To: OAPA Board  
From: Greg Winterowd, Brian Campbell and Jeannine Rustad  
Date: November 4, 2009  
Subject: General Legislative & Policy Agenda: SST & LPAC

**Action Requested:**  
Review and comment on the proposed combined legislative and policy agenda. Comments will be incorporated into a final draft legislative and policy agenda to be considered by the Board in December. LPAC and the SST also will be asked to provide specific comments for the Board’s consideration and adoption in December.

Once adopted, the agenda will determine general parameters to guide OAPA policy positions and testimony before the 2010 Oregon Legislature.

**Background & Analysis:**  
During the 2009 Legislative Session, LPAC and ROC both monitored the legislative process. ROC led OAPA’s efforts with regard to HB 2229 (Big Look). LPAC led OAPA’s efforts in reviewing, monitoring and (in a few cases like destination resort legislation) commenting on specific bills. Stephen Kafoury, our Legislative Liaison, did an admirable job of working with both committees to present a coordinated position to key legislators and committees.

The 2010 proposed 2010 Legislative Agenda builds on commitments made during the 2009 Legislative Session to be more proactive and effective in addressing sustainability and climate change issues. We need to be prepared for the 2010 Legislative Session as well as regional and federal planning and funding initiatives.

**However, as noted by Jeannine Rustad, LPAC Vice-Chair, all bets are off if Ballot Measure 66 and 67 reverse the legislature’s commitment to fund basic services such as police, fire and schools.** Without assured funding for these services, it is unlikely that state funding will be available to support existing planning obligations, let alone planning initiatives in the areas of sustainability and climate change. Therefore, OAPA supports a YES vote in January for both Measures 66 and 67.

Assuming that we are successful in working with Defend Oregon to maintain the tax structure approved by the 2009 Legislature, it’s unlikely that there will be major land use initiatives in the limited 2010 session. We are aware of efforts to modify the destination resort bill that failed last session to build a broader consensus around legislation that addresses impacts of destination resorts in rapidly growing areas.

Brian Campbell and I met last Tuesday morning in an effort to identify key legislative and policy positions to recommend to the OAPA Board. We anticipate a lively discussion at the Board on Friday – and by SST and LPAC over the next few weeks – before incorporating the Board’s recommended changes into our 2010 legislative and policy agenda.

Our intent is to incorporate past Board positions into the agenda – while taking a more assertive position on issues related to sustainability and
climate change.

RECOMMENDATION: We have several recommendations for the Board’s consideration:

1. **Tax Measures 66 and 67: coordinate with Defend Oregon to actively support a YES vote.** The Board has already agreed to submit a position statement in the Voter's Pamphlet and will be reviewing the draft statement prepared by Jeannine at the November 12th Board meeting. But more must be done in terms of cooperating with allied organizations to get the word out on the budgetary and program consequences should taxes approved by the 2009 Oregon Legislature be over-turned.

2. **Elevate Sustainability and Adapation to Climate Change to OAPA’s Primary Legislative and Policy Objective.** The Board is also on record as supporting legislative initiatives based on sustainability principles and minimizing the effects of human settlement patterns on climate change. Addressing the causes and consequences of climate change based on sustainability's “triple bottom line” will require coordination with national APA, allied organizations, state and federal agencies, and local governments. It will also require an effective education and advocacy campaign.

3. **Continue to Respond to Legislation that Undermines State and Local Planning Efforts:** Historically, OAPA has opposed bills that have sought to weaken natural resource protection outside UGBs, to limit local governments’ ability to plan for efficient urban growth, or which have resulted in site-specific zoning at the state level. We should continue to do so. OAPA will continue to monitor bills proposed in the Oregon legislature to ensure that Oregon’s nationally-recognized land use system works effectively, building on partnerships among local, regional and state governments. However, OAPA will step up our efforts to work with allied organizations to support new legislative initiatives that strengthen Oregon’s ability to address sustainability and climate change issues collaboratively and effectively.

4. **Improve Coordination with Allied Planning Organizations.** Coordinate with AIA, ASLA, ULI, LOC, AOC, DEQ, ODOT, and allied organizations to support Oregon’s statewide planning program and to address sustainability and climate change issues through effective land use and water planning.

5. **National Climate Change and Smart Growth Legislation: support national legislation to address climate change and community livability.** Historically, Oregon APA has not played an active role in monitoring and supporting national planning legislation; that’s because there hasn’t been much until recently. Key bills include Senator Dodd’s Community Livability Act, the Boxer-Kerry Climate Change bill, and Congressman Blumenauer’s Water Protection and Reinvestment Act. Please see summary of key legislative initiatives in the November-December issue of the Oregon Planning Journal. (Thanks Amanda and Becky for doing a great job of putting this issue together under unusual circumstances!) Generally, Oregon APA supports climate change legislation
that:

a. Includes transportation planning targets and strategies for state, regional and local governments that address greenhouse gas emissions from the transportation sector.

b. Supports improved data collection and transportation modeling to assist regions in creating effective transportation and climate change plans while providing essential information for local, regional and state governments to mitigate hazards and adapt to problems caused by regional changes in climate.

c. Supports efforts to reduce emissions from the built environment by improving building codes, greening federal housing programs, and promoting land use planning standards for energy and location efficiency.

6. **Coordinate with State Agencies to Address Planning and Sustainability Issues**: This can occur through the legislative or rule-making processes, or through collaboration and problem-solving with state agencies on issues of common concern.

   a. **DLCD**:  
      i. Rebuild the partnership between the Department of Land Conservation and Development and local governments to enable joint efforts to address the causes and effects of climate change.
      
         ii. Support legislation and administrative rules that limits exurban development near fast-growing urban areas and internalizes impacts from destination resorts outside UGBs.
      
         iii. Continue to monitor and participate in the Ocean Planning Council’s efforts to prepare Oregon’s Territorial Sea Plan.

   b. **ODOT / Metro**: Monitor and participate in “blueprint planning” that provides information and encourages Metropolitan Planning Organizations (MPOs) to model and respond to the challenges presented by climate change.

   c. **ODFW**: Continue to work with ODFW, DLCD and AOC to address wildlife habitat and scenic issues in the siting of wind turbines.

   d. **DEQ**: Continue to work with DEQ and DLCD to address issues related to climate change and its effects on air, land and water quality. Riparian corridor preservation and enhancement within urban areas is a good example.

   e. **All State Agencies**: Support legislation and administrative rules – including incentives and regulations – to reduce GHG emissions and adapt to the effects of climate change.

**Possible Consequences:** This proposal will require a concerted effort from our Board, LPAC and our Legislative Liaison, and our membership. It includes both a defensive (protect our planning system) and offensive (support initiatives to reduce GHG emissions and adapt to impacts from climate change) qualities.
Review the next draft legislation and policy agenda with the intention of voting on this agenda in December. Once the agenda is in place, it will provide general direction for the Board, LPAC and our Legislative Liaison when providing testimony to the Oregon Legislature, state agencies and when collaborating with allied organizations.