

[Email sent 6/25/20. Joint letter attached below.]

Hi Connie –

Please include the attached letter in the record of formal comments on the proposed Management Plan revisions.

Thank you –Elaine

Elaine R. Albrich



1300 SW Fifth Avenue, Suite 2400 | Portland, OR 97201

Direct: (503) 778-5423 | Cell: (503) 250-4429 | elainealbrich@dwt.com

Assistant: Allison Bainter | Direct: (503) 778-5424 | allisonbainter@dwt.com

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June 25, 2020

VIA EMAIL (jim.rue@state.or.us)

Director Jim Rue
Oregon Department of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301

Re: Columbia River Gorge National Scenic Area –Revisions to Management Plan

Dear Mr. Rue:

The Columbia River Gorge Commission (“CRGC”) is proposing revision to the Management Plan for the Columbia River Gorge National Scenic Area (“Management Plan”). The formal comment period runs through June 30, 2020 with the CRGC anticipated to make a decision in August 2020. The proposed revisions raise significant concerns among many stakeholders, and in particular, Oregon municipalities responsible for implementing and complying with Oregon land use regulations. Of particular concern are the policy changes related to the CRGC’s role in land management and planning, including urban area boundary revisions.

In enacting the Columbia River Gorge Compact, the Oregon Legislature declared that the CRGC’s Management Plan “achieves on balance the purposes of statewide planning goals.” ORS 196.107(1). While the CRGC is exempt from state agency planning responsibilities under ORS 197.180, there is clear legislative intent that the Management Plan must remain “on balance” with the purpose of Oregon’s statewide planning goals. See ORS 196.110(4), 196.107(3). The CRGC’s process to consider revisions to the Management Plan, and the proposed revisions to the Management Plan, fail to remain “on balance” with the purposes of Oregon’s statewide planning goals. This letter focuses on Goal 14 (Urbanization) and the CRGC’s proposed policy changes that would effectively preclude any urban area within the Gorge from seeking an urban area boundary amendment otherwise consistent with Oregon state law.

Under Goal 14,

“Urban growth boundaries shall be established and maintained by cities, counties and regional governments to provide land for urban development needs and to identify and separate urban and urbanizable land from rural land. *Establishment and change of urban growth boundaries shall be a cooperative process among cities, counties and, where applicable, regional governments.*”

There is nothing cooperative about the CRGC’s proposed language in the Management Plan for evaluating proposed changes urban area boundaries. In fact, the CRGC frames the process as the CRGC having the authority and discretion to preclude consideration of any application, meaning that the CRGC could bar consideration of an application that was approved by LCDC.

The CRGC proposes to prohibit processing any application that involves 20 acres or 1 percent of the total area of the urban area, whichever is less. This limit is cumulative and absolute – there are no proposed exceptions. This means that over time, cities like Mosier would be limited to applying for 3.91 acres, The Dalles would be limited to 20 acres, and Stevenson would be limited to 20 acres.

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>

The Oregon urban growth boundary amendment rules, coupled with the 4(f) review criteria of the National Scenic Area Act (“Act”), already place the bookends on allowable expansion by requiring compliance with stringent approval criteria. The CRGC’s proposed policy revisions would place severe limits on a community’s ability to meet long-term land needs for housing, employment opportunities, or public facilities like schools or hospitals. These artificial acreage limits would most likely preclude any urban area expansion to accommodate even a new school.¹ Ultimately, the CRGC is proposing a “no growth” policy for all urban areas within the Gorge, which not only is such a policy inconsistent with the Act, it is inconsistent with Oregon state law.

The Department of Land Conservation and Development (“DLCDC”) has a role in reviewing and commenting on the proposed revisions to the Management Plan, to ensure that any revisions ensure that the Management Plan remain “on balance” consistent with Oregon’s statewide planning goals. The legislative intent reflects the ongoing role of the DLCDC director in the CRGC’s work, giving the director the authority to file a petition with the Land Conservation and Development Commission (“LCDC”) to decertify the Management Plan at any time. ORS 196.110(4), 196.107(3). LCDC must decertify the Management Plan, upon receipt of the petition, “if it determines that any part of the management plan does not achieve on balance the purpose of the statewide planning goals.” ORS 196.107(3). While the effective of decertification

¹ The Council of Education Facility Planners publishes recommended guidelines on education facility planning. See <https://www.saferoutespartnership.org/sites/default/files/pdf/issuetrak0903.pdf>. The guidelines provide 10 acres plus 1 acre for every 100 elementary students, 20 acres plus 1 acre for every 100 middle school students, and 30 acres plus one acre for every 100 high school students.

is not specified in statute or rule, arguably the law is in place to ensure ongoing coordination by the CRGC and ensure that revisions to the Management Plan do not undermine or frustrate Oregon's land use planning goals.

One of the primary economic development barriers in the Gorge is a shortage of quality housing stock at price ranges and rent levels which commensurate with the financial capability of workers and households in the region. The Mid-Columbia Economic Development District identifies insufficient housing for local employees, housing stock quality, and affordability gap are identified as weaknesses in its SWOT analysis for the region.² Housing shortage impacts on businesses' decision to expand or retain/attract workers is identified as a threat in the SWOT. Having an absolute cap on future expansions stifles communities and does nothing to help address the weaknesses and threats MCEDD has identified for this region.

We respectfully request that DLCD support our request that CRGC delay decision-making on the proposed revisions to the urban area boundary policies. The CRGC has failed to properly consider stakeholder input and conduct agency coordination to ensure that adopted policies are on balance with Oregon's statewide planning goals.

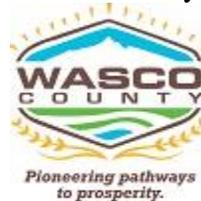
Thank you for your consideration. We look forward to the opportunity to discuss this with you further.

Very truly yours,

Jessica Metta
Executive Director
Mid-Columbia Economic Development District



Chair Scott Hege
Wasco County



Mayor Rich Mays
City of The Dalles



Andrea Klaas
Executive Director
Port of The Dalles



cc: Kristen Green
Scott Edelman
Amira Streeter
Nate Stice

² See <https://www.mcedd.org/strategy/swot-analysis/>.