

**Oregon Land Conservation and Development Commission  
Order Affirming DLCD Order 001945 Approving  
Major Progress Report Submitted by Metro**

LCDC Order 001961

January 27, 2026

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## **I. Decision**

On May 30, 2024, Metro timely submitted a major report for 2023 (Exhibit A) to the department on progress to meet requirements in Oregon Administrative Rule (OAR) chapter 660, divisions 12 and 44. The Department of Land Conservation and Development (department or DLCD) approved this major report in DLCD Order 001945 (Exhibit B) on August 26, 2024. Joe Cortright and No More Freeways jointly appealed (Exhibit C) the department's order to the Land Conservation and Development Commission (commission).

For the reasons explained in this order, the commission affirms the department's order, denies the appeal, and reiterates specific provisions of the department's order. The commission also orders that in future major reports, Metro must clearly provide separate, specific proposed corrective actions for each performance target that Metro identifies as not met.

## **II. Applicable Rules**

These rules, and the rules referenced therein, provide for the content and review of major reports on progress:

- OAR 660-012-0900 requires reporting, sets timelines, and specifies the required content of reports.
- OAR 660-012-0915 provides for the administrative review of major reports.
- OAR 660-012-0920 provides for the commission's review of reports, including appeals of a director's decision to approve a report.

### **A. OAR 660-012-0900**

OAR 660-012-0900(2) requires Metro to prepare a progress report for the region, including all cities and counties in the Portland metropolitan area. Individual cities and counties must provide information to Metro for the report, but do not individually submit reports to the department.

OAR 660-012-0900(6) sets requirements for the contents of a minor report, which are included as elements of the major report. The required contents of a minor report are:

“(a) A narrative summary of the state of coordinated land use and transportation planning in the planning area over the reporting year, including any relevant activities or projects undertaken or planned by the city or county;

“(b) The planning horizon date of the acknowledged transportation system plan, a summary of any amendments made to the transportation system plan over the reporting year, and a forecast of planning activities over the near future that may include amendments to the transportation system plan;

“(c) Copies of reports made in the reporting year for progress towards centering the voices of underserved populations in processes at all levels of decision-making as provided in OAR 660-012-0130 and a summary of any equity analyses conducted as provided in OAR 660-012-0135; and

“(d) Any alternatives reviews undertaken as provided in OAR 660-012-0830, including those underway or completed.”

OAR 660-012-0900(7) provides the requirements for the contents of a major report on progress.

OAR 660-012-0900(7)(a) requires that a major report include all of the required contents of a minor report, as required in OAR 660-012-0900(6).

OAR 660-012-0900(7)(b) requires reporting cities and counties to describe what actions the city or county have taken to reduce greenhouse gas emissions as required in ORS 184.899(2); and must describe consultations taken with the metropolitan planning organization to alter the regional transportation plan to reduce greenhouse gas emissions as required in ORS 184.899(2). Metro is not required to include this element in their major report.

OAR 660-012-0900(7)(c) requires that the major report include reporting on local and regional performance measures. The required elements are:

“(A) Baseline data;

“(B) Baseline projections of expected outcomes from acknowledged plans;

“(C) An assessment of whether the city, county, or Metro has met or is on track to meet each performance target for each reporting year between the base year and planning horizon year set as provided in OAR 660-012-0910;

“(D) For any performance targets that were not met, a proposal for the corrective actions that will be taken to meet the performance target by the next major report;

“(E) An assessment of whether the reporting city or county has adopted local amendments to implement the approved land use and transportation scenario plan as provided in OAR 660-044-0130;

“(F) For any amendments to implement the approved land use and transportation scenario plan as provided in OAR 660-044-0130 that have not yet been adopted, a proposal for the corrective actions that will be taken to adopt the amendments; and

“(G) The status of any corrective actions identified in prior reports.”

## **B. OAR 660-012-0915**

OAR 660-012-0915(2) provides for the director to make a determination of completeness upon submission of the major report. If the report is not complete, the rule provides for the director to notify the submitter and for the submitter to send additional information.

