

# ADOPTED NEW RULES

May 19, 2011

*Adopted by the Oregon Land Conservation and Development Commission  
at their special meeting on May 19, 2011.*

## DIVISION 44

### METROPOLITAN GREENHOUSE GAS REDUCTION TARGETS

#### **660-044-0000**

#### **Purpose**

- (1) This division implements provisions of section 37 (6), chapter 865, Oregon Laws 2009, and section 5 (1), chapter 85, Oregon Laws 2010, that direct the Land Conservation and Development Commission (“commission”) to adopt rules setting targets for reducing greenhouse gas emissions from light vehicle travel for each of the state’s metropolitan areas for the year 2035 to aid in meeting the state goal in ORS 468A.205 to reduce the state’s greenhouse gas emissions in 2050 to 75 percent below 1990 levels.
- (2) The targets in this division provide guidance to local governments in metropolitan areas on the level of reduction in greenhouse gas emissions to achieve as they conduct land use and transportation scenario planning. Land use and transportation scenario planning to meet the targets in this division is required of the Portland metropolitan area and is encouraged, but not required, in other metropolitan areas. Success in developing scenarios that meet the targets will depend in large part on the state funding for scenario planning; on the state developing strategies and actions that reduce greenhouse gas emissions from light vehicle travel within metropolitan areas; and on state and local governments jointly and actively engaging the public on the costs and benefits of reducing greenhouse gas emissions.
- (3) Land use and transportation scenario planning is intended to be a means for local governments in metropolitan areas to explore ways that urban development patterns and transportation systems would need to be changed to achieve significant reductions in greenhouse gas emissions from light vehicle travel. Scenario planning is a means to address benefits and costs of different actions to accomplish reductions in ways that allow communities to assess how to meet other important needs, including accommodating economic development and housing needs, expanding transportation options and reducing transportation costs.
- (4) The expected result of land use and transportation scenario planning is information on the extent of changes to land use patterns and transportation systems in metropolitan areas needed to significantly reduce greenhouse gas emissions from light vehicle travel in metropolitan areas, including information about the benefits and costs of achieving those reductions. The results of land use and transportation scenario planning are expected to inform local governments as they update their comprehensive plans, and to inform the legislature, state agencies and the public as the state develops and implements an overall strategy to meet state goals to reduce greenhouse gas emissions.

## ADOPTED NEW RULES

May 19, 2011

- (5) The greenhouse gas emissions reduction targets in this division are intended to guide an initial round of land use and transportation scenario planning over the next two to four years. The targets are based on available information and current estimates about key factors, including improvements in vehicle technologies and fuels. Pursuant to OAR 660-044-0035, the commission shall review the targets by June 1, 2015, based on the results of scenario planning, and updated information about expected changes in vehicle technologies and fuels, state policies and other factors.
- (6) Success in meeting the targets will require a combination of local, regional and state actions. State actions include not only improvements in vehicle technology and fuels, but also other statewide efforts to reduce greenhouse gas emissions from light vehicle travel. These efforts—which are programs and actions to be implemented at the state level—are currently under review by the Oregon Department of Transportation as part of its Statewide Transportation Strategy to reduce greenhouse gas emissions. As metropolitan areas develop scenario plans to reduce greenhouse gas emissions and compare them to the targets in this division, it is incumbent that metropolitan areas and the state work as partners, with a shared responsibility of determining how local and statewide actions and programs can reach the targets.
- (7) Nothing in this division is intended to amend statewide planning goals or administrative rules adopted to implement statewide planning goals.

