



City of The Dalles

June 30, 2020

VIA EMAIL

Columbia River Gorge Commission
c/o connie.acker@gorgecommission.org

Re: City of The Dalles – Comments on the Proposed Revisions to the Management Plan for the Columbia River Gorge National Scenic Area (Redline Draft dated June 1, 2020)

Dear Chair Liberty and Commissioners:

On June 1, 2020, the Columbia River Gorge Commission (“Commission”) released proposed revisions to the Columbia River Gorge Management Plan (“Management Plan”) for formal public comment, containing 500+ pages of redline changes (“June Redline”). The City of The Dalles (“City”) provides these comments on the June Redline and incorporates by reference the City’s comments previously provided into the record of the Gorge 2020 proceeding along with the joint comment letters filed by the City, the Port of The Dalles, Wasco County, the Mid-Columbia Economic Development District (“MCEDD”), and others over the last three months.

The City Council voted unanimously on June 22, 2020, to formally oppose the Commission’s proposed policy changes for Urban Area Boundary Revisions section of the Management Plan. The City has repeatedly expressed its concerns with the Commission’s approach to defining “minor” and repeatedly explained why it is unreasonable to require the City to look to Dallesport for its urban land supply needs. Despite multiple conversations, explanations, and testimony (written and oral), the Commission continues to ignore these concerns, which is what prompted the City to take formal action on June 22 in an attempt to demonstrate to the Commission and others how serious these issues are for the City.

The Commission fails to balance the two purposes of the Act.

Many of the proposed revisions and policy changes in the June Redline do not balance the two purposes of the Act and are inconsistent with the Act. Examples include revisions to the Introduction, the Economic Development chapter, the Urban Area Boundary Revisions section, the Land Use Designations chapter, and the Climate Change chapter. We encourage the Commission to look back to the presentation from Mike Salsgiver at the November 2019 Commission meeting where he reflected on the original intent behind the Act provisions and shared his view of the drafters’ perspectives for how the two purposes would work together.



The Commission’s definition of “minor” in §4(f) is arbitrary and inconsistent with the Act.

The changes to the Urban Area Boundary Revision section have gone from bad to worse with the latest revisions to the “minor” definition in Policy 8. In May, at least there was a possible two pathways for qualifying as a “minor” application (a safe harbor and a discretionary pathway). Now, in the June Redline, there is an absolute definition for minor (20 acres or 1 percent, whichever is less, forever). Such a definition is completely unworkable and plainly arbitrary. It results in the following:

Urban Area	Acreage	20-acre	1-percent
Carson	1,880	1.06% Increase	<i>18.8 acres</i>
Cascade Locks	1,581	1.27% Increase	<i>15.81 acres</i>
Dallesport	6,427	<i>0.31% Increase</i>	64.27 acres
Home Valley	551	3.63% Increase	<i>5.51 acres</i>
Hood River	2,422	<i>0.83% Increase</i>	24.22 acres
Lyle	239	8.37% Increase	<i>2.39 acres</i>
Mosier	391	5.12% Increase	<i>3.91 acres</i>
North Bonneville	2,580	<i>0.78% Increase</i>	25.8 acres
Stevenson	3,153	<i>0.63% Increase</i>	31.53 acres
The Dalles	5,536	<i>0.36% Increase</i>	55.36 acres
White Salmon/Bingen	3,325	<i>0.60% Increase</i>	33.25 acres
Wishram	456	4.39% Increase	<i>4.56 acres</i>

Under the Commission’s definition, the City would be limited to a 0.36 percent increase in its urban area over all of time. This cannot be what Congress intended when it used the word “minor.”

Recommendations

- The City maintains that the definition of “minor” is simply an application that satisfies the §4(f)(2) approval criteria. There is no need to overcomplicate a reasonable reading of the Act. That said, if the Commission is going to stick with a percentage for defining minor, *a more reasonable number would be 10 percent*. While the City still objects to using a percentage of acres to define minor, 10 percent with no cumulative cap would be workable for the City. It would also be more fair.
- Remove the requirement for a bridgehead city to consider land outside of its home state. This requirement is arbitrary and unfeasible. A bridgehead city would not have jurisdiction over land in the different state, would not be able to promulgate land use regulations for the land, and would not be able to include the land in its tax base. What



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the Commission is effectively requiring would be a state boundary adjustment to allow a bridgehead city to regulate land across the river.

- Eliminate procedural barriers to accepting applications – allow for cost reimbursement for processing an application; require a six month notice of intent to be filed with Commission staff; look to the Oregon Department of Land Conservation and Development process for guidance on reviewing applications.
- The City supports the Port of The Dalles’ proposed substantive redlines to policy language in the Port’s May 12 and June 30 comment letters and encourages the Commission to consider revised policy language when proposing interpretation of the §4(f) approval criteria.

Thank you for your consideration.

Very truly yours,

Mayor Richard Mays
City of The Dalles

