

Metro Scenario Planning Rulemaking Advisory Committee (RAC)
Meeting #1 – Metro Council Chambers, Portland
February 13, 2012 RAC Meeting Notes

Meeting called to order by RAC Chair Jerry Lidz at 1:00pm

Attendance

Members in attendance:

Nancy Cardwell	Oregon Department of Environmental Quality (DEQ)
Jerry Lidz	Land Conservation and Development Commission (LCDC)
Brian Dunn	Oregon Department of Transportation (ODOT)
Angus Duncan	Oregon Global Warming Commission (OGWC)
Eric Hesse	TriMet
Tom Kloster	Metro
Karen Beuhrig	Clackamas County
Andy Back	Washington County
Alwin Turiel	Hillsboro
Tom Armstrong	Portland
Don Mazziotti	Beaverton
Mary Kyle McCurdy	1000 Friends of Oregon
Andrea Riner	Central Lane Metropolitan Planning Organization (CLMPO)
Corky Collier	Columbia Corridor Association
Heidi Guenin	Upstream Public Health
Mark Gamba	Citizen
Tom Bouillion	Port of Portland

Members absent:

Ramsay Weit	The Community Housing Fund
Denny Egner	Lake Oswego

DLCD Staff: Bob Cortright, Bill Holmstrom, Casaria Tuttle

Others in Attendance

Cindy Tatham, Beaverton (Alternate)
Kim Ellis, Metro Staff
Dick Benner, Metro Staff

Anne Debbaut, DLCD Regional Representative

Participating via Telephone:

Jennifer Donnelly, DLCD Regional Representative

Introductions/Agenda Review

Chair Lidz welcomed RAC members and reviewed the RAC's mission. The main goal is to craft a recommendation to LCDC for a process rule to guide Metro as it develops and adopts a preferred land use and transportation scenario to meet greenhouse gas emission reduction targets. The rule will be about process for scenario, content of scenario come later as Metro develops and evaluates different alternatives. Metro has done a lot of work; we want to help facilitate the process to continue.

Introductions around the room; include why you are here as well as what you will do personally to reduce your emissions from light vehicle travel.

RAC Charge and Schedule

Chair Lidz reviewed the RAC Charge and Schedule. The committee's charge is to develop a draft administrative rule that meets the six goals identified in the RAC Charge.

Operating Principles and Schedule

Chair Lidz reviewed the draft operating principles and the proposed meeting schedule. He noted that the RAC needs to finish its work by August 15th so that the department can file rulemaking notices with the Secretary of State's office. The commission hearings on the proposed rule will be in the fall, and will make a decision in November. Meetings for the RAC planned for March, April, and May. Additional dates if required in June and July. We will strive to do the work in four meetings, but will add meetings if it becomes necessary.

The RAC discussed the draft operating principles. The RAC agreed that members should stand name cards on end in meetings to be recognized to speak. Tom Kloster indicated that he may abstain from some RAC decisions to avoid potential conflicts his responsibilities for Metro's scenario planning work. **The committee adopted the proposed operating principles.**

Review of HB 2001 Provisions

DLCD Staff Bob Cortright reviewed the provisions of HB 2001 and staff's initial thoughts about key provisions in the statute that affect or guide rulemaking.

Discussion and questions about section (8) introductory provisions. Section (8)(a) is about identifying "minimum planning standards" for reducing GHG emissions through plans. Add funding scenarios to the list. Will rule get beyond comprehensive planning and into local implementation. Section (8)(b) is about identifying planning assumptions and approaches.

Section (8)(c) is about establishing a timeframe for adoption and updating of scenario plans. The target planning year for this process is 2035, but it is likely more aggressive targets for future years will be coming out. In future years we will be working from a different baseline.

Section (8)(d) is about ensuring that local standards and criteria implement scenario plans. Section (9) gives LCDC the option to extend the deadline to adopt this rule. Section (2)(b) directs Metro to adopt a scenario consistent with the rule, and section (3) directs the same of local governments. The statute has a sunset provision for the rulemaking provisions.

Discussion: Suggestion to break parts of the rule into items that must be completed, and those that are not required. Who makes the determination of consistency?