Stat. Auth.: ORS 197.040; Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(6); Chapter 85 Oregon Laws 2010 Special Session (Senate Bill 1059) §5

Stats. Implemented: Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(6); Chapter 85 Oregon Laws 2010 Special Session (Senate Bill 1059) §5

Hist.: LCDC 5-2011, f. 5-26-11, cert. ef. 6-1-11

### **660-044-0005**

#### **Definitions**

For the purposes of this division, the definitions in ORS 197.015 and the statewide planning goals apply. In addition, the following definitions shall apply:

- (1) “*1990 baseline emissions*” means the estimate of greenhouse gas emissions from light vehicle travel in each metropolitan area for the year 1990, as presented by the Department of Environmental Quality and the Oregon Department of Energy included in the *Agencies’ Technical Report*.
- (2) “*2005 emissions levels*” means an estimate of greenhouse gas emissions from light vehicle travel in a metropolitan area for the year 2005.
- (3) “*2035 greenhouse gas emissions reduction goal*” means the percentage reduction in greenhouse gas emissions from light vehicle travel in a metropolitan area needed by the year 2035 in order to meet the state goal of a 75 percent reduction in greenhouse gas emissions from 1990 levels by the year 2050 as recommended by the Department of Environmental Quality and the Oregon Department of Energy in the *Agencies’ Technical Report*.

## ADOPTED NEW RULES

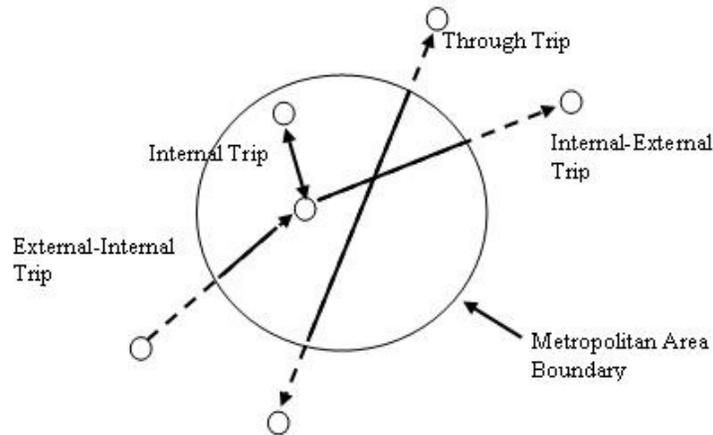
May 19, 2011

- (4) “*Agencies’ Technical Report*” means the report prepared by the Oregon Department of Transportation, the Department of Environmental Quality and the Oregon Department of Energy and submitted to the commission on March 1, 2011, that provides information and estimates about vehicle technologies and vehicle fleet to support adoption of greenhouse gas reduction targets as required by section 37 (7), chapter 865, Oregon Laws 2009, and section 5 (2), chapter 85, Oregon Laws 2010.
- (5) “*Greenhouse gas*” means any gas that contributes to anthropogenic global warming including, but not limited to, carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. ORS 468A.210(2). Greenhouse gases are generally measured in terms of CO<sub>2</sub> equivalents—CO<sub>2</sub>e—which means the quantity of a given greenhouse gas multiplied by a global warming potential factor provided in a state-approved emissions reporting protocol.
- (6) “*Greenhouse gas emissions reduction target*” or “*target*” means the percent reduction in greenhouse gas emissions from light vehicle travel within a metropolitan area from 2005 emissions levels that is to be met by the year 2035 through scenario planning. Greenhouse gas emissions reduction targets are expressed as a percentage reduction in emissions per capita, *i.e.*, total emissions divided by the population of the metropolitan area. Targets represent additional reductions from 2005 emissions levels beyond reductions in vehicle emissions that are likely to result by 2035 from the use of improved vehicle technologies and fuels and changes to the vehicle fleet. When determining whether a scenario meets a target, the reduction per capita is to be calculated as a percentage of the emissions per capita assuming 2005 light vehicle travel per capita and 2035 baseline assumptions for light vehicle technologies, fuels and fleet as set forth in Tables 1 and 2 of OAR 660-044-0010. The combined effect of the baseline assumptions for light vehicle technologies, fuels and fleet from 1990 to 2035, estimated changes to light vehicle travel from 1990 to 2005, and scenario planning to meet targets from 2005 to 2035 is to meet the greenhouse gas emissions reduction goal from 1990 to 2035.
- (7) “*Greenhouse gas emissions reduction toolkit*” means the toolkit prepared by the Oregon Department of Transportation and the department to assist local governments in developing and executing actions and programs to reduce greenhouse gas emissions from light vehicle travel in metropolitan areas as provided in section 4, chapter 85, Oregon Laws 2010.
- (8) “*Land use and transportation scenario planning*” means the preparation and evaluation by local governments of two or more land use and transportation scenarios and the cooperative selection of a preferred scenario that accommodates planned population and employment growth while achieving a reduction in greenhouse gas emissions from light vehicle travel in the metropolitan area. Land use and transportation scenario planning may include preparation and evaluation of alternative scenarios that do not meet targets specified in this division.
- (9) “*Light vehicles*” means motor vehicles with a gross vehicle weight rating of 10,000 pounds or less.