OAR 660-012-0915(3) provides for the director to post a copy of the major report on the department website and for the director to provide notice and opportunity to provide comment regarding the submitted major report.

OAR 660-012-0915(4) provides for the director to make one of four findings upon review of the major report and submitted comments. The director shall:

“(a) Find that the submitter has met the performance targets set as provided in OAR 660-012-0910, and has adopted local amendments to implement any approved land use and transportation scenario plan as provided in OAR 660-044-0130;

“(b) Find that the submitter has proposed adequate corrective actions to address any performance targets that were not met and adequate to meet any performance targets set as provided in OAR 660-012-0910;

“(c) Find that the submitter has not met a performance target set as provided in OAR 660-012-0910 and has proposed inadequate corrective actions; or

“(d) Find that the submitter has not implemented an approved land use and transportation scenario plan as provided in OAR 660-044-0130 and proposed inadequate corrective actions.”

OAR 660-012-0915(5) provides for the director to issue an order approving the report if the director makes a finding as provided in OAR 660-012-0915(4)(a) or (b).

OAR 660-012-0915(6) provides for the director to refer the report to the commission for a compliance hearing if the director makes a finding as provided in OAR 660-012-0915(4)(c) or (d).

### **C. OAR 660-012-0920**

OAR 660-012-0920(1) provides for the commission to hold a compliance hearing on matters referred by the director at the next regularly scheduled commission meeting that is at least 30 days after the director’s referral.

OAR 660-012-0920(3) provides for the department to post a notice of a compliance hearing on a public website and to send notice to the parties.

OAR 660-012-0920(4) provides for the commission to hold a compliance hearing. The rule provides:

“At the compliance hearing the commission shall:

“(a) Consider the director’s written and oral report; and

“(b) Consider oral testimony and written testimony provided at least 14 days prior to the hearing from a city, a county, or Metro and any persons who provided written comment as provided in OAR 660-012-0915(3)(b).”

OAR 660-012-0920(6) provides if the commission finds the report meets the requirements of the division, the commission shall issue an order of approval.

## **III. Summary of Review Process**

### **A. Submission and Review for Completeness**

Metro submitted the major report on progress (Exhibit A) to the department on May 30, 2024. As provided in OAR 660-012-0900(2), Metro prepared the major report in coordination with cities and counties in the Portland metropolitan area. The rule does not require cities and counties in the Portland metropolitan to report individually.

The department found that Metro submitted a report that included each element required in OAR 660-012-0900(7)(a) and (c). Metro is not required to include the elements listed in OAR 660-

012-0900(7)(b) because this subsection only applies to “reporting cities and counties.” The department determined the major report was complete.

### **B. Comment Period**

The department delivered notice to the public to provide comment regarding the major report as provided in OAR 660-012-0915(3) on June 27, 2024. The department solicited comments within a 21-day period as provided in OAR 660-012-0915(3)(b), with a deadline of July 18, 2024. Two parties, Joe Cortright and No More Freeways, jointly submitted one set of comments prior to the deadline. The department did not receive any other comments.

### **C. Department Review and Order**

The department reviewed the major report and comments submitted to the department as provided in OAR 660-012-0915(4). OAR 660-012-0915(4) requires the director to make one of four findings.<sup>1</sup> The department’s review determined that Metro had not met all performance targets. The department’s review further determined that Metro had proposed adequate corrective actions to meet performance targets in the future. These determinations led to a finding as provided in OAR 660-012-0915(4)(b).

The department’s order included responses to the comments jointly received from Joe Cortright and No More Freeways. The comments included four key claims:

- A. “Metro fails to report the required data to show regional and local performance.” The department found this comment to be inapplicable as it pertains to OAR 660-044-0110, which does not apply to Metro. (Exhibit B, page 4). The appellants reiterate this comment in alleged deficiency 1.
- B. “Metro’s Regional Transportation Plan fails to show the required 30 percent reduction in vehicle miles traveled (VMT) per capita by 2045.” The department found this comment to be inapplicable because it addressed requirements for Metro’s adoption of the 2013 Regional Transportation Plan, not the major report. (Exhibit B, pages 4-5). The appellants reiterate this comment in alleged deficiencies 2A and 2B.