Metro Climate Smart Communities Project Presentation

Kim Ellis, Metro's Senior Transportation Planner, made a presentation about the Metro Climate Smart Communities Project, explaining how Metro is now in the process of conducting scenario planning. Metro has completed Phase 1, and is now in Phase 2, which will develop additional tools and evaluate three scenarios over the remainder of this year. This is a complementary process to this rulemaking, ongoing updates will be built into future RAC meetings.

RAC Discussion of Rulemaking Issues

The committee began discussion of issues around the rulemaking. Bob Cortright: we are hoping to get input from the committee about things that they would like the rule to do to help direct Metro and local governments.

Comments included:

- Metro has a scenario planning process underway currently, could we simply adopt the process for the purposes of this rulemaking. Yes, we can do that, however this may also be extended into a template for future work by other metropolitan areas across the state.

- There are a number of other plans and process adopted or underway required by numerous other rules or laws. How does this fit in and coordinate with everything else?

- How do we do process separate from substance or outcomes

-The rule shouldn't be dictating policy to Metro, the rule should ensure that Metro is providing what LCDC needs to determine Metro is meeting performance standard for GHG reduction.

-Implementation of scenario plans by local governments should be accomplished through existing planning processes rather than some different or resource-intensive process.

-Build in regular updates to take in new data and new tools and make necessary changes

-How or where do we build in financial constraints? What if we don't have the resources to get to the GHG emissions targets?

-Metro process hasn't included everything required in the statute yet, including local implementation.

-Need an understanding of reasonable timelines to get work done so that work doesn't drag on nor get too compressed. How does this connect with other demands on local planning resources?

-Be clear on difference between interim performance monitoring and wholesale update process. Determine timeframes for each.

-How do we create a process that encourages a larger geographic region to reduce emissions, e.g. including Vancouver WA.

-Locals are already required to be consistent with regional plans, so does it follow that locals inherently have to come into consistency with regional climate planning? Metro is developing tools to assist locals. There will likely be regional policies beyond the scope of the RTP that locals will need to implement.

-Carrots or sticks for locals to meet implementation requirements.

-Frontloading emissions reductions makes a bigger difference. We have a big goal, we should set interim goals and metrics for measuring them and determining if the region has met them.

-How do we set benchmarks in the abstract without getting into substance? Not sure how we get to a process rule without getting into substance.

-Statute says regional OR local plans to implement scenario, what did the legislature mean? Section (3) does direct locals to implement scenario. Where does development of a scenario stop, and implementation of the scenario begin?

- Scenario plan becomes a benchmark for developing everything else going forward. E.g., RTP would have to move toward emission reduction goals.
- Regardless of strategy, want to be able to look at process and see how it could be applied to metropolitan areas in other parts of the state.
- Rulemaking is probably not the place for aspirational goals, but to make sure there is a minimum baseline.
- When looking long term, and working on a curve, need to be especially aware of meeting early targets.
- How do we tie economic activity/prosperity to emissions reductions? If actions suppress economy, they will not be successful.
- Only some of the assumed investments will come from the public sector, most development will be from the private sector, how do we understand this?
- We aren't an island, there is a benefit to understanding how actions affect areas outside of the region.
- How are we going to know if the region or a locality is achieving targets through a particular policy mix? Actual measurements, modeling, etc. There will be monitoring of actual conditions to use as a baseline for modeling, will likely add to the sources of data. Local governments don't necessarily monitor these data. Metro handles a lot of this for the locals.
- Challenging to construct a timeline for implementation before a scenario has been selected.
- Can't know for certain what the effects of a particular action will be until it is implemented, important to shoot for this early and enforce implementation.

Public Comment

Chair Lidz invited public comment to the RAC. There were no public comments.

Meeting Summary /Next Steps

The committee determined future meeting dates. **The committee chose meeting dates of March 19th and April 23rd.** Both meetings will be at Metro and scheduled for 1 – 4 pm.

Chair Lidz encouraged RAC members to call or email him or Bob Cortright with any questions or concerns. Bob Cortright reminded RAC members to avoid emailing the entire RAC to avoid running afoul of public meeting laws.

Bob Cortright gave a summary of topics for discussion at the next two meetings. A meeting agenda and meeting materials will be distributed onto the RAC on March 12th - one week before the next meeting.

Chair Lidz adjourned the meeting at 3:57pm