## ADOPTED NEW RULES

May 19, 2011

- (10) “*Light vehicle travel within a metropolitan area*” means trips made by light vehicles that begin and end within the same metropolitan planning area, and that portion of other trips made by light vehicles that occurs within the metropolitan planning area, including a portion of through trips (*i.e.*, trips that pass through the metropolitan planning area but do not begin or end there) and that portion within the metropolitan planning area of other light vehicle trips that begin or end within the metropolitan planning area. Trips and portions of trips that are within the metropolitan planning area are illustrated by solid lines as shown in Figure 1.



**Figure 1. Light vehicle travel within a metropolitan area.** Circles indicate trip origins and destinations. Arrows indicate the direction of travel. Solid lines indicate the portion of each type of trip that is considered travel within a metropolitan area for purposes of this definition.

- (11) “*Metropolitan planning area*” or “*metropolitan area*” means lands within the boundary of a metropolitan planning organization as of the effective date of this division.
- (12) “*Metropolitan planning organization*” means an organization located wholly within the State of Oregon and designated by the Governor to coordinate transportation planning in an urbanized area of the state pursuant to 49 U.S.C. 5303(c). ORS 197.629(7). Included are metropolitan planning organizations for the following areas: the Portland metropolitan area, the Bend metropolitan area, the Corvallis metropolitan area, the Eugene-Springfield metropolitan area, the Salem-Keizer metropolitan area and the Rogue Valley metropolitan area.
- (13) “*Scenario planning guidelines*” means the guidelines established by the Oregon Department of Transportation and the department to assist local governments in conducting land use and transportation scenario planning to reduce greenhouse gas emissions from light vehicle travel in metropolitan areas as provided in section 3, chapter 85, Oregon Laws 2010.
- (14) “*Statewide Transportation Strategy*” means the statewide strategy adopted by the Oregon Transportation Commission as part of the state transportation policy to aid in achieving the greenhouse gas emissions reduction goals set forth in ORS 468A.205 as provided in section 2, chapter 85, Oregon Laws 2010.

Stat. Auth.: ORS 197.040; Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(6); Chapter 85 Oregon Laws 2010 Special Session (Senate Bill 1059) §5

Stats. Implemented: Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(6); Chapter 85 Oregon Laws 2010 Special Session (Senate Bill 1059) §5

