



## COMMUNITY DEVELOPMENT

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December 2, 2025

Columbia River Gorge Commission  
PO Box #730  
White Salmon, WA 98672  
(Sent by email to [PublicComment@gorgecommission.org](mailto:PublicComment@gorgecommission.org))

Dear Chair Mills, Vice Chair Meninick, and Commissioners and CRGC Staff;

I am writing to address comments made at the Plan Amendment hearing on November 12<sup>th</sup> and provide additional information that may be helpful in deliberations.

### **Wildfire Risk Assessment**

Comments suggested staff findings of changes to the National Scenic Area necessitating a plan amendment were insufficient because they did not include an analysis of wildfire risk assessment. This suggestion seems largely geared at mitigation rather than response and recovery, and are likely better suited to work already under way by the Commission staff to require new defensible space standards.

Wasco County has made hazard mitigation a priority, including being a state leader with defensible space standards, for over two decades. In our experience, it's common that people conflate response and recovery with mitigation and preparedness not understanding the nuanced difference; mitigation and preparedness center around actions that can be taken to reduce disaster risk and destruction whereas response and recovery addresses the real issues facing communities, stakeholders, responders, and others in the face of disaster.

Columbia River Gorge Commission staff provided a thorough analysis, backed by Wasco County's own assessment and literature review as well as expert input, on the realities of recovery with respect to land use. The scope of the Plan Amendment is intentionally narrowed to focus on modernizing disaster response and recovery based on best practices and data that were not available during the original drafting of the Management Plan or past reviews.

Best practices with mitigation will likely change some standards within the Management Plan and therefore will be much larger in scope, making it a more appropriate topic for plan review.

### **Disaster Response, Structure Loss Records, and Pre-Existing Use Determinations**

Immediately following the ignition of the Rowena Fire, Wasco County Planning Division staff mobilized to collect and aggregate land use records, including any infrastructure information, to be utilized by response. Our Assessment and Taxation Department also inventoried all existing records of properties to aid with final counts of property damage. This is a part of the normal response process to support

first responders, insurers, and government agencies like FEMA to evaluate needed aid and final assessments of the incident.

Generally, this is standard practice following a disaster like wildfire. Like counterparts in the National Scenic Area, Wasco County has a variety of tools to determine structural loss including land use permit records, aerial imagery, taxation records, building codes permits, and septic permits. In the State of Oregon, jurisdictions are required to keep most land use records in perpetuity, and many counties like Wasco have made efforts to back up records with digital records. These tools and techniques are standard practice for local government, and our citizens depend on us to maintain quality and reliable data.

Staff's early work has been incredibly helpful to us expediting our research processes and delivering faster timelines for the current applications we are processing. We will maintain these records as part of the incident response and recovery record as standard operation.

The assertion that after years have passed we will somehow not have record or data demonstrates an ignorance about current local government practices, requirements, and the value added services we provide residents and property owners. Requiring a separate use determination is unnecessarily costly, time consuming, and traumatizing to disaster survivors.

State behavioral health experts have provided the following feedback, based on research and experience:

- Survivors often experience trauma and mental health impacts that make long range planning harder, especially while navigating day to day recovery
- Complex or repetitive processes, including multiple permits, can unintentionally reinforce power imbalances between outside systems and impacted community members
- Additional procedural steps can compound stress, especially when survivors are already dealing with insurance, rebuilding decisions, temporary housing, and navigating multiple agencies
- Adding extra layers of permitting, especially something that requires survivors to prove preexisting use multiple times "has real potential to be retraumatizing". The emotional impact can feel like questioning the legitimacy of loss or adding another barrier to a process that is already overwhelming.

State experts recommend anything that can simplify the path forward, reduce duplicative requests, and minimize re-exposure to trauma.

### **RV Definition**

The Columbia River Gorge National Scenic Area Management Plan advises that if a term is undefined, jurisdictions should rely on the Webster's Third New International Dictionary (2002) (pg. 258). The Management Plan, however, does define Camping or recreational vehicle as:

*A vacation trailer, camper, self-propelled vehicle, or structure equipped with wheels for highway use that is intended for recreational purposes, but not for residential purposes, and is equipped with plumbing, sink, or toilet. A camping or recreational vehicle shall be considered a dwelling unit if it is (1) connected to a sewer system (including septic tank), water, and electrical lines, or (2) occupied on the same parcel for more than 60 days in any consecutive 12-month period.*

This definition may permit a tiny home if it remains on a chassis and wheels, however would prevent a tiny home from being placed onto a foundation. Oregon law (ORS 215.490) requires that to meet the definition of recreational vehicle, it cannot be structurally immobile and must be titled with the Department of Transportation.

Planning staff is generally trained, as we implement regulations with RVs in the larger County, to understand both these definitions and apply them to the application.

### **Pre-Emptive Adoption of Ordinance**

Written and verbal testimony proposed Wasco County could, and should, pre-emptively adopt an Ordinance stating we can directly implement regulations from the Management Plan. Friends of the Columbia Gorge themselves acknowledge that there are no current mechanism for counties to implement without amending our ordinance, consistent with 16 U.S.C. 544e(b). As Gorge Commission Staff Attorney Litwak stated, the suggestion of a blanket ordinance raises potential conflict with the ruling *Advocates for Effective Regulation v. City of Eugene*, 160 Or App 292 (1999).

Wasco County's attorney specializing in National Scenic Area issues will be providing comment as to their analysis on implementation. Their analysis, combined with our understanding of state law, the Management Plan, the National Scenic Act, and our own local ordinance has made it clear Wasco County has the need for the one time, emergency declaration that allows for direct implementation from the Management Plan while we complete the local legislative process consistent with our ordinance, state law, the Management Plan, and the Columbia River Gorge National Scenic Act.

### **Anticipating New Rules in Final Decisions**

The suggestion that Wasco County can apply "Applying New Less-Stringent Regulations to Development Approved Under Prior National Scenic Area Regulations" in the Management Plan (page 258) misinterprets that provision. This provision allows counties some flexibility with interpretation of existing rules, and allows the County to apply Management Plan provisions where the local ordinance is more restrictive. It is not an early adoption mechanism, and there is no precedent or policy that suggests Wasco County can deviate from the common interpretation of this provision.

Wasco County's attorney specializing in National Scenic Area issues will be providing comment as to their analysis on this proposal. Their analysis, coupled with our own experience, results in the conclusion that Wasco County has the need for the one time, emergency declaration that allows for direct implementation from the Management Plan while we complete the local legislative process consistent with our ordinance, state law, the Management Plan, and the Columbia River Gorge National Scenic Act.

I would like to add that there was testimony that direct implementation is unprecedented for land use in the State of Oregon. In fact, Oregon jurisdictions are routinely used to implementing mandatory changes to state law, as the Department of Land Conservation and Development has authority for forbearance on local adoption, recognizing that the legislative process is time consuming and costly.

Thank you for the opportunity to provide additional testimony on the proposed disaster recovery modernization plan amendment. Wasco County appreciates the continued collaboration and support of Columbia River Gorge Commission staff, and the compassion and drive from the Commission to support our residents and property owners through recovery.

Thank you,

A handwritten signature in black ink, appearing to read "Kelly Howsley Glover". The signature is fluid and cursive, with the first name "Kelly" being the most prominent.

Kelly Howsley Glover, PhD  
Wasco County Community Development Managing Director