

FRIENDS OF THE COLUMBIA GORGE

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Comments to the Wasco County Planning Commission from Friends of the Columbia Gorge on Wasco County's proposed Comprehensive Plan Amendments and Energy Ordinance Updates

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Friends of the Columbia Gorge (Friends) has reviewed and would like to comment on the proposed Comprehensive Plan and Energy Ordinance updates. Friends is a non-profit organization with approximately 5,000 members dedicated to protecting and enhancing the resources of the Columbia River Gorge. Our membership includes hundreds of citizens who reside within the Columbia River Gorge National Scenic Area. Friends previously submitted comments on May 3, 2011.

Friends supports renewable energy development and supports land use rules that ensure that energy facilities are appropriately sited to protect the community and the environment from adverse impacts of energy development. These comments are intended to supplement the comment that were previously submitted to the Planning Commission.

Comprehensive Plan, Goal 5 and protection of Scenic and Historic Areas and Natural Resources

Friends encourages the County to adopt Comprehensive Plan provisions that encourage the protection of scenic and open space resources of the Columbia River Gorge, the Deschutes River Canyon, the White River, and the John Day Canyon from adverse impacts from energy development along federal and state designated protective boundaries.

Notably, the "Findings and Inventories" section of the Draft Comprehensive Plan already identifies the need to protect views from the John Day River and Deschutes River regardless of the formal boundaries for the designated Wild and Scenic River areas. *See* Draft Comprehensive Plan at page 8-5: Chapter 8 Sect. B(2)(b)(5). The "Policies and Implementation" section of the Draft Comprehensive Plan also prohibits new mineral and aggregate development within 1/4 mile of the boundaries for the John Day and Deschutes Wild and Scenic Rivers. *See* Draft Comprehensive Plan at page 8-2: Chapter 8 Sect. B(1)(b)(5) (Policy 2).

Since the County has already proposed extending protections beyond the boundaries of Wild and Scenic River areas, Friends recommends revising the “Findings and Inventories” to identify views from the Columbia River as needing protection as well. This language should be inserted into Draft Comprehensive Plan at page 8-5: Chapter 8 Sect. B(2)(a)(2).

LUDO § 19.030(C)(4) - protection of regionally and nationally significant scenic landscapes.

The County has offered three alternatives for protecting scenic resources from adverse impacts of energy facility development. Friends supports Option 3, which would implement a version of EFSC’s “no adverse effect” standard. This would require case-by-case analysis of scenic impacts and would prohibit development that would likely result in significant adverse impacts to listed areas. Friends notes that Option 3 is the option that has received the broadest range of support in the public comments submitted to date. Based on that broad support, Friends encourages the Planning Commission to adopt Option 3, with appropriate revisions, as its recommendation to the BOCC.

Draft LUDO § 19.020(C)(2)(a)(2)(c) - Radar triggered aviation safety lighting.

Draft LUDO § 19.020(C)(2)(a)(2)(c) would require that any Federal Aviation Administration required safety lighting be, if possible, radar triggered to reduce the impacts of lighting on landowners and the public. Draft Chapter 19 at page 19-18. To bolster the case for requiring radar triggered lighting under these limited conditions, Friends submits an article from the Billing Gazette that discusses the use of radar triggered lighting. Friends also submits two FAA documents that permitted the use of radar triggered lighting on an experimental basis for a wind facility on the east coast.

Draft LUDO § 19.030(A)(1)(c) - Public Involvement in BOCC decisions related to projects under review by EFSC.

Friends encourages the County to provide the public an opportunity to comment on all BOCC recommendations to EFSC regarding local land use regulations. Since EFSC gives the BOCC’s recommendation deference, it is important that the public have an opportunity to comment on matters of significant local concern.

Draft LUDO § 19.030(B)(3) - Related and supporting facilities in non-resource land zones

Draft LUDO § 19.030(B)(3) would allow related and supporting facilities in non-resource zones where large-scale commercial power generating facilities are otherwise prohibited. Since related and supporting facilities can cause substantial impacts to local communities, Friends encourages the Planning Commission to revise this section of the ordinance to not allow related and supporting facilities in non-resource zones when the impacts of the development would be inconsistent with other existing development in the area.

Draft LUDO § 19.030(C)(5) – Natural Resource/Wildlife Protection

Draft LUDO § 19.030(C)(5) would require that wind energy facilities be operated to without causing significant adverse impacts to any natural resource identified “by any local, state, or federal wildlife agency.” *See* Draft Chapter 19 at p. 19-27. Friends encourages the Planning Commission to revise this section to provide better protection for wildlife. In particular the section should include a requirement that the County Planning Department consult with the U.S. Fish and Wildlife Service to determine whether a proposal would adversely affect birds and/or bats.

Draft LUDO § 19.030(D)(1)(c) – Setbacks

Draft LUDO § 19.030(D)(1)(c) specifies the required setbacks for wind energy facilities. Friends encourages the County to adopt an increased setback for dwellings in resource zones and for all land in non-resource zones. For dwellings in resource zones the setback should be one mile. For non-resource zoned lands Friends supports a 1.5 mile setback from the zoning boundary.

Friends prior comment noted that EFSC has the authority to preempt locally adopted development setbacks pursuant to an obscure EFSC regulation. EFSC recommended this approach in the permitting process for the Summit Ridge Wind Facility. To clarify how this process works, Friends has submitted an excerpt of the Draft Proposed Order for the Summit Ridge project that addresses state preemption of locally established setbacks.

