

TO: Columbia River Gorge Commissioners

FROM: Krystyna U. Wolniakowski, Executive Director
Jeff Litwak, Counsel

DATE: October 11, 2016

SUBJECT: ACTION ITEM: Roadmap and Timeline for Proposed “Gorge 2020” Management Plan Review and Update

Background

The legal requirements for Management Plan Review is described in Section 6(g) of the National Scenic Area Act which states:

“Revision of plan. No sooner than five years after adoption of the management plan, but at least every ten years, the Commission shall review the management plan to determine whether it should be revised. The Commission shall submit any revised management plan to the Secretary for review and concurrence, in accordance with the provisions of this section for adoption of the management plan.”

There are three things to note about this requirement. First, the Act requires the Commission review the entire Plan; this is not discretionary. Second, the Act does not require the Commission revise the plan. Whether to revise the plan and what to revise are at the discretion of the Commission. Finally, the Act specifies a detailed process for developing the initial plan, but does not require the Commission to use the same process to make revisions to the Plan.

In litigation involving the last Plan Review process, the Oregon Court of Appeals concluded that the Commission’s process “did precisely what the law requires—it reviewed the entirety of the Management Plan and developed a process for determining which of the Plan’s provisions should be targeted for revision.” The Court of Appeals described the Commission’s process succinctly as follows:

“In response to the Act’s directive, the commission produced a series of monitoring reports, which evaluated the extent to which the existing management plan and guidelines met the requirements of the Act. [T]he commission produced seven such monitoring studies, including reports concerning scenic, cultural, recreational, and natural resources, and concerning agricultural and forest lands. The commission then solicited comments from, and held public hearings on, whether any provisions of the existing management plan were in need of revision. There is no contention that the commission limited the scope of its request for comments to any particular provisions of the management plan.”

Based on its monitoring studies and on the comments that it received from the public, the Commission developed a list of 26 specific topics for more detailed examination. The Commission then held further public hearings on that proposed list and on its adequacy to meet its obligations under the Act.”

The last Management Plan review was initiated in 2000 and completed in 2004. The Commission is currently 2 years past due to begin the review process, but lack of staff and resources since 2014, delayed this effort. However, given the importance of compliance with the NSA Act, current staff are initiating the review as soon as the Commission approves the timeline and process.

General Considerations for the 2016-2019 Management Plan Review

Attachment 1 is staff’s recommended “roadmap”—a proposed timeline for reviewing the Management Plan and revising the Management Plan if the Commission determines that it should be revised.

In developing the process to initiate the 2016 Plan Review, staff considered a number of factors:

- The Commission will complete Plan Review and necessary revisions at about the end of the 2017-19 biennium.
- The Gorge Commission and Forest Service will work together to do joint data collection, scoping, and policy development as much as possible in reviewing and revising the Management Plan.
- The Commission empowered the Assessment Committee to be the Commission’s lead for the Commission staff to consult and get general direction through the process. The Assessment Committee does not guide the Forest Service’s work for the SMA portion of the Plan, but the Assessment Committee may want the Forest Service to explain specific SMA issues, and the Forest Service may choose to take account of Assessment Committee ideas, concerns, and direction to Commission staff.
- The Commission’s staffing and financial resources do not allow the Commission to hold multiple Commission workshop-style hearings on drafting specific text revisions as it did during the last 2000-2004 Plan Review process.
- All of the Assessment Committee and Commission meetings will have opportunities for public input.
- The Commission will create a page on its website for posting Plan Review documents and create an alert to notify the public when it posts new documents.

Staff Recommendation

Staff has recommended that Plan Review proceed in five phases.

<p style="text-align: center;">Phase 1 Review and Update Resource Inventories, Economic Opportunity Study and Recreation Assessments</p>
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Instead of developing “monitoring reports” as in the last Plan Review, staff recommends that the Commission review and update the resource inventories, economic opportunity study and recreation assessments that the Act required for developing the initial plan (sections 6(a), 8(c) and 8(d)). Some of these information

sources are consistently updated, or have current or recent information, but some have not been updated since developing the initial plan.

The data collected in this phase will help the Commission decide whether to revise identified concerns with the Plan. Later, the staffs will likely need to collect or develop specific data that the Commission and Area Manager need to decide on new policy.