Hist.: LCDC 5-2011, f. 5-26-11, cert. ef. 6-1-11

# ADOPTED NEW RULES

May 19, 2011

## 660-044-0010

### Target Setting Process and Considerations

- (1) This rule describes information and factors that provide the basis for greenhouse gas emissions reduction targets included in this division. The purpose of this rule is to inform local governments and the public about information that was relied upon to set greenhouse gas emissions reduction targets, to inform local governments as they conduct land use and transportation scenario planning, and to inform the department and commission in the review and evaluation of greenhouse gas emissions reduction targets as required in OAR 660-044-0035.
- (2) Section 37 (6), chapter 865, Oregon Laws 2009, and section 5 (1), chapter 85, Oregon Laws 2010, direct the commission to adopt rules identifying greenhouse gas emissions reduction targets for emissions caused by light vehicle travel for each of the state's metropolitan areas. These statutes direct that the rules must reflect greenhouse gas emissions reduction goals set forth in ORS 468A.205 and must take into consideration the reductions in vehicle emissions that are likely to result by 2035 from the use of improved vehicle technologies and fuels. The statutes also direct that the rules must take into consideration methods of equitably allocating reductions among the metropolitan areas given differences in population growth rates. The commission has addressed these statutory considerations as follows:
  - (a) **Reduction in greenhouse gas emissions from light vehicle travel needed in 2035 to achieve the state goal of a 75 percent greenhouse gas reduction by 2050.** Based on recommendations from the Department of Environmental Quality and the Oregon Department of Energy in the *Agencies' Technical Report*, the commission concludes that a reduction of 52 percent in greenhouse gas emissions from light vehicle travel in metropolitan areas from 1990 levels is needed by the year 2035 to support achieving greenhouse gas emissions reduction goals for 2050 set forth in ORS 468A.205. Based on population projections, the overall 52 percent reduction corresponds to a 74 percent reduction in greenhouse gas emissions per capita from light vehicle travel in metropolitan areas from 1990 levels by the year 2035. This percentage reduction assumes steady year-by-year progress per capita through 2050 in reducing emissions and that the reduction in light vehicle emissions will be proportionate to the overall state goal for reducing greenhouse gas emissions. In reaching this conclusion, the commission notes that absent a Statewide Transportation Strategy and plan for achieving greenhouse gas emissions reductions there is no policy or other basis at this time for assuming that light vehicle travel in metropolitan areas should be responsible for a larger or smaller share of expected statewide greenhouse gas emissions reductions.

## ADOPTED NEW RULES

May 19, 2011

(b) **Consideration of reductions in vehicle emissions likely to result by 2035 from use of improved vehicle technologies and fuels.**

(A) The commission has considered recommendations from the Oregon Department of Transportation, the Department of Environmental Quality and the Oregon Department of Energy about expected changes to the light vehicle fleet, vehicle technologies and vehicle fuels through the year 2035 as set forth in the *Agencies' Technical Report*. The commission notes that the *Agencies' Technical Report* indicates considerable uncertainty and a broad range of possible outcomes for each of the relevant factors. The commission concludes that a midpoint in the range of plausible fleet, technologies and fuel outcomes provides a reasonable basis for greenhouse gas emissions reduction targets to guide an initial round of land use and transportation scenario planning. The baseline assumptions for 2035 light vehicle fleet, light vehicle technologies and vehicle fuels for each metropolitan area are set forth in Tables 1 and 2.

**Table 1. Baseline Assumptions for Vehicle Technologies for Use in Land Use and Transportation Scenario Planning**

<b>Vehicle Technologies</b>			
<b>Characteristic</b>	<b>1990 Model Year</b>	<b>2005 Model Year</b>	<b>2035 Model Year</b>
Auto fuel economy—internal combustion engine	28 mpg	28 mpg	68 mpg
Light truck fuel economy—internal combustion engine	20 mpg	20 mpg	48 mpg
Auto fuel economy—plug-in hybrids in charge sustaining mode	—	—	81 mpg
Light truck fuel economy—plug-in hybrids in charge sustaining mode	—	—	56 mpg
% of autos that are plug-in hybrids or electric vehicles	—	—	8%
% of light trucks that are plug-in hybrids or electric vehicles	—	—	2%
Plug-in hybrids battery range	—	—	35 miles
Electric vehicles battery range	—	—	175 miles
<b>Vehicle Fuels</b>			
<b>Characteristic</b>	<b>1990</b>	<b>2005</b>	<b>2035</b>
% reduction in fuel carbon intensity from current levels	—	—	20%
Electric power sources compared to current Renewable Portfolio Standard	—	—	Meet
<b>Vehicle Fleet</b>			
<b>Characteristic</b>	<b>1990</b>	<b>2005</b>	<b>2035</b>
Average vehicle replacement rate	10 years	10 years	8 years

## ADOPTED NEW RULES

May 19, 2011

**Table 2. Additional Metropolitan Area Baseline Assumptions for Use in Land Use and Transportation Scenario Planning**

Metropolitan Area	% of Fleet that are Light Trucks			Light Vehicle Emission Rates (grams CO <sub>2</sub> e per mile)		
	1990	2005	2035	1990	2005	2035
Bend	37%	55%	36%	594	513	180
Corvallis	31%	45%	30%	596	494	174
Eugene-Springfield	32%	47%	31%	585	503	173
Portland Metro	30%	43%	29%	590	514	184
Rogue Valley	35%	50%	34%	605	507	181
Salem-Keizer	33%	47%	31%	592	510	177
Weighted Average	—	—	—	590	511	182

