



## STATUS UPDATE

February 2, 2017

### The Columbia River Gorge Commission and 13 Urban Area Boundaries

**Background on Urban Area Boundaries:** The Columbia River Gorge National Scenic Area Act, approved by Congress in 1986, designates 13 urban areas within the National Scenic Area (NSA), four of which are in Oregon (Cascade Locks, Hood River, Mosier, and The Dalles) and nine in Washington (Carson, Stevenson, North Bonneville, Home Valley, White Salmon, Bingen, Lyle, Wishram and Dallesport) and sets their boundaries (16 U.S.C. § 544b(e)). The National Scenic Area Act directs the Columbia River Gorge Commission (Commission), when adopting land use designations within the NSA, to adopt the urban area boundaries set forth in the act “without change” (16 U.S.C. § 544d(b)(7)). The Act further states that the provisions of the Management Plan that regulate land uses in the NSA “shall not apply” to urban areas (16 U.S.C. § 544d(c)(5)).

**Revising Urban Area Boundaries:** The National Scenic Area Act authorizes the Commission to make “minor” revisions to the boundaries of any urban area. The Commission may only act upon application of a county, and must consult the Secretary of Agriculture. A revision must be approved by an affirmative vote of two-thirds of the members of the Commission, including a majority of the members appointed from each State (16 U.S.C. § 544d(b)(f)(1)).

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 the [management plan] and the purposes of the [Columbia River Gorge National Scenic Area Act];
- (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. 16 U.S.C. § 544d(b)(f)(2).

The current Management Plan, adopted in 1990 and updated in 2004, does not include any additional policies regarding revision of urban areas within the Gorge. The Commission has procedural rules for submitting and reviewing applications to revise urban area boundaries. In 1992, the Commission created a handbook for counties to use. The handbook is not a binding rule, and needs to be updated. For example, the handbook does not give direction on what the Commission considers to be a “minor” boundary revision and does not explain how a revision can be consistent with the standards of the Management Plan when urban area lands are exempt from the requirements of the Management Plan.

In 1998, the Commission approved revisions to the Stevenson and Cascade Locks urban area boundaries.

In 2004 and 2005, Commission's Rules Committee held a series of meetings to update the handbook, but did not reach a consensus. In 2007, the Commission held a full day forum to discuss Congress's intent on allowing the Commission to make only "minor" revisions to urban area boundaries, and the criteria for revising urban area boundaries. There was no general agreement on these subjects.

**Establishing Legal Descriptions of Urban Area Boundaries:** In order to accurately interpret the hand drawn lines on the 1987 Forest Service maps depicting the urban area boundaries, and to give landowners and urban area governments more certainty, the Commission recently contracted with local surveyors to develop a written legal description of each of the 13 urban area boundaries. The Commission prioritized these legal descriptions over revising the handbook because some of the issues that counties and urban areas have mentioned over the years are clarifications of the boundaries rather than actual boundary line revisions. At the February 14, 2017 Commission meeting, the Commission will conduct a rulemaking hearing to consider adopting the legal descriptions.

**Next Steps in Considering Policies on Revision of Urban Areas:** The standards for urban area boundary revisions in the National Scenic Area Act need significant clarification and better interpretation in a revised handbook. In coordination with "Gorge 2020", the Commission will be reviewing the needs of Gorge communities and examining the policies to determine if revisions to these policies may be warranted. As the Commission moves forward in the next two years, developing a consistent approach and clarifying criteria to be applied to each of the 13 urban areas will be critical.

Important clarifications the Commission must address include:

- What constitutes a "minor" revision to an urban area boundary?
- Is a "demonstrable need" limited to each individual city or urban area, or must a city consider the ability of nearby cities to accommodate the need?
- What actions must a city take to ensure that the revision will result in "maximum efficiency of land uses," both within the existing urban area and in the expansion area?
- What constitutes a "significant reduction" of agricultural and forest lands, and open spaces?
- How can an urban area boundary revision be consistent with the standards of the Management Plan when urban area lands are exempt from the requirements of the Act and Management Plan?

These are important policy issues that the Commission must study, consult with local government partners, stakeholders, and citizens, and resolve in coordination with the "Gorge 2020" Management Plan revision process currently underway, and scheduled for completion in 2019.

***For any comments related to urban area boundaries and revision criteria,  
please send the Commission an email at:  
planreview@gorgecommission.org***