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<sup>1</sup> OAR 660-012-0915(4) provides:

“(4) Within 60 days of completion of the process in section (2), the director shall:

“(a) Find that the submitter has met the performance targets set as provided in OAR 660-012-0910, and has adopted local amendments to implement any approved land use and transportation scenario plan as provided in OAR 660-044-0130;

“(b) Find that the submitter has proposed adequate corrective actions to address any performance targets that were not met and adequate to meet any performance targets set as provided in OAR 660-012-0910;

“(c) Find that the submitter has not met a performance target set as provided in OAR 660-012-0910 and has proposed inadequate corrective actions; or

“(d) Find that the submitter has not implemented an approved land use and transportation scenario plan as provided in OAR 660-044-0130 and proposed inadequate corrective actions.”

- C. “Metro fails to prioritize GHG reducing investments.” The department found this comment to be inapplicable because it addressed requirements for project prioritization in the 2013 Regional Transportation Plan, not the major report. (Exhibit B, pages 5-6). The appellants reiterate this comment in alleged deficiency 3.
- D. “Metro fails to adjust assumptions to reflect current state actions.” The department found the assumptions about state actions Metro used in the major report were consistent with requirements in administrative rules. (Exhibit B, page 6). The appellants reiterate this comment in alleged deficiency 2C.”

As provided in OAR 660-012-0915(5)(a), the finding required the director to issue an order approving the report. The director must post the order on a public website and send notice to the submitter, and persons who provided written comment. The order must include information on the process to appeal the director’s order.

The department issued the order on August 26, 2024, published it on the department’s website<sup>2</sup>, and sent notice with certified service to Metro, Joe Cortright, and No More Freeways. (Exhibit B, Page 16). The order included information on the process to appeal the order. (Exhibit B, Pages 15-16).

#### **D. Appeal of Department Order**

The department’s order included provisions for appeal to the commission, as provided in OAR 660-012-0915(5)(a). (Exhibit B, Pages 15-16). The order limited the parties who may appeal to parties that submitted comment on the major report, as provided in OAR 660-012-0915(5)(b). The order set a deadline of September 30, 2024 to submit an appeal.

The order set the following criteria that the director would use to determine if a submitted appeal would be considered valid:

- Did the potential appellant submit written comments on the major report on progress?
- Was the potential appeal received in a timely manner?
- As provided in OAR 660-012-0915(5)(b), does the potential appeal clearly identify a deficiency in the submitted report based on the requirements of OAR chapter 660, division 12 on issues raised in the written comments?

The order reiterated the provisions of OAR 660-012-0915(5)(c) that the director makes the determination of validity of any submitted appeal; the provisions of OAR 660-012-0915(5)(d) that if no valid appeal is filed, the order is final; and the provisions of OAR 660-012-0915(5)(e) that valid appeals will be referred to the commission for a compliance hearing as provided in OAR 660-012-0920.

The department received a request to jointly appeal the director’s order from Joe Cortright and No More Freeways on September 30, 2024 (Exhibit C). The department reviewed the submitted request to appeal against the criteria set in the director’s order.

The director determined that the appeal was valid on December 18, 2024, and provided notice to Metro, Joe Cortright, and No More Freeways. As provided in OAR 660-012-

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<sup>2</sup> <https://www.oregon.gov/lcd/CL/Documents/MetroOrder2024.pdf>

0915(5)(e), the director referred the appeal to the commission for a hearing at the commission's regular meeting on January 23-24, 2025.

### **E. Commission Review of Appeal**

The department received written testimony from appellant Joe Cortright on January 9, 2025 and Metro on January 10, 2025. The department provided the written testimony as well as a written staff report to the commission ahead of the commission meeting.

