



September 3, 2020

Columbia River Gorge Commission
PO Box 730
White Salmon, WA 98672

Subject: Comment on the Final Draft Revised Management Plan

Dear Columbia River Gorge Commissioners and Staff:

Thank you for the opportunity to comment on the final draft revised Management Plan for the Columbia River Gorge National Scenic Area. Friends of the Columbia Gorge (Friends) appreciates the work done by the Columbia River Gorge Commission and U.S. Forest Service over the past four years to review and revised the Management Plan. Barring any major changes on September 8, Friends recommends the adoption of the revised Management Plan with the inclusion of equity policies and the correction of some minor errors in the Natural Resources chapter.

Friends has participated in all phases of the review of the Management Plan and provided many recommended updates to the Management Plan to bring it into compliance with the purposes and standards of the Columbia River Gorge National Scenic Area Act (Act). These recommendations are based on our experience of 29 years in working to implement the Management Plan and corresponding land use ordinances, monitoring land uses and development within the scenic area, commenting on all development applications, reviewing land use decisions, reviewing scientific and professional articles and management recommendations and policies from land use and resource management agencies throughout the region.

Friends acknowledges that some of our recommended revisions were incorporated into the Management Plan and we thank the staff and commissioners for accepting these changes. At the same time, we are also disappointed that the majority of our recommendations for updating the plan to improve consistency with the Act we not adopted or even considered by the Commission and Forest Service. However, we also recognize that many other groups, local governments and citizens provided recommendations that were not accepted. Overall, Friends believes that the majority of the changes included in the final draft revised plan will improve implementation of the plan and in some cases will provide better protection for scenic, natural, cultural and recreation resources, farm land, forest land, and open spaces.

Scenic Resource Chapter

Revisions to the Scenic Resources chapter will help clarify and prioritize the means by which new development is visually subordinate as viewed from key viewing areas and clarify compatibility standards for new development.

Natural Resource Chapter

Revisions to the Natural Resources chapter will improve outdated buffers for some critical salmon habitat and prevent the destruction of wetlands in the General Management Area while allowing essential development to proceed. Variance and waiver provisions that are already built into the Management Plan and Commission rules will ensure that privately owned property will retain economically beneficial uses.

There are several places in the chapter where errors were made in substituting “and” for “or.” These errors actually change the meaning of the associated guidelines.

Page 151, 3.B. The elimination of the word “or” means that site plans are only required when the proposed use is within 1,000 feet of both a rare wildlife site *and* a rare plant site. This should be “and/or” which means either or both of the affected resources.

Friends’ recommendation: Retain “and/or” or delete “and” and retain “or.”

Page 152 3.C.(3) This is the same issue as above. The elimination of the word “or” means that the determination would be whether the proposed use would result in adverse effects to both wildlife and plants.

Friends’ recommendation: Replace “and” with “or” in both places.

Page 153 3.D. The same issues as above. This guideline must be applied individually to both wildlife areas or sites and plant areas and sites.

Friends’ recommendation: Clarify that proposed development or uses shall not result in adverse effects to wildlife areas or sites, or plant areas or sites.

Page 155, Practicable alternatives test: 2.A. and 2.B. Same issues as above.

Friends’ recommendation:

- A. The basic purpose of the use cannot be reasonably accomplished using one or more other sites in the vicinity that would avoid or result in less adverse effects on wetlands, ponds, lakes, riparian areas, ~~and~~-wildlife **area or site, or and**- plant areas ~~and~~/or sites.
- B. The basic purpose of the use cannot be reasonably accomplished by reducing its proposed size, scope, configuration, or density, or by changing the design of the use in a way that would avoid or result in less adverse effects on wetlands, ponds, lakes, riparian areas, ~~and~~wildlife **areas or sites, andor** plant areas ~~and~~/or sites.

Agricultural Lands

Outdated criteria for new agricultural dwellings has been updated to ensure that agricultural land is protected from conversion to residential uses. The \$80,000 gross annual income production test is a needed adjustment for inflation compared to the existing \$40,000 income capability test. In fact, when adjusted for inflation, \$40,000 in 1991, the year when the original Management Plan was adopted, is almost exactly \$80,000 in 2019 dollars.