- This step starts with the Commission and Forest Service planning staff reviewing what information exists. This is necessary because the Commission and Forest Service staffs are almost entirely new in the past year. For example, the staffs have current natural resource information from their own inventory work and other state and federal agencies; in contrast, the staffs anticipate needing to update the land use inventory.
- After the staffs review existing information, the Assessment Committee will discuss needed updates. This discussion will happen concurrently with public scoping of the plan, so the staffs will have received many comments that will help shape the type and scope of needed updates. The staffs will also review current VSI information, and may be able to plug new information developed for Plan Review into the VSI project.
- Midway through updating the existing information, the Commission will host a public workshop on the updates. The staffs will report on progress and may have questions or request additional direction from the Commission. As the staffs finish this initial data collection, Commission staff will again check in with the Assessment Committee for any final direction before presenting the information to the full Commission. The full Commission and Area Manager will then hold workshops and a public review and discussion of the information.

Approximate completion date will be November 30, 2016

<p style="text-align: center;">Phase 2 Public Input-Scoping-Identify Issues to be Addressed in Plan Revision</p>
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Concurrent with collecting data, the Commission and Forest Service will review the Management Plan and decide the topics that it wants to address in revising the plan.

- This step begins with the staff doing an internal review of the Management Plan concurrent with the Commission holding a workshop to discuss issues that the Commission is already aware of and has already expressed interest in addressing.
- Sources of the staff's internal review include notes about the Plan that past planning staff have made; specific issues that the Commission did not address in the last Plan Review; standards that the staffs and counties have needed to interpret in the past; and broad issues identified in the Future Forum, 25th Anniversary, Collaborative Engagement and Administrative Assessment projects, as well as issues/themes identified at the June 2014 Commission retreat. See ***Attachment 2*** for a list of these topics previously identified. Commission staff will report to the Assessment Committee after the internal review and the Assessment Committee may provide additional input to the staff.
- Public scoping to gather a complete list of issues and concerns about the current Management Plan and the National Scenic Area will occur through a series of meetings and open invitations to submit comment at any time. The Forest Service and Commission staff will meet with county and city staff. The Executive Director, Commission Chair and NSA Manager will formally consult with the four treaty tribes. The Executive Director, the county appointee and NSA Manager will meet with County Commissioners (at a County Commission meeting or other county preferred format). The two staffs will also host three public scoping

workshops—one in the east end of the Gorge; one in the middle Gorge, and one in the west end—these are likely going to be late afternoon and evening workshops. The staffs will check in with the Assessment Committee to report on progress, and the Commission will host a workshop at one of its Commission meetings.

- The two staffs will continually collect, summarize, and present the issues as these meetings and workshops and are occurring. The staffs will produce a final summary of the issues and a recommendation of issues for revision. The Commission and NSA Manager will hold workshops on the summary of issues and recommendations for revisions and decide on a final set of issues to consider for revision.

Approximate completion date will be June 30, 2017

<p style="text-align: center;">Phase 3 Revise Goals and Objectives</p>
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The goals and objectives in the Management Plan are high-level statements of the future condition for the National Scenic Area and broad means of achieving that future condition. The Commission did not revise any goals and objectives in the last Plan Review. In the 2016 Plan Review, the staffs anticipate the Commission will need to revise goals and objectives if it chooses to address broad topics that it has already expressed some interest in considering, such as effects of climate change, transportation challenges, and new recreation use.

- This phase begins with a Commission retreat in which it will plan for addressing the topics that it decides to revise with the primary purpose of keeping the Commission focused and on schedule.
- The Assessment Committee will give the Commission staff high level direction at the beginning of this phase, and the staff will do most of the drafting. The Commission does not have the resources for commissioners to be heavily engaged in developing the text.
- Midway through this phase, the two staffs will host a public workshop to present progress and receive input. This will be a staff-led, rather than a Commission-led workshop, with the idea that the workshop will be collaborative in nature. The workshop may take place over a few days as needed to work through the material. The Commission may discuss sending a few representatives to the workshop.
- Following the workshop, Commission staff will check in with the Assessment Committee and may ask for additional direction.
- Throughout this phase, the staff will give progress reports to the Commission at its regular meetings. At the end of this phase, the Commission will hold a workshop and approve the goals and objectives.
- Also at the end of this phase, as resources allow, the staffs may discuss with the Commission a changed format to the Management Plan. Currently, the plan is in book form—essentially text—and has had several amendments and one revision grafted into the original form. The Commission may hold a workshop to discuss converting the plan to a web-based format or making structural changes for readability.

