1000 friends of Oregon

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July 29, 2009

EXHIBIT: 34 AGENDA ITEM: 16
LAND CONSERVATION & DEVELOPMENT COMMISSION
DATE: 7-31-09
PAGES: 2
SUBMITTED BY: 1000 Friends

To: Land Conservation and Development Commission
From: 1000 Friends of Oregon

Re: Agenda Item No. 16: Planning for Climate Change

1000 Friends of Oregon has participated in the Commission's consideration of options to address climate change, including the petition for a new goal on climate change-caused sea level rise. We strongly endorse the Commission and Department undertaking a program to address climate change; it is perhaps the most important policy work the Commission has ever and will ever undertake. It also offers Oregon the potential to be a national and international leader in climate change. We generally agree with the staff recommendation on Planning for Climate Change, with the following recommendations and observations.

- **Whether to Adopt a New Goal.** We understand the many and diverse challenges involved with adopting a new Goal on climate change now. However, we do not believe the choice before the Commission is only between adopting or not adopting a new Goal. Instead, we recommend that now, the Commission take the following actions in addition to those recommended by the staff:

    - Adopt a rigorous policy statement that the Department and Commission will use the state's existing policies on climate change – including the targets for reducing greenhouse gas emissions – in all its policy-making and land use decisions. It is not necessary to adopt a new rule or Goal to take into account what is existing state law. This need not be a detailed policy statement, but rather a framework to guide the Commission's and Department's work.

    - Identify those existing elements of the Goals, rules, and statutes that, if implemented, would result in reductions in greenhouse gas emissions. Then implement them with the policy statement as the guiding direction. Taking greenhouse gas reduction into account is consistent with existing land use Goals. For example, in the staff report, a "prescriptive" method to implement a new climate change goal under "Urban Mitigation" is "Require planning in urban areas to favor compact, mixed use development to reduce building energy needs and to build in transportation options to reduce greenhouse gas emissions." (Table 2, p. 15) While the rationale for compact, mixed-use and transportation options may have expanded to include greenhouse gas reductions, those objectives are *already* required by Goals 10, 12, and 14.

    - Do not let lack of perfect knowledge paralyze taking prompt action. We know that reducing impervious surfaces, preserving trees for carbon sequestration, a

compact urban footprint, providing transportation options to the single-occupancy vehicle, and other land use patterns all result in reductions in greenhouse gas emissions. This knowledge should guide and focus the implementation of existing land use Goals, rules, and statutes.

- Refrain from use of the word "consider" in adopting any policy statement or guidance to staff, state agencies, or local governments. To "consider" is to think about; it does not require or even encourage that any particular action be taken or policy followed. For example, in Table 2, the statements under "High Level Policy" for "Overall" and "Adaptation Elements" frequently use the verb "consider," as in "require local governments to consider…" The overall staff recommendation uses the word "consider" in describing element "c." [1] This does not require nor will it result in any actions that will reduce the contribution of land development and transportation patterns to climate change.

- Where effective, we support setting benchmarks and performance measures, and letting local governments determine how best to meet them.

- **Establish a Schedule.** The staff report recommends working with state agencies and other partners to prepare a "state-level climate change adaptation plan." We strongly support this. The staff report also describes a variety of other actions it recommends taking, both alone and with other agencies. Some examples are working with the Department of Forestry to identify and strengthen tools to conserve forests for carbon sequestration; developing "applied scientific bases"; developing a "state-level framework for climate change adaptation planning" (which we assume is an interim step towards a state strategic plan); and developing models for communities to use in predicting what land use patterns meet state greenhouse gas emission reduction goals. We recommend that the Commission direct the Department to establish a schedule for completing the major tasks that make up the Interim Climate Change Strategy, culminating in the state-level climate change adaptation plan. This should include regular updates to the Commission and other relevant state agencies, Boards, and Commissions. The implementation dates for the urban mitigation elements are fairly well established by HB 2001 and HB 2186, but any necessary interim dates should also be set out.

- **Public Outreach/Communication Plan.** We support a robust public engagement program, starting early in the process. The staff report description is understandably general. This program should be a multi-agency effort, since it is will require many agencies in the development and implementation of the state climate change adaptation plan. We recommend that the Commission direct the staff to return to it by a date certain with a fleshed-out communication and outreach plan, including a variety of techniques to reach a variety of audiences.

