



EXHIBIT: \_\_\_\_\_  
LAND CONSERVATION & DEVELOPMENT  
COMMISSION  
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SUBMITTED BY: Jack Isselmann

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January 18, 2008

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Members of the Land Conservation and Development Commission  
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**RE: Consideration of Prime Industrial Land during SB 1011 Rulemaking**

Dear Chair VanLandingham and Fellow Commissioners:

At various intervals I have appeared during the SB 1011 rulemaking process to assert that the rules must ensure that the Portland-metropolitan area is able to create and maintain an adequate supply of prime industrial land suitable for use by traded sector employers and those who support traded sector industries.

Similarly, the Oregon Economic & Community Development Department (OECDD) submitted its position, both in the SB 1011 workgroup and in testimony before your Commission, that the rules include provisions for Industrial Reserves. OECDD noted that such elements in the rule would further enable its Certified Industrial Site Program. Through this program, Oregon has certified 47 sites totaling over 3,300 acres. Of these sites, 19 have been all or partially sold and resulted in the creation of more than 2,500 jobs. The program has been heralded by leading site selectors as a national model. The language OECDD Deputy Director Mike Salsgiver submitted as a member of your SB 1011 workgroup and directly to the Commission in November utilized definitions and language from Senate Bill 186. SB 186 was submitted to the 2007 Legislative Assembly at your direction and by request of the Land Conversation and Development Department. Despite the Commission's familiarity and apparent support for the important concept of Industrial Reserves, the language OECDD proposed is absent from the draft rules before you for final adoption.

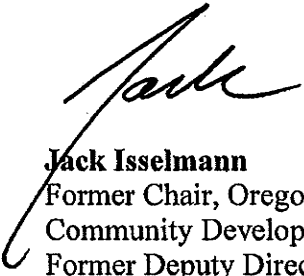
I am not requesting you revisit the feasibility of including an Industrial Reserve concept in the rules. That time has past. However, the draft rules currently acknowledge the need to consider employment lands when evaluating the criteria for urban reserves and rural reserves. This is appropriate. In the absence of more precise language designating Industrial Reserves, the Commission's provision for ensuring an adequate supply of employment lands appears to be addressed at OAR 660-027-0050(1)(b) which requires that Metro establish urban reserve boundaries that: "*Includes sufficient development capacity to support a healthy economy*".

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At the time you adopt the SB 1011 rules it would be helpful for members of the Commission to address their interpretation of OAR 660-027-0050(1)(b) and to advise Metro on the level of importance the Commission attaches to the concept of ensuring that an adequate employment land inventory exists in proximity to Oregon's industrial and commercial center.

Thank you for your consideration.

Sincerely,  
**TONKON TORP LLP**



**Jack Isselmann**  
Former Chair, Oregon Economic &  
Community Development Commission  
Former Deputy Director, Oregon  
Economic & Community Development  
Department

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