Approximate completion date will be February 28, 2018

Phase 4
Revise Policies and Implementation Measures

The policies and implementation measures in the Management Plan are focused action items that implement the goals and objectives. In the current plan, these include the policies and guidelines for new development in Parts I and II and the provisions, strategies and statements of partner roles in Parts III and IV. The Commission will need to revise existing guidelines and enact new policies and implementation measures for topics that the Management Plan does not address.

- The Assessment Committee will give the Commission staff high level direction at the beginning of this phase, and the staff will do most of the drafting. The Commission does not have the resources for commissioners to be heavily engaged in developing the text.
- Midway through this phase, the two staffs will host one or two public workshops to present progress and receive input. These will be staff-led and collaborative in nature. Right now, the timeline shows two workshops; each workshop may take place over a few days as needed to work through the material, and the need for a second workshop will be evaluated after completing the first. The Commission may discuss sending a few representatives to the workshops.
- After the first workshop, Commission staff will check in with the Assessment Committee and may ask for additional direction.
- Throughout this phase, the staff will give progress reports to the Commission at its regular meetings and may seek direction on specific points. At the end of this phase, the Commission will hold a workshop and approve the policies and implementation measures.

Approximate completion date will be October 31, 2018

Phase 5
Prepare and Adopt Final Plan

In this phase, the staffs will integrate the revised goals, objectives, policies, and implementation measures into the Management Plan. This phase mostly involves staff drafting of the final plan text using the revisions that the Commission already adopted.

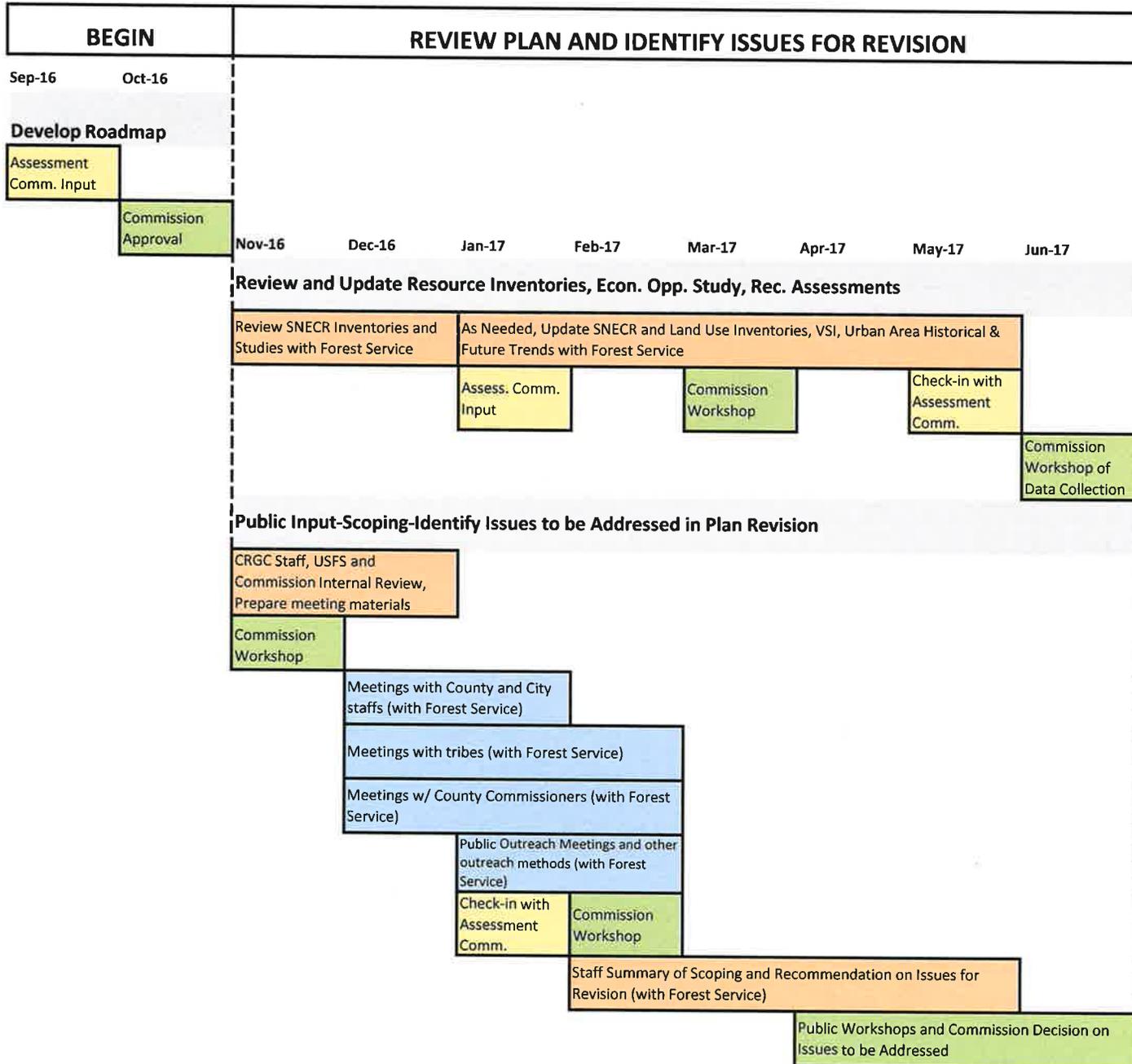
- The Assessment Committee will give the Commission staff high level direction at the beginning of this phase, and again, the two staffs will do most of the drafting. The staffs will give careful attention to internal consistency of the revisions with unchanged portions of the plan. The staffs may also change the format of the Management Plan as discussed in the workshops at the end of Phase 3.
- Midway through this phase, the two staffs will host a public workshop to present progress and receive input. This will be a staff-led collaborative workshop.
- Following the workshop, the staff will check in with the Assessment Committee and may ask for additional direction.
- Throughout this phase, the staff will give progress reports to the Commission at its regular meetings. At the end of this phase, the Commission will hold a workshop, likely over two or three months and approve a final revised plan.