Thank you for considering our comments; we look forward [illegible]
and staff in this challenging, critical, and exciting endeav[illegible]

[1] Element "c" states: "Consider climate change in agen[illegible]
state this is "Ensure that agency rulemaking and [illegible]
gas emission reduction goals."

EXHIBIT: 35 AGENDA ITEM: 16
LAND CONSERVATION & DEVELOPMENT COMMISSION
DATE: 7-31-09
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SUBMITTED BY: Port of Portland

Mission: To enhance the region's economy and quality of life by providing efficient cargo and air passenger access to national and global markets.

PORT OF PORTLAND
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July 29, 2009

Richard Whitman, Director
Department of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, Oregon 97301-2524

Dear Richard,

The Port of Portland appreciates the opportunity to comment on Agenda Item 7, "Planning for Climate Change," which outlines ways to more formally integrate of climate change considerations into the statewide land use planning program. We understand this was presented at the June Commission meeting and will be up for formal adoption at the Commission meeting held July 29-31 in Brookings.

The Port of Portland is a mission driven, state-chartered agency charged with enhancing the region's economy and quality of life by providing efficient cargo and air passenger access to national and global markets. Integral to this mission is maintaining the transportation infrastructure that allows airlines, shipping lines and the trucks that serve them to move people and goods from point A to point B. We have a keen interest in the role transportation plays in the larger climate change discussion. As you are aware, our Executive Director serves on the Oregon Global Warming Commission (OGWC) and is the chair of OGWC's Transportation and Land Use subcommittee.

From our vantage point, the health of our regional and state economy is very much dependent upon the efficiency and effectiveness of our transportation system. We have reviewed the "Planning for Climate Change" strategy and scope of work would like to provide two brief comments:

- Any strategy for addressing climate change must the essential role that investments in the transportation system play in our ability to compete in the global market place and serve our economic growth. While more closely linking transportation to land use planning is a shared goal, it must not be at the expense of upgrading and maintaining a system that directly supports our ability to move people and goods. We would suggest a more formal recognition of the fact that most freight at some point in its journey needs to move by truck, unlike the many options available for users of passenger vehicles. Without making a distinction between freight and passenger vehicles in VMT reduction, freight could suffer disproportionately.

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- Section D, page 8, outlines coordination with other statewide agencies. Because the Port of Portland serves a statewide, transportation function we hope that your department's coordination effort will include the Port of Portland and stand ready to be constructive participants in this effort.

We support the development of your agency's work plan and look forward to working with your staff during its refinement and implementation.

Sincerely,

Susie Lahsene
Senior Manager, Transportation and Land Use Policy

cc: Robert Cortright, Transportation Planning Coordinator
Jeffrey Weber, Coastal Conservation Coordinator

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July 24, 2009

EXHIBIT: _____ AGENDA ITEM: 16
LAND CONSERVATION & DEVELOPMENT COMMISSION
DATE: _____
PAGES: 2
SUBMITTED BY: Cogan Owens Cogan

John VanLandingham, Chair
Land Conservation and Development Commission
c/o Lisa Howard, Executive Assistant to the Director
635 Capitol Street NE, Suite 150
Salem, Oregon 97301-2524

RE: AGENDA ITEM 16 PLANNING FOR CLIMATE CHANGE

Dear Chair VanLandingham and Members of the Commission,

Cogan Owens Cogan, LLC (COC) commends the Commission and DLCD staff for your leadership in planning for climate change in Oregon. We hope you will adopt the Staff's recommendation to adopt the interim climate change strategy described in the July 17 staff memo. With updated studies from the International Panel on Climate Change documenting that the rate of change is occurring faster even than earlier anticipated, the need for immediate and coordinated action is urgent. Even in 2008, the Governor's Climate Change Integration Group recognized the significant economic and ecological costs associated with further delay. [1]

Based on COC's 35 years of experience as planners and public engagement professionals, we know that sound baseline information and clear goals will generate confidence and help garner participation and action among public and private sectors. That confidence and participation will be essential for community solutions to the array of challenges that we will all face as a result of climate change.

Staff's report represents a commendable suite of objectives of collaborative action to frame up the interim response plan over the next two years. If we are going to try to address greenhouse gas (GHG) emissions caused by transportation (approximately 30% of Oregon's share of GHG emissions) through voluntary means, our response strategy must be compelling and holistic. We believe it also must be measurable and well-coordinated.