- (B) The greenhouse gas emissions reduction targets in this division are for greenhouse gas emissions reductions to be met through land use and transportation scenario planning and are in addition to reductions estimated to result from changes to the light vehicle fleet, light vehicle technologies and light vehicle fuels in Tables 1 and 2.
- (C) In evaluating whether a proposed land use and transportation scenario combined with actions and programs included in the Statewide Transportation Strategy meets greenhouse gas emissions reduction targets in this division, a local government or metropolitan planning organization may include:
- (i) Policies or actions included in the Statewide Transportation Strategy that the Oregon Department of Transportation estimates are likely to result in changes to vehicle fleet, technologies or fuels above and beyond the values listed in Tables 1 and 2;
  - (ii) Local or regional programs or actions identified in a land use and transportation scenario plan that are likely to result in changes to vehicle fleet, technologies or fuels above and beyond the values listed in Tables 1 and 2. One example of such an action would be a local or regional program that is estimated to result in use of hybrid or electric vehicles in a metropolitan area at greater than the eight percent statewide assumption for the 2035 model year provided in Table 1; and
  - (iii) Policies or actions included in the Statewide Transportation Strategy, other than those attributable to changes in vehicle fleet, technologies or fuels. Examples of such an action would be increased inter-city transit or pay-as-you-drive insurance. The Oregon Department of Transportation would coordinate with local governments and metropolitan planning organizations in each metropolitan area on estimating the amount of greenhouse gas emissions reductions expected to result within the metropolitan area from these programs and actions.

## ADOPTED NEW RULES

May 19, 2011

- (c) **Equitable allocation of responsibility for greenhouse gas emissions reductions among metropolitan areas considering differences in population growth rates.** The greenhouse gas emissions reduction targets in this division are in the form of percentage reductions in emissions per capita. The greenhouse gas emissions reduction targets for individual metropolitan areas range from 17 percent to 21 percent per capita. The commission concludes that setting the targets in the form of per capita reductions and adoption of comparable per capita reductions for each of the state's six metropolitan areas assures that those metropolitan areas that are expected to experience higher than average rates of population growth between 1990 and 2035 do not bear a greater responsibility for emissions reductions than metropolitan areas that are expected to grow more slowly.
- (d) **Use of 2005 as a reference year for greenhouse gas emissions reduction targets.** The greenhouse gas emissions reduction targets in this division are set forth as reductions to be achieved from 2005 emissions levels. 2005 is specified as a reference year for greenhouse gas reduction targets because more detailed data on emissions and light vehicle travel in metropolitan areas is available for this date than for 1990, the base year set by statute, and because it corresponds better with adopted land use and transportation plans and will thus enable local governments to better estimate what changes to land use and transportation plans might be needed to achieve greenhouse gas emissions reduction targets. While the targets are specified as reductions from 2005 emissions levels, the targets have been set at a level that corresponds to the required reduction from 1990 levels to be achieved by 2035.

Stat. Auth.: ORS 197.040; Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(6); Chapter 85 Oregon Laws 2010 Special Session (Senate Bill 1059) §5

Stats. Implemented: Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(6); Chapter 85 Oregon Laws 2010 Special Session (Senate Bill 1059) §5