The commission held a hearing on January 24, 2025. Both the appellants and Metro provided presentation slides for display with their verbal testimony. Department staff received these slides prior to the hearing and ensured the commission and public could view them.

The appellants provided additional written testimony to department staff by e-mail on the morning of the hearing. Department staff did not provide the additional written testimony to the commission as OAR 660-012-0920(4)(b) provides the commission will consider written testimony provided at least 14 days prior to the compliance hearing.<sup>3</sup> Department staff advised the appellants by e-mail that they could provide this information to the commission as part of their verbal testimony.

The department provided a verbal presentation of the staff report to the commission. The appellants and Metro each provided verbal testimony to the commission.

As provided in OAR 660-012-0920(4), the commission considered the written staff report, written testimony from the appellants and Metro, a verbal presentation from department staff, and verbal testimony from the appellants and Metro as part of the compliance hearing. As provided in OAR 660-012-0920(6), the commission found that the Metro Major Report for 2023 met the requirements of OAR chapter 660, division 12. The commission further directed Metro to ensure that in future reports, any targets that Metro identifies that do not meet a target have specific proposed corrective actions attached to each missed target, rather than overarching corrective actions.

### **F. Commission Separate Review of Monitoring Report**

As provided in OAR 660-044-0060, the commission reviewed Metro's monitoring report in a separate public hearing at the same commission meeting as the commission's consideration of this appeal of Metro's major report. Metro submitted the monitoring report required as provided in OAR 660-044-0060 as a part of the major report required by OAR 660-012-0900, but these are separate requirements. The commission reviewed the monitoring report and found

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<sup>3</sup> OAR 660-12-0920(4) provides:

“At the compliance hearing the commission shall:

“(a) Consider the director's written and oral report; and

“(b) Consider oral testimony and written testimony provided at least 14 days prior to the hearing from a city, a county, or Metro and any persons who provided written comment as provided in OAR 660-012-0915(3)(b).”

that Metro is making satisfactory progress and that Metro’s proposed corrective actions are adequate as provided in OAR 660-044-0060(3).<sup>4</sup>

#### IV. Alleged Deficiencies

##### A. Alleged Deficiency 1: “Appellants’ First Claim is Directly Applicable to the Requirements for a Major Progress Report.”

The appellants contend that the commission should consider OAR 660-044-0110 while evaluating the Metro major report on progress. OAR 660-012-0910 requires Metro to set performance measures and targets and report on progress toward those targets. (Exhibit C, Pages 2-3).

**Findings:** The commission construes OAR 660-044-0110 in the context of division 44. The text of OAR 660-044-0015<sup>5</sup> clarifies that OAR 660-044-0110 does not apply to Metro. The commission adopted this new rule in 2022 to guide future scenario planning, after Metro completed the Climate Smart Communities scenario plan in 2014. Metro did not create its scenario plan in 2014 using OAR 660-044-0110, because it was not a rule until 2022. Instead, Metro created performance measures for its scenario plan based on OAR 660-044-0040(3)(e), a rule the commission adopted in 2012.

OAR 660-044-0110 would apply to other cities and counties in Oregon if they prepare a land use and transportation scenario plan. OAR 660-044-0110 sets requirements for the scenario plan, including how to create performance measures for future scenario plans. OAR 660-044-0110 does not govern the process of submitting or reviewing progress reports required by OAR 660-012-0900.

**Conclusion:** The commission concludes that OAR 660-044-0110 is not applicable to this review of Metro’s major report; therefore, this alleged deficiency is not based on the requirements of OAR chapter 660, division 12 as required by OAR 660-012-0915(5)(b). The commission concludes this alleged deficiency is not valid.

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<sup>4</sup> OAR 660-044-0060(3) provides:

“The commission shall review the report and shall either find Metro is making satisfactory progress or provide recommendations for corrective actions to be considered or implemented by Metro prior to or as part of the next update of the preferred scenario.”