We particularly support the strategy for the Department and its partners to:

1. Participate in a rapid, focused effort to develop a statewide comprehensive framework to measuring and reducing GHG emissions.

2. Utilize the experience from the five pilot areas to inform strategies that will be applicable and beneficial to other communities throughout Oregon. A side note, we appreciate the recommendation to select five communities that represent the economic, ecological and cultural diversity of Oregon.

3. Design and implement a broad engagement and reporting strategy based on best practices in climate change engagement and behavioral change. Add private entities and organizations to the

[1] *Final Report to the Governor: A Framework for Addressing Climate Change (2008), Governor's Climate Change Integration Group (CCIG).*

list of partners started on page 13 of the July 17 staff report. As immediate actions begin, communicate these via the Departments Web site and other means. Allow for comment even as strategies are implemented and tested so that Oregonians can participate in the identification and development of solutions from the outset.

4. Articulate the statewide, urban and rural economic benefit and opportunity associated with quick action. The work of the Climate Prosperity Project is an excellent example and is being tested in Oregon as one of 12 US pilot programs.

5. Invest in models and decision-making tools, most importantly baseline and tracking mechanisms to provide a forum whereby individuals and businesses can feel that they are part of the solution. The elements of the urban mitigation program are a good start.

6. Utilize Goal 13 as a framework for updating the State's intent around energy diversification including supporting the development and use of no and low-carbon energy sources. Link these strategies to our evolving urban development strategies and best practices.

When you adopt this strategy, hopefully at your meeting in Brookings, you will be taking a much-needed, proactive action that will send an important message to Oregonians - that we are ready as a comprehensive planning community to identify and address the challenges and opportunities associated with climate change. We stand ready to assist you however we can.

Sincerely,
COGAN OWENS COGAN, LLC

Kirstin Greene, AICP
Managing Principal

EXHIBIT: 32 AGENDA ITEM: 16
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DATE: 7-31-09
PAGES: 2
SUBMITTED BY: Eric Lemmidson

OREGON GLOBAL WARMING COMMISSION

Oregon Department of Energy, 625 Marion Street NE, Salem, OR, 97301 Toll-Free in Oregon: 1-800-221-8035
Email: Oregon.GWC@state.or.us Web: http://www.oregon.gov/ENERGY/GBLWRM/GWC/index.shtml

TRANSPORTATION AND LAND USE

OGWC Recommendations Regarding LCDC ***Planning for Climate Change*** Final Draft
July 31st, 2009

General Comment: The following recommendations have not been formally approved by the full Commission, but have been reviewed and approved by the T&LU Committee.

Priority Recommendations:

Highest Priority

1. MPO level planning:

- Support LCDC in developing planning tools and identifying actions to help the state's six MPOs meet their share of Oregon's GHG reduction goals.
- Encourage LCDC to work with ODOT to integrate climate considerations, including GHG emissions and adaptation needs, into application of the TPR to specific projects within ODOT's Least Cost Transportation Planning process.
- Support efforts to obtain federal funding (primarily from EPA) for MPO staffing to address this issue.
- LCDC should, over the long term, consider developing planning tools for use at a smaller scale than the MPO level (see Second Priority, Recommendation #1, below).

2. Assessing and Planning for Climate Change Risk

- LCDC should conduct a statewide assessment of natural hazards linked to climate change, including flood, fire, risks to coastal areas, and geological disturbances, as they relate to both the built environment and to natural ecosystems. Following the assessment, LCDC should, over the longer term, require plan amendments at the State and local level to reflect climate change related risks identified in the assessment.
-

3. Statewide Study of Land Use Changes Needed to Meet GHG Reduction Targets

- DLCD should, with the cooperation and participation of the OGWC, study land use changes needed to meet GHG reduction goals through reduction of VMTs, other methods, and evaluate policy changes needed to change land use patterns in concert with meeting GHG goal.

Staff Contact:

David Breen, Port of Portland
David.Breen@portofportland.com, (503) 240-2011

Margi Lifsey, ODOT
Majorie.C.Lifsey@state.or.us, (503) 986-3491

Second Priority

1. LCDC Review of Local Plans

- Until local plan amendments take effect, LCDC should, in conjunction with DEQ, ODOT, and ODOE, identify "best development practices" and benchmarks that communities can introduce into planning processes to help meet GHG reduction targets, reduce VMT, evaluate effects of different land use patterns.