Hist.: LCDC 5-2011, f. 5-26-11, cert. ef. 6-1-11

### 660-044-0020

#### **Greenhouse Gas Emissions Reduction Target for the Portland Metropolitan Area**

- (1) **Purpose and effect of targets**
- (a) Metro shall use the greenhouse gas emissions reduction targets set forth in section (3) of this rule as it develops two or more alternative land use and transportation scenarios that accommodate planned population and employment growth while achieving a reduction in greenhouse gas emissions from light vehicle travel in the metropolitan area as required by section 37 (6), chapter 865, Oregon Laws 2009.
- (b) This rule does not require that Metro or local governments in the Portland metropolitan area select a preferred scenario or amend the Metro regional framework plan (as defined in ORS 197.015(16)), functional plans, comprehensive plans or land use regulations to meet targets set in this rule. Requirements for cooperative selection of a preferred land use and transportation scenario and for implementation of that scenario through amendments to comprehensive plans and land use regulations as required by section 37 (8), chapter 865, Oregon Laws 2009, shall be addressed through a separate rulemaking that the commission is required to complete by January 1, 2013.
- (2) This rule applies to the Portland metropolitan area.

## ADOPTED NEW RULES

May 19, 2011

- (3) The greenhouse gas emissions reduction target, as set forth in OAR 660-044-0005(6), for the Portland metropolitan area is a 20 percent reduction per capita in greenhouse gas emissions in the year 2035 below year 2005 emissions levels.
- (4) The greenhouse gas emissions reduction target in section (3) of this rule identifies the level of greenhouse gas emissions reduction to be met through land use and transportation scenario planning consistent with baseline assumptions and guidance in OAR 660-044-0010(2)(b)(A) to (C), including reductions expected to result from actions and programs identified in the Statewide Transportation Strategy.

Stat. Auth.: ORS 197.040; Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(6); Chapter 85 Oregon Laws 2010 Special Session (Senate Bill 1059) §5

Stats. Implemented: Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(6); Chapter 85 Oregon Laws 2010 Special Session (Senate Bill 1059) §5

Hist.: LCDC 5-2011, f. 5-26-11, cert. ef. 6-1-11

### **660-044-0025**

#### **Greenhouse Gas Emissions Reduction Targets for Other Metropolitan Areas**

##### **(1) Purpose and effect of targets**

- (a) Local governments in metropolitan planning areas listed in section (2) of this rule may use the relevant targets set forth in section (3) of this rule as they conduct land use and transportation scenario planning to reduce expected greenhouse gas emissions from light vehicle travel in the metropolitan planning area.
- (b) This rule does not require that local governments or metropolitan planning organizations conduct land use and transportation scenario planning. This rule does not require that local governments or metropolitan planning organizations that choose to conduct land use or transportation scenario planning develop or adopt a preferred land use and transportation scenario plan to meet targets in section (3) of this rule.

##### **(2) This rule applies to the following metropolitan planning areas:**

- (a) Bend,
- (b) Corvallis,
- (c) Eugene-Springfield,
- (d) Rogue Valley, and
- (e) Salem-Keizer.

##### **(3) Targets, as set forth in OAR 660-044-0005(6), for other metropolitan areas are as follows:**

- (a) The greenhouse gas emissions reduction target for the Bend metropolitan planning area is an 18 percent reduction per capita in greenhouse gas emissions in the year 2035 below year 2005 emissions levels.
- (b) The greenhouse gas emissions reduction target for the Corvallis metropolitan planning area is a 21 percent reduction per capita in greenhouse gas emissions in the year 2035 below year 2005 emissions levels.

## ADOPTED NEW RULES

May 19, 2011

- (c) The greenhouse gas emissions reduction target for the Eugene-Springfield metropolitan planning area is a 20 percent reduction per capita in greenhouse gas emissions in the year 2035 below year 2005 emissions levels.
  - (d) The greenhouse gas emissions reduction target for the Rogue Valley metropolitan planning area is a 19 percent reduction per capita in greenhouse gas emissions in the year 2035 below year 2005 emissions levels.
  - (e) The greenhouse gas emissions reduction target for the Salem-Keizer metropolitan planning area is a 17 percent reduction per capita in greenhouse emissions in the year 2035 below year 2005 emissions levels.
- (4) The greenhouse gas emissions reduction targets in section (3) of this rule identify the level of greenhouse gas emissions reduction to be met through land use and transportation scenario planning consistent with baseline assumptions and guidance in OAR 660-044-0010(2)(b)(A) to (C), including reductions expected to result from actions and programs identified in the Statewide Transportation Strategy.

