FOR PA-06-04

The plan amendment would entail the following amendments to *The Management Plan for the Columbia River Gorge National Scenic Area*:

1. Change the following definition in the Glossary (pg. 10, *Revisions to the Management Plan*):

Horses, boarding of (GMA): The stabling, feeding, and grooming for a fee, or the use renting of stalls for and the care of horses not belonging to the owner of the property, and related facilities, such as training arenas, corrals, and exercise tracks. These facilities are either operated for a fee or by a nonprofit organization.

2. Add the following review criterion to Part II, Chapter 1: Agricultural Land, GMA Guidelines, Review Uses (pg. II-11, *Revisions to the Management Plan*):

(2) The following uses may be allowed on lands designated Large-Scale or Small-Scale Agriculture, subject to compliance with the guidelines for protection of scenic, cultural, natural, and recreation resources and "Approval Criteria for Specified Review Uses," below.

K. Boarding of horses. The reviewing agency shall make findings on property characteristics, parcel size and impacts to neighbors, and shall specify the maximum number of horses based on those findings.

3. Add the following review criterion to Part II, Chapter 2: Forest Land, GMA Guidelines, Review Uses (pg. II-31, *Revisions to the Management Plan*):

(2) The following uses may be allowed on lands designated Commercial Forest Land or Large or Small Woodland, subject to compliance with the guidelines for protection of scenic, cultural, natural, and recreation resources and "Approval Criteria for Specified Review Uses" in this chapter.

I. Boarding of horses. The reviewing agency shall make findings on property characteristics, parcel size and impacts to neighbors, and shall specify the maximum number of horses based on those findings.

4. Add the following use to Part II, Chapter 4: Residential Land, GMA Guidelines, Review Uses (pg II-67, *Revisions to the Management Plan*):

(2) The following uses may be allowed on lands designated Residential, subject to compliance with the guidelines for protection of scenic, cultural, natural, and recreation resources and "Approval Criteria for Specified Review Uses," below.

M. Boarding of horses on lands designated 10-acre Residential. The reviewing agency shall make findings on property characteristics, parcel size and impacts to neighbors, and shall specify the maximum number of horses based on those findings.

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on the 27th day of March 2007, I served a true and correct copy of the foregoing FINAL ORDER APPROVING PLAN AMENDMENT PA-06-04 by first class mail, postage prepaid on the following persons:

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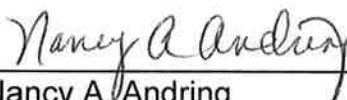
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