



TO: Columbia River Gorge Commission
FROM: Michael Lang, Friends of the Columbia Gorge
RE: Friends comments on Land Use Staff Report 4.23.2020
DATE: April 27, 2020

Thank you for the opportunity to comment on the Land Use Staff Report dated April 23, 2020. Friends of the Columbia Gorge (Friends) is a nonprofit conservation organization with approximately 6,500 members dedicated to the protection and enhancement of the scenic, natural, cultural and recreation resources of the Columbia River Gorge area. Friends supports livable, well-planned communities within the National Scenic Area.

The Staff Report, and several others regarding the review of the Management Plan, were posted after the close of business on Wednesday, April 22. This provided only two business days to submit written comments prior to the 12:00 p.m. deadline on Monday, April 27 for your consideration at the meetings scheduled for April 28, and April 29. As a result, these comments are preliminary. Friends asks the Commission to postpone any decisions based on the topics covered in the staff reports until the public has had an adequate time to review them and provide comments.

Development or Production of Mineral Resources

The Commission has the authority to limit new mines in the General Management Area to projects within the scenic area. The Management Plan already limits rock quarries in the Special Management Areas to forest practice roads and disposal sites to materials generated in the National Scenic Area.

In previous comments, Friends and many members of the public have asked the Commission to prohibit new mining and quarry operations in the General Management Area (GMA) except for specific projects, similar to the Special Management Area (SMA) policies and guidelines.

The Management Plan already limits SMA quarries and GMA/SMA disposal sites in the National Scenic Area. SMA quarries are limited to forest practice roads within the SMA. Disposal sites for road spoils are limited to materials generated within the Scenic Area.

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4. C. Existing Development or Production of Mineral Resources in the SMA: Uses involving the exploration, development, or production of sand, gravel, or crushed rock in the SMA may continue if both of the following conditions exist:

- (1) The sand, gravel, or crushed rock is used for construction or maintenance of roads used to manage or harvest forest products in the SMA. (Emphasis added)
- (2) A determination by the Forest Service finds that the use does not adversely affect the scenic, cultural, natural, or recreation resources.

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Q. Disposal sites managed and operated by the Oregon Department of Transportation, the Washington State Department of Transportation, or a Gorge county public works department for earth materials and any intermixed vegetation generated by routine or emergency/disaster public road maintenance activities within the Scenic Area, subject to compliance with the guidelines in "Disposal Sites for Spoil Materials from Public Road Maintenance Activities" (Part II, Chapter 7: General Policies and Guidelines).

There are more examples of new uses being limited in scope in the Management Plan. In conclusion, the Commission and Forest Service have the authority to limit new mines and the expansion of existing mines to projects within the scenic area and are currently implementing these kinds of limits in the SMAs and with disposal sites.

Short-term Rental (STR): The Commission should not allow STRs within the scenic area. STRs deplete the availability of existing long term housing and also increase the costs of existing housing for families. There is already a deficit of affordable housing in the Columbia River Gorge.

Friends recommends that the Commission table discussions of allowing STRs until a thorough analysis is conducted of the potential impacts. After this analysis is conducted, the Commission should not adopt any plan revision or amendment that is weaker than Hood River County, the City of Hood River or any other local jurisdictions.

Addition land use topics raised in scoping that need to be addressed:

- **Geohazards:** The Columbia River Gorge is very geologically active. Inventory, protect and avoid siting development in geohazard areas.
- **Cumulative Effects:** Revise the glossary definition to include consideration of reasonably foreseeable actions and effects.
- **Railroad Expansion:** Require scenic area-wide master plans for rail expansion. Clarify that new rail development, including new tracks, are not allowed in open space and public recreation zones. Require Gorge-wide cumulative effects analysis for rail expansion projects. Require river access improvements to be provided with rail expansion projects.
- **Coal Trains:** Currently, coal trains with open topped coal cars pollute gorge lands and waters with tremendous amounts of coal. Adopt policies and guidelines prohibiting coal pollution in the Columbia Gorge. Pursue enforcement and civil penalties for violators.

- **Climate Change:** The Management Plan is devoid of standards addressing climate change. Review and revise land use policies and guidelines to build climate resilience. Restrict or prohibit conversions from forest to agriculture. Limit new rural development in resource land and encourage development in the urban areas. Increase stream buffers using best available science.
- **Accessory Structures:**
 - Tighten guidelines to ensure that residential accessory structures are not used as dwellings. Refer to recent amendments to Multnomah County's ordinance.
 - Delete the following language from the 1,500 square-foot limitation for residential accessory structures: "to the maximum extent practicable".
 - Close the size-limitation loophole for accessory structures. Currently, accessory structures are considered additions if connected to a dwelling by a narrow covered walkway. Therefore they are no longer subject to the size limitations for accessory structures.