Approximate completion date will be June 30, 2019

Commission Action

Staff requests that the Commission adopt the roadmap/timeline as presented.

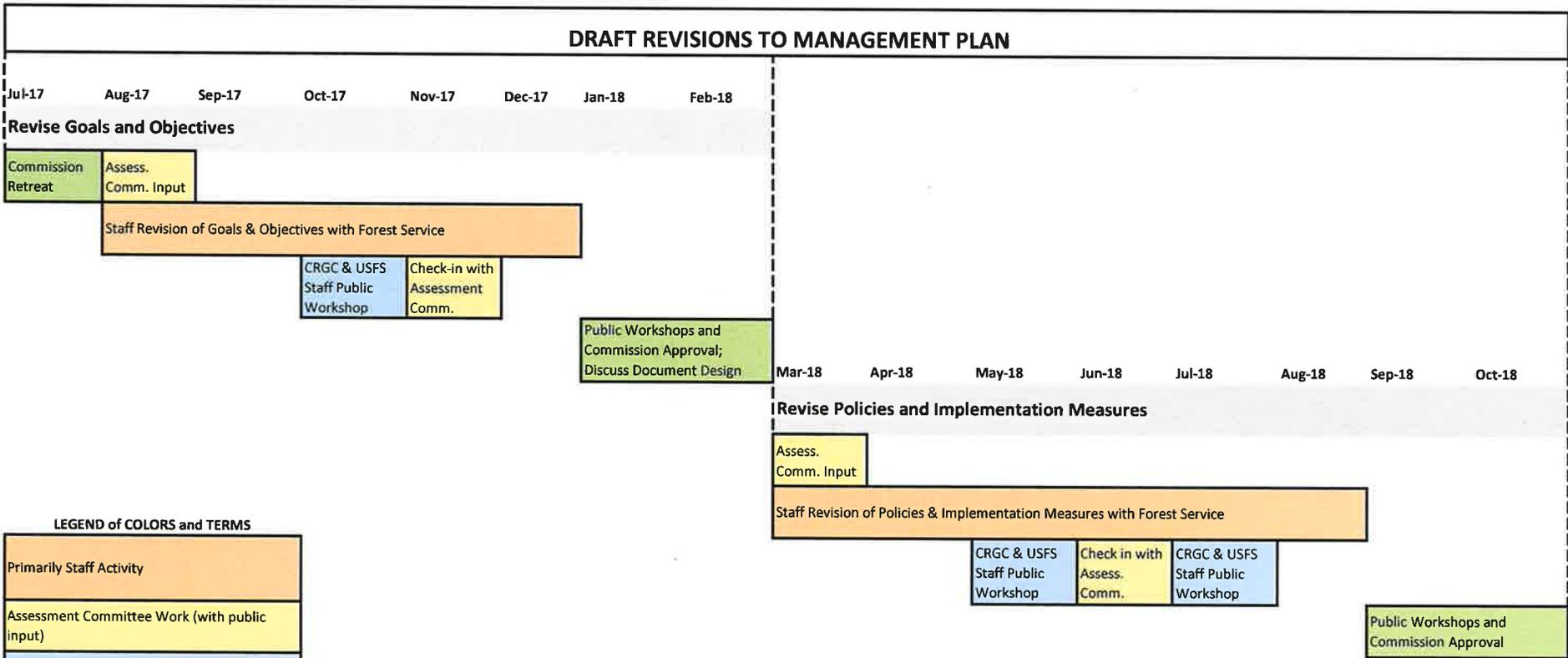
**WORK PLAN TIMELINE - 2016–19 PLAN REVIEW AND REVISION
(FINAL - GORGE COMMISSION APPROVED OCT. 11, 2016)**