2. Energy Facility Planning

- LCDC should identify priority (exisiting and potential) energy resource areas and transmission/electrical or transportation/gas corridors and work to prevent conflicting uses from development. LCDC to consult with EFSC, ODOE, and OGWC.

Third Priority

1. Communications and Outreach:

- OGWC and DLCD to coordinate their respective efforts, especially in regards to messaging, public outreach, and website/media efforts.

2. Other Mitigation: Managing Lands to Increase Carbon Sequestration and Conserve Energy

- DLCD should coordinate with ODF and ODA to maximize carbon sequestration and energy conservation potential of Oregon forest and agricultural lands, primarily through education and incentive programs.

Staff Contact:

David Breen, Port of Portland
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Margi Lifsey, ODOT
Majorie.C.Lifsey@state.or.us, (503) 986-3491

EXHIBIT: 33 AGENDA ITEM: 16+17
LAND CONSERVATION & DEVELOPMENT COMMISSION
DATE: 7-31-09
PAGES: 3
SUBMITTED BY: OR Shores

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CONSERVATION COALITION

July 29, 2009

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Land Conservation and Development Commission
650 Capitol St. NE Suite 150
Salem OR 97301-2540

Reference: Climate Change and Sea Level Rise -- LCDC 29-31 July 2009 -- Brookings meeting – Agenda Items 16 and 17

Dear Chair Van Landingham and Commissioners:

Retain goal option. We have reviewed the July 17 staff reports dealing with the Planning for Climate Change work program and our petition to you to undertake a Goal 20. While we would prefer that the Commission not deny our petition and commence a Goal-rule making now, we believe, with staff, that the proper focus is on the 2009-2011 work program for the agency. **In the work program we urge you to retain the option for a climate change goal,** as you have instructed the staff to do several times, and which they appear to resistant. To accomplish this objective, **we respectfully request that you reject the staff recommendation on Page 19 of the Planning for Climate Change Report and instead adopt a slightly modified version of Alternative 2 as found on page 18 of the Report, based on the following motion:**

> I move that we "direct the department to make further changes to the recommended strategy and work program to retain an option to pursue a new climate change goal and present the revisions to the commission at its September meeting." (underlining is the proposed change)

New Facts justify retaining goal option. Since our petition was filed several new facts have emerged:

- First, sea level rise from the West Antarctic shelf appears to portend a sea level rise of up to 3 meters, as reported in the July 2009 *Scientific American*. Coupled with high tides and strong off shore wind shifts, the 50 foot wave prediction of DOGAMI may be small. Further, this prediction doesn't take account of the ice melt on Greenland, which could result in sea level rise of 7 meters.

- Second, the Markey-Waxman bill is calling for State adaptation plans. Staff acknowledges that such plans may be needed, but fails to capitalize on their significance.

- Third, it is clear from the reports and from other presentations made at various places, including the June 6, 2009 conference on climate change and sea level rise that Oregon Shores sponsored in Newport, that staff is still locked in a mind set of prevention and does not grasp **the significance and importance of adaptation**. In Oregon, we should not have to repeat the foolishness engaged in by the people of the Lower 9th Ward in New Orleans after Katrina of rebuilding where there will be problems in the future. Avoidance and prevention are worthy goals, and Oregon Shores supports the mitigation efforts outlined by staff, but **the processes already set in motion are immutable and will need to be responded to through our planning process**. For example, public infrastructure should not be replaced where inundation or other damage caused by climate change will happen again and again.

Too Much process, not enough substance. The work program is filled with "coordination," grant programs, inter-agency discussions and internal staff meetings. There is inadequate outreach to the public. **It is not merely some internal government set of decisions people must address.** We must think about how climate change will affect how we live and use our air, land, water, resources, and urbanized areas. **The purpose behind retaining a goal option is to cause a dialogue among the citizens of the state as to what we will need to do to adapt.** Effective discussion of adaptation will ease the ability to get mitigation measures in place. The work program is bureaucratic, "inside the beltway," and "let's talk to the stakeholders" in tenor. The need is for a dialogue with the citizens of the state as to what we want to do about the mammoth problems of climate change mitigation and adaptation. **Oregon's goal formulation process is designed perfectly to facilitate the dialogue that is needed to affect our collective behavior.** LCDC shouldn't abandon this tool to an "inside the beltway" approach.