However, the Guideline 1.H.(3)d. on Page 210 does not match the motion that was passed unanimously on August 12. The new draft guideline incorrectly retained the “income capability” language, where the adopted motion changed this to “...at least 80,000 in gross annual income in 2020 dollars.” This is a substantive difference that needs to be corrected. The capability test has been very problematic, because it has been interpreted to mean that the farm might be capable of producing \$40,000 in gross actual income at some time in the future, as compared to the new language in the motion that requires current production. The correct language is included in the corresponding SMA guideline 1.C.(3)(d) on page 224 of the draft revised plan.

The motion states:

Large-Scale and Small-Scale Agriculture, Review Uses, 1.H.(3)(d): Income capability. The farm or ranch, and all its constituent parcels, *must produce* at least \$80,000 in gross annual income in 2020 dollars. This gross annual income amount shall be indexed for inflation on an annual basis using Consumer Price Index data from the US Bureau of Labor Statistics, and the new adjusted amount for each calendar year (calculated from 2020 dollars) will be posted on the Gorge Commission website by January 15 of each year. This determination can be made using the following formula: (CRGC Staff & USFS will investigate CPI for Commission) (Emphasis added)

Friends recommendation: Edit 1.H.(3)(d) on page 210 to accurately represent the language in the motion that passed.

Income capability. The farm or ranch, and all its constituent parcels, must ~~be capable of producing~~ at least \$~~40,000~~80,000 in gross annual income in 2020 dollars. This gross annual income amount shall be indexed for inflation on an annual basis using Consumer Price Index data from the US Bureau of Labor Statistics, and the new adjusted amount for each calendar year (calculated from 2020 dollars) will be posted on the Gorge Commission website by January 15 of each year. This determination can be made using the following formula:

Forest Land

Protection of productive forest land is improved by removing policies and guidelines allowing new dwellings in Commercial Forest land and Large Woodland zones. With the increased frequency and severity of forest fires due to climate change, it’s essential to protect forest lands, reduce the risks of human-caused fires, and protect public safety and property by discouraging new residential development in forest zones. New dwellings will continue to be allowed in Small Woodland zones.

Climate Change

The inclusion of a climate change chapter in the plan will begin the process of better understanding the effects of climate change on Gorge resources and community and will help the Commission and the Forest Service in adapting management to respond to the effects of climate change and build climate resiliency.

Minor Revisions to Urban Area Boundaries

The thirteen urban areas in the National Scenic Area include 28,500 acres set aside for urban-scale development. This represents more than 10% of the land area of the National Scenic Area, excluding the Columbia River. Thousands of acres of land set aside for urban development are vacant or underutilized. Urban areas in the Gorge are interdependent and, in the case of The Dalles and Dallesport, have a long history of joint urban planning and development. The new policies for urban area boundary revisions provide clear objective standards for minor revisions to urban area boundaries and require a regional approach to land use and urban planning that is required by the Act.

Oppose Accessory Dwelling Units outside Urban Areas

Friends ask that the Commission oppose efforts to increase the density of development outside of designated urban areas by allowing Accessory Dwelling Units (ADUs). Please do not encourage more residential development on rural lands, especially when there is a large surplus of land already set aside for urban development.

Include Equity Policies

Friends is very supportive of the Commission addressing equity in the introduction of the Management Plan and in adopting DEI policies that require the development of a DEI plan soon after the adoption of the revised Management Plan. The introduction should include an account of the historic injustices to BIPOC communities, especially in Oregon's history with its racial exclusionary constitution and laws that barred Black persons and Chinese Americans from residing in Oregon, owning property or entering into contracts.

Please include the following policies.

Management Plan

Gorge Commission Role

PART IV, Chapter 1

PAGE 421

New section: Diversity, Equity and Inclusion

The Gorge Commission recognizes that including diversity, equity and inclusion in its decision-making is essential to implementing the National Scenic Area Act.

GMA Policies

- 1. The Gorge Commission shall develop and adopt Diversity, Equity and Inclusion (DEI) plan by July, 2021. The plan shall be reviewed and updated as necessary on a regular basis.**
- 2. The plan shall include specific measures and outcomes to:**
 - a. Ensure a more diverse staff and commission**
 - b. Develop and apply an equity lens to its policy decisions**
 - c. Engage under represented communities in the Columbia Gorge region**

- d. Support local governments in existing urban areas in planning for affordable housing**
- e. Support and uphold treaty rights and the rights of indigenous persons**

In conclusion, Friends supports the Commission in adopting the draft revised Management Plan with the inclusion of the policies and edits included above.

Sincerely,

/s/ Michael Lang

Michael Lang
Conservation Director