LEGEND of COLORS and TERMS

Primarily Staff Activity
Assessment Committee Work (with public input)
Major Point of Public Input Outside Committee or Commission Mtgs
Commission Action (With Public Input)
Assessment Comm. Input - Purpose is to Give Direction to Staff
"Check-in" - Purpose is for Staff to Give Info. to Assessment Comm.
Commission Workshop - Purpose is for Commission to Discuss Progress

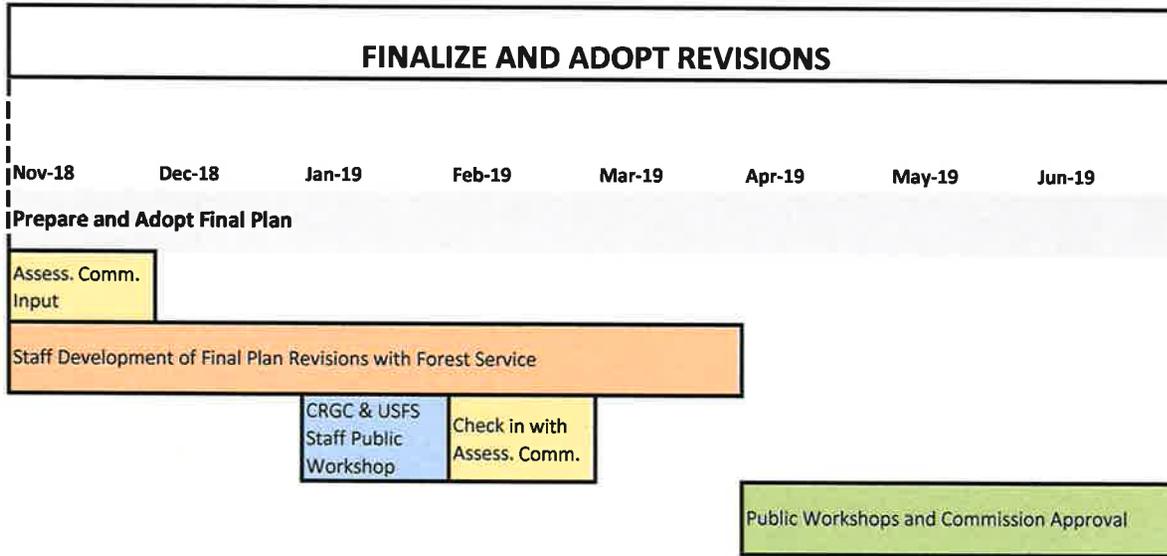
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COLUMBIA RIVER GORGE NATIONAL SCENIC AREA MANAGEMENT PLAN REVIEW

Frequently Asked Questions (FAQs)

Last revised: 11/14/2016

What is Plan Review?