<sup>5</sup> OAR 660-044-0015 provides in part:

“(1) OAR 660-044-0000 through OAR 660-044-0020, OAR 660-044-030, and OAR 660-044-0040 through OAR 660-044-0060 of this division apply to Metro. OAR 660-044-0055 applies to the cities and counties within Metro.

“(2) OAR 660-044-0000 through 660-044-0015, OAR 660-044-0025 through 660-044-0030, and OAR 660-044-0100 through 660-044-0130 of this division apply to the cities and counties within the metropolitan planning area of the Central Lane Metropolitan Planning Organization as provided in subsections (a) and (b).”

**B. Alleged Deficiency 2A: “Lack of actual baseline data on performance indicators.”**

The appellants argue that Metro did not appropriately report actual progress toward achieving performance measures. The appellants discuss how the 2023 Regional Transportation Plan describes performance measures used in that document. (Exhibit C, pages 4-6). Metro responded that its major progress report provides the required reporting based on modeled projections of future conditions. (Exhibit A, pages 28 -36).

**Findings:** The performance measures used in the major report on progress are those Metro adopted in 2014 as part of the Climate Smart Communities Strategy. Metro defined a method for each performance measure to find the reported value and compare it to a target. Metro used those methods in the major report. The 2023 Regional Transportation Plan, and challenges directed to that plan, are not within the scope of the commission’s major report review.

The reported value of a measure in Metro’s major report must reflect progress since its adoption of the Climate Smart Communities Strategy, however, nothing in division 12 requires that a performance measure be an “actual” measurement, as that may be difficult or impossible to obtain. Appellants argue that OAR 660-012-0900(7)(c)(A) and (B) require actual data; however, paragraph (B) expressly calls for baseline “projections of expected outcomes” but does not specify actual data. A performance measure may use estimates, samples, calculations, models, projections, or other methods. As long as the method remains consistent over time, the measure tracks progress.

Metro uses these performance measures to guide the development and prioritization of the regional transportation plan, as provided in OAR 660-012-0140, OAR 660-012-0155, OAR 660-012-0160, and other applicable rules. The major report, however, is not the regional transportation plan. For progress reports, Metro must use a consistent method from the original adoption of the Climate Smart Communities Strategy, which does not necessarily correspond to the most recent regional transportation plan.

See also the responses to alleged deficiencies 2B and 5.

**Conclusion:** The commission finds this alleged deficiency neither establishes that Metro has not met a performance target set as provided in OAR 660-012-0910 nor has proposed inadequate corrective actions.

**C. Alleged Deficiency 2B: “Substitution of projections of future conditions”**

The appellants argue that Metro has used projections of future conditions in lieu of using “actual” measurements for some measures, particularly greenhouse gas emissions and vehicle miles travelled per capita. The appellants allege Metro keeps “two sets of books” for these purposes, using one set for the major report on progress and another in the development of the 2023 Regional Transportation Plan. (Exhibit C, pages 6-7).

**Findings:** Metro provided a report on progress toward a set of performance targets for each performance measure adopted in the Climate Smart Communities Strategy. Appellants base their argument for “actual empirical or observed data” on a provision of Metro’s 2023 Regional Transportation Plan, not a provision of a commission rule. The commission finds that Metro based the progress report on the applicable performance measures.

See also the responses to alleged deficiencies 2A and 5.

**Conclusion:** The commission concludes this alleged deficiency is not sustained.

**D. Alleged Deficiency 2C: “Inappropriate inclusion of Statewide Transportation Strategy assumptions in monitoring report”**

The appellants argue that Metro should not have used assumptions about state actions in the Statewide Transportation Strategy.<sup>6</sup> The appellants contend that because some of these assumed actions have not come to pass, Metro should not utilize them when reporting on their performance targets. The appellants argue that while OAR 660-044-0030 allowed Metro to use these assumptions to prepare the Climate Smart Communities Strategy, the rule does not allow Metro to use them in a progress report. (Exhibit C, page 7).