Stat. Auth.: ORS 197.040; Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(6); Chapter 85 Oregon Laws 2010 Special Session (Senate Bill 1059) §5

Stats. Implemented: Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(6); Chapter 85 Oregon Laws 2010 Special Session (Senate Bill 1059) §5

Hist.: LCDC 5-2011, f. 5-26-11, cert. ef. 6-1-11

### **660-044-0030**

#### **Methods for Estimating Greenhouse Gas Emissions and Emissions Reductions**

- (1) Local governments conducting land use and transportation scenario planning to meet greenhouse gas emissions reductions targets established in this division may use information and methods for estimating greenhouse gas emissions levels from light vehicle travel recommended by the Oregon Department of Transportation and the department as set forth in the greenhouse gas emissions reduction toolkit, or as otherwise approved by the director of the department and the director of the Oregon Department of Transportation.
- (2) Local governments conducting land use and transportation scenario planning to meet the greenhouse gas emissions reduction targets established in this division may use methods recommended by the Oregon Department of Transportation, Oregon Department of Environmental Quality and the Oregon Department of Energy to account for additional greenhouse gas emissions resulting from increased traffic congestion or reductions in emissions resulting from measures that reduce traffic congestion in estimating greenhouse gas emissions from light vehicles.

Stat. Auth.: ORS 197.040; Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(6); Chapter 85 Oregon Laws 2010 Special Session (Senate Bill 1059) §5

Stats. Implemented: Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(6); Chapter 85 Oregon Laws 2010 Special Session (Senate Bill 1059) §5

Hist.: LCDC 5-2011, f. 5-26-11, cert. ef. 6-1-11

# ADOPTED NEW RULES

May 19, 2011

## 660-044-0035

### Review and Evaluation of Greenhouse Gas Reduction Targets

- (1) The commission shall by June 1, 2015, and at four year intervals thereafter, conduct a review of the greenhouse gas emissions reduction targets in OAR 660-044-0020 and OAR 660-044-0025.
- (2) The review by the commission shall evaluate whether revisions to the targets established in this division are warranted considering the following factors:
  - (a) Results of land use and transportation scenario planning conducted within metropolitan planning areas to reduce greenhouse gas emissions from light vehicles;
  - (b) New or revised federal and state laws or programs established to reduce greenhouse gas emissions from light vehicles;
  - (c) State plans or policies establishing or allocating greenhouse gas emissions reduction goals to specific sectors or subsectors;
  - (d) Policies and recommendations in the Statewide Transportation Strategy adopted by the Oregon Transportation Commission;
  - (e) Additional studies or analysis conducted by the Oregon Department of Transportation, the Department of Environmental Quality, the Oregon Department of Energy or other agencies regarding greenhouse gas emissions from light vehicle travel in metropolitan areas, including but not limited to changes to vehicle technologies, fuels and the vehicle fleet;
  - (f) Changes in population growth rates, metropolitan planning area boundaries, land use or development patterns in metropolitan planning areas that affect light vehicle travel in metropolitan areas;
  - (g) Efforts by local governments in metropolitan areas to reduce greenhouse gas emissions from all sources;
  - (h) Input from affected local governments and metropolitan planning organizations;
  - (i) Land use feasibility and economic studies regarding land use densities;
  - (j) State funding and support for scenario planning and public engagement; and
  - (k) The share of light vehicle travel within a metropolitan area not attributable to residents of that area.
- (2) The department shall, in consultation and collaboration with affected local governments, metropolitan planning organizations and other state agencies, prepare a report addressing factors listed in section (2) of this rule to aid the commission in determining whether revisions to targets established in this division are warranted.

Stat. Auth.: ORS 197.040; Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(6); Chapter 85 Oregon Laws 2010 Special Session (Senate Bill 1059) §5

Stats. Implemented: Chapter 865 Oregon Laws 2009 (House Bill 2001) §37(6); Chapter 85 Oregon Laws 2010 Special Session (Senate Bill 1059) §5

Hist.: LCDC 5-2011, f. 5-26-11, cert. ef. 6-1-11