The Columbia River Gorge National Scenic Area (NSA) was established by Congress in 1986. Covering 292,000 acres and 85 miles of the Columbia River in Oregon and Washington, the National Scenic Area is managed jointly by the Columbia River Gorge Commission and the U.S. Forest Service. The purpose of the Columbia River Gorge National Scenic Area Act (Act) is to protect and enhance the natural, cultural, scenic and recreation resources of the NSA, and to protect and support the economy of the Columbia River Gorge area. In accordance with the Act, the Columbia River Gorge Commission and U.S. Forest Service adopted a National Scenic Area Management Plan in 1991 to guide land use in the Columbia River Gorge National Scenic Area. Section 6(g) of the National Scenic Area Act states:

“No sooner than five years after adoption of the management plan, but at least every ten years, the Commission shall review the management plan to determine whether it should be revised. The Commission shall submit any revised management plan to the Secretary (of Agriculture) for review and concurrence, in accordance with the provisions of this section for adoption of the management plan.”

In 2001, ten years after adopting the original Management Plan, the Commission and U.S. Forest Service initiated their first plan review, and in 2004 adopted a number of revisions to the Plan. Although the next review was to begin in 2014, budget cuts and reduced staffing at the Gorge Commission delayed the launch of the next 10-year review. Although the staffing and budget have not recovered to 2001 levels, the Commission decided to launch the Management Plan review and scoping process in November 2016 and will invite additional assistance from Gorge-wide partners.

Plan review is divided into two basic components:

1) Review - consists of a comprehensive scoping process to identify important issues facing the National Scenic Area and analyzing data related to those issues, with the result being a decision as to whether the Management Plan needs any changes or if the Management Plan adequately addresses those issues.

2) Revision - consists of the actual changes that should be made to the Management Plan to address those important issues.

Why are the Commission and the U.S. Forest Service both doing Plan Review?

The National Scenic Area Act directed the Gorge Commission to develop guidelines for the General Management Area (GMA), and the U.S. Forest Service to develop guidelines for the Special Management Area (SMA). The Commission and U.S. Forest Service worked jointly to develop the original Management Plan in 1991 and to revise the Plan in 2004, and will work together in this current Plan Review. Comments on Plan Review topics should be addressed to the Commission and we will then jointly review those with the U.S. Forest Service.

What are the Standards that the Management Plan must meet?

The Columbia River Gorge National Scenic Area Act sets forth the following requirements that the Columbia Gorge Commission must satisfy when revising the Management Plan:

- (1) Protect and enhance agricultural lands for agricultural uses;
- (2) Protect and enhance forest lands for forest uses;
- (3) Protect and enhance open spaces;
- (4) Protect and enhance public and private recreation resources and educational and interpretive facilities and opportunities;
- (5) Prohibit major development actions in special management areas;
- (6) Prohibit industrial development in the scenic area outside urban areas;
- (7) Require that commercial development outside urban areas take place without adversely affecting the scenic, cultural, recreation, or natural resources of the scenic area;
- (8) Require that residential development outside urban areas take place without adversely affecting the scenic, cultural, recreation, and natural resources of the scenic area; and
- (9) Require that mining operations, and the reclamation of mined lands, take place without adversely affecting the scenic, cultural, recreation and natural resources of the scenic area

To meet these standards, the current Management Plan draws from elements of Oregon and Washington land use planning and law, elements of federal forest management, and unique elements that the Commission and U.S. Forest Service developed specifically to address situations in the National Scenic Area.

What is the Schedule for Plan Review?

Starting in November 2016 and concluding in June 2017, the Commission, with public input, will be reviewing the existing Columbia River Gorge Management Plan and discussing which issues will need to be addressed. After the Commission and the U.S. Forest Service have identified which issues should be addressed in the revision process, the Commission and its staff, together with the U.S. Forest Service, will analyze and make decisions on overall goals and objectives that need revision and then craft specific policy proposals to implement those goals and objectives. The



Commission and U.S. Forest Service expect to finish any needed revisions and complete the plan by June 2019.

How do I get Information About Plan Review?

The Commission maintains an email mailing list for persons interested in the activities of the Commission. If you would like to be on our mailing list, please send a note to planreview@gorgecommission.org. The Commission will use the mailing list to alert the public about upcoming meetings, new reports and other documents, and opportunities for comment and other involvement.