Staff misconstrues the Goal process. The objective of the goal process is to determine what the goal should be, not to provide a final version and try to get buy in. Staff's desire to minimize uncertainty is unrealistic. There is some recognition in the staff report that there will need to be a couple of rounds for the goal process, and this is very appropriate. The agency should not resist this process, but should embrace it. The problem with thinking only of stakeholders (LOAC, CIAC, interest groups, etc.) is that they don't reach a broad enough representation of citizens to educate and inform a Oregonians who can then work with their peers to propose goal contents.

The staff reports lack substance. The reports contain generalities and do not deal with how we as Oregonians are going to address what is already known in terms of effects of climate change. For example:

1. Storm surge (a combination of wind, tide and sea level rise) likely will result in 50 to 60 foot waves inundating coastal community beach and residential areas several times over a score of years. What steps will we take when this happens?

2. Sea level rise is now providing a much higher consensus number than when the petition was filed. What will we do as this happens?

3. Changes in severity and timing of pacific decadal oscillations, el ninos, and la ninas will impact natural resources, fishing, beach use and homes. What will we do in response when this happens?

4. Water shortages are surfacing across the state. How will we respond as these shortages grow more acute?

5. Reduced snow pack and accelerated run off will change riparian areas, flood fringes and flood plains. What steps will we take as these events occur?

6. Forest fires are growing in size and intensity as forests are increasingly stressed. How will our forest communities, rural dwelling owners and their governmental entities respond as these events occur?

These are the subjects we all must address, not just government and its stakeholder interest groups. Again, the goal process is the best way to meet these issues head on.

Conclusion. When a major fact pattern change happens, agencies that do their jobs will adapt to the change. Those which don't will waste away through cutoffs of funding and public support. The Oregon land use process is needed as we learn more about adapting to climate change. Either LCDC/DLCD can step up effectively or it will waste away, mired in ballot measure 7-37-49 and successor problems. A goal process dealing expressly and solely with Climate Change, including with the impacts of sea level rise and storm surge, will be best for our state, including the coastal region, and the agency. We urge you to adopt the motion set forth on page 1 of this letter.

Yours Very Truly,

Allison

Allison Asbjornsen, President

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DATE: 7-31-09
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SUBMITTED BY: DLCD Staff

THEODORE R. KULONGOSKI
Governor

July 30, 2009

Mr. William K. Kabeiseman
Garvey, Schubert, Barer
121 SW Morrison Street
Portland, Oregon 97204

Dear Mr. Kabeiseman:

Thank you for your recent letter asking for my support for Oregon Shores Conservation Coalition's petition for adoption of a new land use goal addressing climate change adaptation on the Oregon Coast. I appreciate the effort on the part of Oregon Shores in developing its petition as well as its continued advocacy for protection of Oregon's treasured ocean shores.

Global warming and adaptation to the effects of rapid climate change have been at the center of my agenda for the past six years. On multiple fronts, I have worked to pass laws and commence programs to increase energy efficiency, reduce our reliance on fossil fuels, increase use of green and renewable sources of energy, reduce greenhouse gases and proactively plan for adaptation to the effects of climate change. So it was with great interest that I reviewed your letter and was briefed by Richard Whitman on the Goal 20 petition. It was with equal interest that I reviewed the recent direction that the Land Conservation and Development Commission (LCDC) gave to Richard and his staff as well as the proposed recommendations the staff will be presenting to the Commission later this week.

After weighing the option of a Goal 20 adoption versus the approach proposed by Richard and staff, I clearly favor the broader approach proposed by staff. Addressing climate change issues throughout our land use planning system more closely aligns with my philosophy and approach. In that approach, it is noteworthy that staff is recommending that the Department of Land Conservation and Development work with at least two coastal communities and two inland communities to develop strategies for addressing the effects of climate change. In so doing, I believe that other communities will see the benefits of such planning and initiate their own efforts.

I encourage Oregon Shores to support the broader approach to climate change issues being recommended to the LCDC. Further, Oregon Shores could play a very important role in helping to identify and support the two coastal communities that would pilot the kind of climate change adaptation planning that is needed. Finally, through your ongoing efforts to raise

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awareness and support for protection of our fragile coast, Oregon Shores can do much to build support in all of Oregon's coastal communities for such planning.

Thank you again for writing to me about this important issue and for the time and effort Oregon Shores has committed to it.

Sincerely,

THEODORE R. KULONGOSKI
Governor

TRK:mc:ab
c: Richard Whitman, Director, DLCD
Anne Squier
Steve Schell