



Memo

To: The Columbia River Gorge Commission

From: Angie Brewer, Wasco County Planning Director

Date: May 7, 2018 for the May 8, 2018 Commission Meeting

Subject: County Response to Foundational Questions for Urban Area Boundary Revision Policy

Greetings Commissioners,

Please accept our responses to the foundational questions posed in your memorandum released last Thursday entitled: **"Action Item: Gorge2020 – Urban Area Boundary Revision Focus Topic Foundational Questions for Urban Area Boundary Revision Policy"**. Our responses are shown in italics following your questions:

1. Would you prefer to review urban area boundary revision applications using a formal process that resembles your process for handling appeals of county development review decisions, or using a less formal process that resembles a public hearing?

The Commission should evaluate the unintended consequences of their current process, and formulate a process based on that feedback that can also satisfy the basic process requirements of the redundant state level process.

2. Would you prefer urban area policy to use clear and objective standards versus flexibly applied standards.

Flexibility offered for extenuating circumstances, similar to the Oregon State goal exception process, would be helpful. However, within that process, there should be clear and objective standards to reduce litigation risks and provide certainty to the cities and counties who are making a financial investment in the process and outcome. If nothing else, the process could be simplified by aligning to the revised Oregon Goal 14.

3. Are urban area boundaries principally a tool for managing growth in the National Scenic Area or principally a tool for preserving GMA and SMA land within the National Scenic Area?

Neither really. It is our opinion that the boundaries were created simply to recognize existing resources, reasonably foreseeable ownership patterns, and plan for anticipated uses. If congress had not intended for the boundaries and acreages to change when deemed appropriate, Sections 4(f) (urban area expansions) and

8(o) (public acquisition of SMA lands and conversion to GMA where not acquired) would not have been included in the Act. To assert that congress had the intent to manage the acreage of GMA and SMA as a set number for eternity is simply not accurate. The acreage has changed many times through the Section 8(o) process and there has been no special mention made of the new total acreages.

It is worth noting that in addition to the location of sensitive resources, lands were seemingly designated SMA or GMA based on the assumption of eventual ownership and level of desired public access or use. There are many properties still privately owned in the SMA that were at one time prioritized for public acquisition through the Section 8(o) process. Acquisition funds were exhausted and many unintended consequences remain. Please see Commission staff's past work related to a legislative plan amendment request to rezone privately owned properties zoned SMA Public Recreation (i.e. the mouth of the Wind River). The request was not pursued due to the number of properties affected and the lack of staff capacity to manage the process.