The Commission staff is also constructing a page on our web site (www.gorgecommission.org) devoted to Plan Review, which will provide current information on upcoming meetings and key documents, and invite public comment on currently discussed and studied aspects of the Management Plan.

How do I get Involved?

Public input is integral to our process! The Management Plan review and revision process is designed around ensuring that stakeholders in the Gorge can provide input to the Commission and U.S. Forest Service. The Commission and U.S. Forest Service will engage the four Treaty Tribes in a Government to Government consultation process. The following are opportunities for the public, agencies, stakeholders, and interested entities to get involved:

- Scoping Meetings with Key Partner Agencies – December 2016-February 2017. The Commission and U.S. Forest Service will schedule public meetings with the county commissions, city councils, community councils, and meetings of the Tribal Councils of the four Treaty Tribes in the National Scenic Area to discuss the Plan Review and hear specific concerns and issues for the Commission to consider when revising the Management Plan.
- Public Scoping Meetings – January-February 2017. The Commission and U.S. Forest Service will host three public scoping meetings. These meetings will be in the west, central, and east portions of the National Scenic Area. At these meetings, the Commission will ask the public to identify the issues that should be addressed in the Management Plan revision and request information on why those issues are important.
- Staff Workshops – The Commission staff will hold public workshops to discuss progress over the next year and to seek specific recommendations for resolving the issues that the Commission has decided to address. The staffs will have draft reports and will share them with the workshop participants in advance of the workshops. These workshops will be roundtable in nature and may be multiple days each. The Commission will provide more detailed information about these workshops closer to their scheduled dates.



- Commission Workshops – In each phase, the Commission will host a midpoint and a final workshop. At the midpoints, the Commission will review the status of the staff work to date, invite public comment, and provide guidance. At the final workshops in each phase, the Commission will review the complete draft products from the staff, invite public comment and adopt final products. If necessary, the final workshops will extend to two or three Commission meetings to allow time for staff to respond to Commission guidance before the Commission approves the product for the phase. The Area Manager for the U.S. Forest Service will attend select midpoint and final workshops in each phases to participate in discussion and hear comments about special management area provisions.
- Commission Approval – The last step in revising the Management Plan is the Commission’s final approval of the revised Management Plan. The Commission will incorporate U.S. Forest Service’s revisions for the SMA. The goal is to complete the “Gorge 2020” Management Plan by June 2019.

How do I Submit Comments?

Anyone can submit written comments by email to planreview@gorgecommission.org or by filling out a form on our website (www.gorgecommission.org). You may provide oral comments by attending a Commission meeting or a Plan Review workshop which will be scheduled in various communities within the Gorge from November 2016 through June 2017.

What Happens after the Commission Adopts the Revisions?

After the Gorge Commission adopts the revisions, it will send the revisions to the U.S. Secretary of Agriculture for concurrence that the revisions comply with the standards in the National Scenic Area Act. After concurrence, counties will have 270 days in which to enact the revisions into their land use ordinances.

*We look forward to your engagement in Plan Review and your help in identifying areas for improvement to create the **Gorge 2020 Management Plan**.*

For more information about Plan Review, please contact:

Jessica Gist at the Columbia River Gorge Commission (509)493-3323 x 228,

Jessica.gist@gorgecommission.org

Robin Shoal at the U.S. Forest Service (541) 308-1700, ***rshoal@fs.fed.us***

Columbia River Gorge Commission, 57 NE Wauna Avenue, Box 730, White Salmon, WA 98672
www.gorgecommission.org



COLUMBIA GORGE NATIONAL SCENIC AREA MANAGEMENT PLAN REVIEW

WE WANT TO HEAR FROM YOU

Submitted by: _____

Contact information: Mailing Address _____

Telephone _____ Email _____

Clearly identify the issue you wish to see addressed:

Why is this issue or problem important? Does the issue impact an important scenic, natural, cultural, or recreational resource in the Columbia River Gorge? Does the issue impact the economy in Gorge communities?

In your view, what are the pros and cons of the issue? How does the current National Scenic Area Management Plan speak to the issue?

Please provide specific recommendations for addressing the issue:

If you have additional information, please attach it to this form.

Thank you!