

Urban Area Boundary Updates in Gorge 2020

Gorge 2020 is a three-year process to review, and revise as necessary, the **Columbia River Gorge National Scenic Area (CRGNSA) Management Plan**. Upon an application from one of the six counties in the National Scenic Area, the 1986 National Scenic Area Act allows the Gorge Commission to make minor revisions to the boundaries of any of the thirteen Urban Areas if the revision meets four criteria, described in the Act. To date, the Commission has not adopted a regulatory interpretation for the terms or standards used in the Act. The text from the Act is as follows:

(f) Revision of urban area boundaries

- (1) Upon application of a county and in consultation with the Secretary, the Commission may make minor revisions to the boundaries of any urban area identified in subsection (e) of this section. A majority vote of two-thirds of the members of the Commission, including a majority of the members appointed from each State, shall be required to approve any revision of urban area boundaries.
- (2) The Commission may revise the boundaries of an urban area only if it finds that—
 - (A) a demonstrable need exists to accommodate long-range urban population growth requirements or economic needs consistent with the management plan;
 - (B) revision of urban area boundaries would be consistent with the standards established in section 544d of this title and the purposes of sections 544 to 544p of this title;
 - (C) revision of urban area boundaries would result in maximum efficiency of land uses within and on the fringe of existing urban areas; and
 - (D) revision of urban area boundaries would not result in the significant reduction of agricultural lands, forest lands, or open spaces.

Section 544d of the Act, referenced above, refers to the standards in the Management Plan. The purposes referenced above refer to the purposes of the Act.

How Updates Were Identified and Proposed

Public scoping early in the Gorge 2020 Management Plan review process identified urban area boundary revision policy as a focus topic for review. The Gorge Commission directed staff to clarify the definition of a “minor revision” and to clarify the process and/or criteria for revision of urban area boundaries. The Commission adopted non-regulatory guidance in 1992 in the form of a handbook and has deliberated on the definitions used and process outlined in the Act but no policy decisions were made.

To re-start the discussion as a Gorge 2020 focus topic, Commission staff convened an open, collaborative working group in 2018 with state planning officials from Oregon and Washington, representatives from the six NSA counties, thirteen Urban Areas, ports, conservation organizations, and the general public. Keeping in mind the Gorge Commission’s historical difficulty in defining the term “minor revision,” Commission staff led six public workshops with the working group to first address the process and criteria for boundary revisions, with the goal of reaching consensus on a set of clear standards that counties could follow in applying for revisions to urban area boundaries. Commission staff developed some policy proposals that the working group discussed. While there was majority support on some items, the working group was not able to reach consensus on a cohesive process or criteria for a revision policy.

At its September 2019 meeting, the Gorge Commission heard an update from Commission staff and public testimony about the working group process. The Commission directed staff to pause public workshops and facilitate Commission discussion on the definition of “minor revisions.” The Gorge Commission discussed the term and other aspects of urban area boundary revision policy at its November 2019, January 2020, and February 2020 meetings allowing public comment at each meeting. Commission staff based their draft revisions to the Management Plan on the items and interpretations that had support from a majority of Commissioners at those meetings. Commission staff then presented the draft revisions to the Commission at its May 12, 2020 meeting, and the Gorge Commission discussed the revisions at the May 12 and May 26, 2020 meetings. (Summaries of the six working group meetings and minutes from Gorge Commission meetings are available on the Gorge Commission website, or upon request.)

Synopsis of Proposed Updates

Commission staff identified that the existing language in the Management Plan regarding urban area boundary revision policy (Part IV, Chapter 1: Gorge Commission Role) was not any more descriptive or clear than what the Act already described. The current language was removed and then replaced with policies drafted by staff that reflected the Gorge Commission’s points of general agreement around urban area boundary revisions.

- Policies 1-5 describe procedural aspects of the Gorge Commission’s review of applications to revise the boundaries of an urban area.
- Policy 6 and 7 align the Commission’s review of applications to revise urban area boundaries with each state’s period review timeline and direct the Commission to consult with the appropriate state agencies to determine an appropriate process to align the Commission’s review with other mandatory state planning reviews.
- Policy 8 describes a majority of Commissioners’ views on what may be considered a minor revision. At its May 26 meeting, the Commission voted to add language placing an upper limit on what would be considered a minor revision.
- Policy 9 requires that land revised out of an urban area not be inconsistent with the scale of development found elsewhere in the General Management Area.
- Policy 10 outlines aspects of the “demonstrated need” criteria from the Act and other specific factors that counties should consider, approved by a majority of Commissioners.
- Policy 11 states that the Commission may require counties or local governments to adopt enforceable conditions of approval to ensure land added to an Urban Area is used only to satisfy the demonstrated needs that were the basis for the adjustment.
- Policy 12 states that the Commission will determine an applications compliance with the purposes of the Act, and the relevant standards used in developing the Management Plan, on a case-by-case basis.
- Policy 13 states that the Commission will review applications for consistency with the criteria requiring maximum efficiency of land uses within and on the fringe of Urban Areas on a case-by-case basis, and that the Commission may require enforceable conditions of approval to ensure that land revised into an Urban Area results in the maximum efficiency of land use.
- Policy 14 prioritizes applications to revise an urban area boundary where there would be no reduction in agricultural, forest, or open space lands, and states that the Commission may establish a priority of lands to be considered for revising into Urban Areas.

What's Next?

Public comment will be accepted on the draft Management Plan from **June 1 to June 30, 2020**. The Gorge Commission and Forest Service will also host two informational Zoom video webinars:

- Proposed Changes to the Management Plan: **June 11, 2020 from 5:30 to 7:30 p.m.**
- Public Comment Virtual Open House: **June 25, 2020 from 5:30 to 7:30 p.m.**

For more information on how to submit comments and to register for these webinars, visit the Gorge Commission website: www.gorgecommission.org.

After all comments are reviewed, staff will provide a summary to the Gorge Commission at their July 2020 Meeting. The final draft of the Management Plan will be presented for Commission approval at the August 2020 meeting. Following adoption of the revised Management Plan, the Gorge Commission will begin drafting rules aligned with the adopted policies to implement the standards and criteria for urban area boundary revisions described in the Act.

Questions about this chapter? Contact Aiden Forsi – aiden.forsi@gorgecommission.org