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January 18, 2020

Land Conservation and
Development Commission
635 Capitol Street NE, Suite 150
Salem, OR 97301

Re: LCDC meeting of January 23-24, 2020
Agenda Item 3: Statewide Transportation Strategy

Dear Commissioners:

We appreciate that the Commission is receiving a briefing on the status of the *Statewide Transportation Strategy to Reduce Greenhouse Gas Emissions* (STS) and the land use actions needed to reduce greenhouse gas (GHG) emissions from transportation consistent with the STS. This is an important step in implementing the Commission's direction to staff at its November 2019 meeting in Reedsport, at which the Commission concluded:

"We are committed to adopting a Transportation Planning Rule that requires Metropolitan Planning Organizations and their respective local governments to collaboratively and comprehensively develop and implement transportation system plans and land use plans and actions that provide transportation choices and reduces greenhouse gas emissions consistent with LCDC's 2017 updated target requirements."

Unfortunately, in our opinion, the staff report does not help to meet this directive. It falls short in the following respects:

- It does not adequately describe the STS conclusions about the GHG reductions that metropolitan areas, including the local jurisdictions within them, must make in the transportation sector to meet the GHG reduction goals of the STS.
- It does not adequately describe the STS conclusions about the types of actions those metropolitan areas must take – and most importantly, the intensity of those actions – to meet those GHG reduction goals.
- It does not describe the tools that LCDC has today to ensure those metropolitan areas meet the STS GHG reduction targets, in particular the Transportation Planning Rule (TPR), and the larger context in which that authority sits in the - now more than a decade old - legislative directive to the state's metropolitan areas to reduce their transportation-related GHG emissions. For example, although the Commission's November 2019 conclusion references "LCDC's 2017 updated target requirements," the staff report does not describe what those are or where they came from.

- The staff report, amazingly, does not even mention vehicle miles traveled (VMT) and the essential role reducing VMT plays in metropolitan areas to achieve the GHG reductions targets.

I. The Legal and Policy Structure that Brings us to Today

Because Commission members have changed since some of the legislative events that have brought us to today, here is a brief summary.

In 2007, the state legislature committed Oregon to reducing GHG emissions by 75% by 2050.¹ Almost 40% of all GHG emissions in Oregon comes out of the tailpipes of automobiles and light trucks. And most of that is from driving in the state’s 8 metropolitan areas.² The legislature also established the Metropolitan Planning Organization Greenhouse Gas Task Force (MPOGHG) to craft a structure to implement this GHG goal. The Task Force was co-chaired by the then-chairs of LCDC and the Oregon Transportation Commission (OTC). That Task Force described the structure it recommended:

“The Task Force recommends expanding the existing metropolitan planning process to incorporate scenario planning in three phases:

- *Phase 1:* over the next two years, using existing resources, MPOs would explore ways to reduce GHG emissions as regional transportation plans are being updated.

- *Phase 2:* beginning in 2012 - once state targets are set, and adequate resources and state guidance are available – metropolitan areas would develop land use and transportation scenario plans to meet GHG reduction goals as part of their regional transportation plans.

- *Phase 3:* at regular intervals thereafter, the state strategy and metropolitan scenario plans would be updated and extended to reflect available information and progress in meeting GHG reduction goals. “³

The Task Force recommendations were adopted by the Legislature in 2010 in SB 1059. Below are the actions called for in SB 1059 and their current status:⁴

¹ This target conforms to national and international GHG reduction targets. ORS 468A.205 (1): “The Legislative Assembly declares that it is the policy of this state to reduce greenhouse gas emissions in Oregon pursuant to the following greenhouse gas emissions reduction goals:

- (a) By 2010, arrest the growth of Oregon’s greenhouse gas emissions and begin to reduce greenhouse gas emissions.
- (b) By 2020, achieve greenhouse gas levels that are 10 percent below 1990 levels.
- (c) By 2050, achieve greenhouse gas levels that are at least 75 percent below 1990 levels.”

² Portland Metro; Salem/Keizer; Albany area; Corvallis area; Central Lane; Rogue Valley area; Grants Pass area; Bend area.

³ MPOGHG Task Force, *Legislative Concepts Report Responding to House Bill 2186 Section 10*, January 11, 2010, p. 2. The Task Force included representatives from the following MPOs: Bend, Salem-Keizer, Rogue Valley, Corvallis, and Central Lane.

⁴ ORS 184.888-899.

Agency	Action	Status
LCDC	Adopt and update GHG reduction targets for each metropolitan area. (These are the “2017 targets” referred to in the Commission’s statement in Reedsport.)	DONE
OTC	Develop and adopt a statewide transportation strategy (STS) on GHG emissions to aid in achieving the targets. The STS includes information, <i>individualized to each metropolitan area</i> , on how to meet its GHG reduction target.	DONE
ODOT	Develop analytical tool to forecast the likely GHG emissions from various land use and transportation variables.	DONE
DLCD and ODOT	Develop scenario planning guidelines.	DONE
DLCD and ODOT	Develop a GHG reduction toolkit.	DONE
The 8 metropolitan areas	Develop and implement a land use and transportation scenario plan that meets its GHG reduction targets.	NOT DONE, not even close. Only the Portland Metro area has done this. Metro adopted a Climate Smart Communities Plan that will achieve its assigned GHG reduction target, and is now implementing it.

