
HOUSE JOINT MEMORIAL 4015

State of Washington 62nd Legislature 2012 Regular Session

By Representatives Hudgins, Van De Wege, Wylie, Blake, Moscoso, Ladenburg, Probst, Moeller, Stanford, Roberts, Hunt, and Pollet

Read first time 01/17/12. Referred to Committee on General Government Appropriations & Oversight.

1 TO THE HONORABLE BARACK OBAMA, PRESIDENT OF THE UNITED STATES, AND
2 TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF
3 REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE
4 UNITED STATES, IN CONGRESS ASSEMBLED, AND TO THE HONORABLE TOM VILSACK,
5 SECRETARY OF THE UNITED STATES DEPARTMENT OF AGRICULTURE:

6 We, your Memorialists, the Senate and House of Representatives of
7 the State of Washington, in legislative session assembled, respectfully
8 represent and petition as follows:

9 WHEREAS, The Columbia river gorge provides perhaps the most
10 dramatic, historic, and beautiful division between any two states in
11 the union, with nearly three hundred thousand acres of land in
12 Washington and Oregon, from just east of the Vancouver/Portland area to
13 the Deschutes river, having been designated as a national scenic area;
14 and

15 WHEREAS, The Congress of the United States has recognized, with the
16 passage of the Columbia river gorge national scenic act in 1986, that
17 the management and preservation of the treasures of the Columbia river
18 gorge area are of such utmost national importance that Washington,
19 Oregon, and the regional counties of the gorge area must work together

1 under a federally mandated model to ensure the long-term conservation
2 and economic sustainability of the area; and

3 WHEREAS, The United States Congress has determined that the
4 Columbia river gorge area and the protection and enhancement of its
5 scenic, cultural, recreational, and natural resources merits, due to
6 its national significance, greater protections than Washington, Oregon,
7 and the local counties can provide and warrants relatively uniform land
8 use protections across the various political jurisdictions of the area;
9 and

10 WHEREAS, The Columbia river gorge area is one of the few, if not
11 the only, areas in the United States where the federal government has
12 mandated involvement with the local land use decision-making processes
13 and outcomes; and

14 WHEREAS, The area encompassed by the Columbia river gorge national
15 scenic area, and thereby under the authority of the act and the
16 resulting Columbia river gorge commission, is comprised of over one
17 hundred fifteen thousand acres of land managed by the United States
18 forest service, which is roughly forty percent of the entirety of the
19 affected area; and

20 WHEREAS, The Washington state legislature recognizes the value and
21 importance of not just the Columbia river gorge area, but the unique
22 efforts that have been undertaken by Washington, Oregon, and the
23 regional counties under both the Columbia river gorge national scenic
24 act and through the Columbia river gorge commission; and

25 WHEREAS, Although the Columbia river gorge commission is worthy in
26 its mission and capabilities, the unprecedented fiscal challenges faced
27 by Washington puts the state in the position where it is simply unable
28 to provide the level of resources necessary for the Columbia river
29 gorge commission to adequately fulfill its mission and services to the
30 two states and the Columbia river gorge area; and

31 WHEREAS, Due to the terms of the compact between Washington and
32 Oregon that governs the Columbia river gorge commission, one state
33 cannot provide funding to the commission greater than the funding
34 provided by the other state, making it legally impossible for Oregon to
35 volunteer a greater share of the funding to ensure the immediate and
36 long-term viability of the Columbia river gorge commission; and

37 WHEREAS, Even if Oregon could legally provide greater funds, it

1 would be inequitable for Washington to pursue a path that requires
2 another state to find additional funding for an entity that provides
3 services equally to both states; and

4 WHEREAS, Federal recognition of the Columbia river gorge
5 commission, in the form of funding, as an entity created due to federal
6 law that achieves federal outcomes of national significance would allow
7 the commission to continue to function at the operational level
8 necessary to accomplish its mission and the goals of the Columbia river
9 gorge national scenic act; and

10 WHEREAS, The provision of federal funding for the Columbia river
11 gorge commission at this critical juncture would forestall other
12 potentially negative outcomes for the commission, the affected states
13 and counties, and federal interests in the form of compact breeches by
14 the states, potential litigation before the United States supreme court
15 as the ultimate arbiter of interstate compact disputes, negotiations
16 regarding the disestablishment of the commission as envisioned in 16
17 U.S.C. Sec. 5441(e)(1), and the end of an important governance model
18 that has successfully operated to balance conflicting interests and
19 needs for nearly twenty-five years;

20 NOW, THEREFORE, Your Memorialists respectfully pray that the
21 federal government, in recognition of the states' inability to provide
22 adequate funding to the Columbia river gorge commission, provide a
23 level of federal funding to the Columbia river gorge commission that
24 allows the Columbia river gorge commission to fulfill its mission and
25 goals.

26 BE IT RESOLVED, That copies of this Memorial be immediately
27 transmitted to the Honorable Barack Obama, President of the United
28 States, Tom Vilsack, Secretary of the United States Department of
29 Agriculture, the President of the United States Senate, the Speaker of
30 the House of Representatives, and each member of Congress from the
31 State of Washington.

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