**Findings:** OAR 660-044-0030(4)(a) explicitly authorizes Metro to use assumptions about “reductions projected to result from state actions, programs, and associated interactions up to, but not exceeding, the levels identified in the Statewide Transportation Strategy.”<sup>7</sup> OAR 660-044-0030(1) provides that the rule shall be used when, “conducting land use and transportation planning to demonstrate that their plans would meet the greenhouse gas emissions reductions targets.” Metro developed the Climate Smart Communities Strategy using these assumptions. The assumptions include a set of expected state actions, programs, and associated interactions that the state and Metro assumed would take place over time into the future. The targets were set using a combination of local, regional, and assumed state actions. The general statement in OAR 660-044-0030(1) is not limited to the initial action to develop a scenario plan.

The commission acknowledges that some actions Metro and the state assumed in 2014 to have been implemented by now have not happened. These actions include, for example, transportation system pricing and adequate funding for transit services. State actions are a large and important part of what is needed to meet state and regional goals for climate pollution reduction. The rules allow Metro to use assumptions in the Statewide Transportation Strategy regardless of the state’s progress on these actions as it reports on Metro’s progress under its Climate Smart Communities Strategy. Additionally, Metro must use consistent methods to track Metro’s progress over time. If Metro conceived a measure, and developed targets with an element assuming state actions, it would be inconsistent to remove that element in the future as Metro assesses progress toward each measure.

**Conclusion:** The commission finds this alleged deficiency is not sustained.

**E. Alleged Deficiency 3: “Prioritizing Greenhouse Gas Reducing Investments”**

The appellants argue that the commission should require Metro to show how it met the requirements of OAR 660-012-0155 as part of the major report on progress. (Exhibit C, pages 7-8).

**Findings:** OAR 660-012-0155 provides a framework for Metro to develop and use priorities when making decisions about transportation planning. The rule requires Metro to consider several factors, including meeting performance targets set as provided in OAR 660-012-0910.

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<sup>6</sup> <https://www.oregon.gov/odot/climate/pages/statewide-transportation-strategy.aspx>

<sup>7</sup> Metro may also rely on assumptions in the Statewide Transportation Strategy in other contexts, including in projecting vehicle miles traveled for the financially constrained project lists under OAR 660-012-0160(6).

Performance measures and targets are one element in a set of factors that Metro must use to develop priorities for including projects in the regional transportation plan.

The prioritization methods developed by Metro as provided in OAR 660-012-0155 for the regional transportation plan are not, themselves, a required part of the major report. OAR 660-012-0900 requires Metro to report numbers for each performance measure, but does not require a narrative report on various actions Metro undertook to meet the performance targets. The performance measures are a part of the prioritization method, not the other way around.

**Conclusion:** This commission finds that alleged deficiency does not provide a basis to sustain this appeal.

**F. Alleged Deficiency 4: “The Director Improperly Found that Metro Met its Performance Targets and Proposed Adequate Corrective Actions for the Performance Targets Not Met.”**

The appellants allege the commission should find the department did not use correct data to determine which performance targets were met or not met. The appellants allege the department should have used a different set of data from the 2023 Regional Transportation Plan. (Exhibit C, page 8).

**Findings:** The department’s review of the major report on progress considered performance against a set of performance measures, as reported by Metro for that purpose. Metro adopted the Climate Smart Communities Strategy in 2014 with a set of performance measures. These are the measures the department uses to review the major report. The 2023 Regional Transportation Plan is distinct from the major report on progress. In reviewing the major report on progress toward the set of performance measures of the Climate Smart Communities Strategy, the department did review aspects of the 2023 Regional Transportation Plan that provided such information; however, the department limited its review of the 2023 Regional Transportation Plan to only the information pertinent to progress toward the Climate Smart Communities Strategy performance measures.

**Conclusion:** The commission finds this alleged deficiency does not provide a basis to sustain this appeal.

**G. Alleged Deficiency 5: “The DLCDC Relied on Inconsistent Regulatory Interpretations.”**

The appellants argue that the department’s order confuses the difference between projections and actual performance. Without citing a specific rule, the appellants allege that Metro must report actual performance. (Exhibit C, pages 8-9).