Not only have the 7 other metropolitan areas not even crafted a greenhouse reduction complying transportation plan, they are now all revising, or have just revised, their local transportation system plans (TSP) and Regional Transportation Plans (RTP) that will last through 2040 – most of the way to the state’s target year. State funds have been used to develop these TSPs and RTPs. Yet, evidence and reports to date indicate those TSPs and RTPs will fall far short of, and possibly even backslide from,

meeting their GHG reduction targets. As noted by Oregon’s Global Warming Commission, transportation-related GHG emissions have continued to rise.⁵

II. LCDC, Land Use Planning, and the Transportation Planning Rule

The legislative and regulatory structure described above recognizes several significant things for LCDC:

- Reducing vehicle miles traveled (VMT) is an essential component of meeting the state’s overall GHG reduction goals, and for each metropolitan area to meet its GHG reduction targets set by this Commission.⁶
- The most powerful tool to do that is through the integrated transportation and land use planning that every local government is required to do by Goal 12 (Transportation) and, in particular, the Transportation Planning Rule (TPR), which is overseen by LCDC.

The TPR already requires that the local governments in these metropolitan areas⁷ adopt TSPs that are “designed to achieve adopted standards for increasing transportation choices and reducing reliance on the automobile.” The current TPR standard is to reduce VMT by 5%.⁸

Unfortunately, other than the Portland Metro area, it is not clear that any TSP is meeting even the 5% VMT reduction standard, even though it has been in place for about two decades and through multiple local TSP updates.

The Commission has embarked on a path, reflected in its November 2019 statement in Reedsport, to bring the full force of the transportation and land use planning process to actually reducing VMT and thereby ensuring that the GHG reduction targets established for the 8 metropolitan area over a decade ago, and revised by LCDC in 2017, actually happens.

III. The STS

As the staff reports describes, the STS “is focused on reducing greenhouse gas emissions from the transportation sector and spans the authority of multiple state agencies.” However, as noted above, the staff report fails to describe the STS conclusions about the types of actions the seven other metropolitan areas must take and, most importantly, the intensity of those actions to meet each area’s GHG reduction goals.

⁵ See the biennial report of the OGWC, e.g., <https://static1.squarespace.com/static/59c554e0f09ca40655ea6eb0/t/5c2e415d0ebbe8aa6284fdef/1546535266189/2018-OGWC-Biennial-Report.pdf> “The mounting challenge we face is with transportation emissions, which have been rising since 2013 after several years of flat-lining or incrementally dropping.”

⁶ *Id.*, e.g., “Oregon should prioritize moving STS recommendations forward, especially policies that incentivize ... increasing transit service; and adapting Oregon’s communities to facilitate public transit, biking, and walking.”

⁷ The TSPs are required to be developed in coordination with the region’s own federally- required MPO and RTP.

⁸ OAR 660-012-0035(4), (5).

Importantly, the STS describes the specific actions each metropolitan area must take, and the outcomes for each that must be achieved, to meet its GHG reduction goals. By 2050, the transportation plans must:

- Reduce VMT per capita by 23%
- More than triple the level of transit service
- Double the share of trips made by walking and bicycling
- Significantly increase the share of housing and employment in walkable, compact mixed use areas
- Expand incentives and programs to encourage use of transportation options

The STS includes specific goals and trajectories for each strategy, with benchmarks for the years 2020, 2035 and 2050.

While the staff report does describe the status of current plans relative to UGB expansions and compact, mixed-use areas, the fact that every metropolitan area, except the Portland area,⁹ is failing woefully to meet its overall GHG reduction goal and these outcomes should result in alarm bells. In addition, the staff report neglects to report on the current gap between these other STS outcomes and the where each metropolitan area is today. Most significantly, VMT. No TSP or RTP, except Metro's, is anywhere near *even striving* to achieve these essential outcomes.

IV. Next Steps for the Commission

We recommend that the Commission direct staff to provide it information and the *actions* to “require[] Metropolitan Planning Organizations and their respective local governments to collaboratively and comprehensively develop and implement transportation system plans and land use plans and actions that provide transportation choices and reduces greenhouse gas emissions consistent with LCDC's 2017 updated target requirements.” Specifically:

- A description of the gap between the current TSP and RTP for each metropolitan area and the outcomes called for in the STS; in particular, regarding VMT reduction, mixed-use development, walk and bicycle mode share, and transit service.
- The language change needed to the TPR to require that each metropolitan area TSP incorporate the GHG reduction target already assigned to its MPO area as a required performance measure.
- The changes to the TPR that the Commission should take to ensure that STS benchmarks and performance measures are incorporated into the metropolitan area TSPs.

Sincerely,

Mary Kyle McCurdy
Deputy Director

⁹ The accomplishments of Portland Metro in achieving compact, mixed-use development, when averaged in with all metropolitan areas as the staff has done, masks the lack of performance by most of the other areas.