**Findings:** The major report on progress includes reported progress across a range of performance measures against a set of targets. These measures and targets were set by Metro as part of the Climate Smart Communities Strategy, adopted in 2014. Metro defined a method for each performance measure to find the reported value and compare it to a target. Metro used those methods in the major report.

See also the responses to alleged deficiencies 2A and 2B.

**Conclusion:** This commission finds this alleged deficiency does not provide a basis to sustain this appeal.

## V. Conclusion

Based on the findings and conclusions in this order, the commission concludes that the director's decision to approve the major report on progress submitted by Metro is valid and denies the appeal of that decision.

The commission **orders** that DLCD order 001945, dated August 26, 2024, remain in force in full. The commission specifically reiterates the following elements of DLCD order 001945 in this order:

- As part of proposed corrective action 7, Metro shall:
  - Prioritize transportation options services when developing the next RTP;
  - Work cooperatively with cities, counties, and transportation options providers to advance transportation options services across the region; and
  - Include updates on the progress of this corrective action for the region and each city and county in annual minor progress reports required by OAR 660-012-0900. (Exhibit B, page 14)
  
- As part of proposed corrective action 10, Metro shall:
  - Prioritize pedestrian, bicycle, and transit infrastructure and services in the development of the next RTP to significantly increase support for these modes above the existing RTP;
  - Update the Regional Functional Plan to include requirements for cities and counties to prioritize planning, funding, and development for pedestrians, bicycles, and transit to ensure that local actions make a significant change in the development of the transportation system;
  - Work cooperatively with cities, counties, and transit service providers to advance transit service; and
  - Include updates on the progress on this corrective action for the region and each city and county in annual minor reports submitted to the department. (Exhibit B, pages 14-15)

The commission further **orders** that future major reports on progress from Metro must clearly provide separate, specific proposed corrective actions for each performance target that is not met. The commission verbally directed this condition at the appeal hearing, as described in section III-E of this order.

**Signed this 27th Day of January, 2026**



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Brenda Bateman, Ph.D., Director

Department of Land Conservation and Development

**Appeal Notice:** As provided in OAR 660-012-0920(9), you may be entitled to review of this commission order as provided in ORS 183.484 for orders in other than a contested case. Judicial review may be obtained by filing a petition for review within 60 days of the service of this final order.

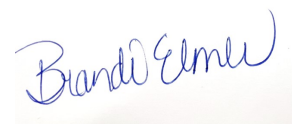
**VI. Exhibits**

- A. Metro Major Report, May 30, 2024
- B. DLCD Order 001945, August 26, 2024
- C. Appeal of DLCD Order, September 30, 2024

**VII. Certificate of Service**

I certify that on January 27, 2026, I served the attached “Department of Land Conservation and Development Order Approving Major Progress Report Submitted by Metro” to the addresses listed below by email and by mailing in a sealed envelope with first-class postage prepaid.

Party	Email	US Postal Service
Metro	<a href="mailto:roger.alfred@oregonmetro.gov">roger.alfred@oregonmetro.gov</a> <a href="mailto:kim.ellis@oregonmetro.gov">kim.ellis@oregonmetro.gov</a>	Roger Alfred Metro 600 NE Grand Ave. Portland OR 97232-2736
Joseph Cortright	<a href="mailto:jcortright@gmail.com">jcortright@gmail.com</a>	Joseph Cortright 1424 NE Knott St Portland OR 97212
No More Freeways	<a href="mailto:tmcdonald66@gmail.com">tmcdonald66@gmail.com</a> <a href="mailto:chris@chris-smith.us">chris@chris-smith.us</a> <a href="mailto:crichter@batemanseidel.com">crichter@batemanseidel.com</a>	Tyler McDonald Reuter Corbett LLP 1915 NE Stucki Ave, Suite 365 Hillsboro, OR 97006



Brandi Elmer, Executive Assistant to the Director