

Climate-Friendly and Equitable Communities Rulemaking Advisory Committee



MEETING 5

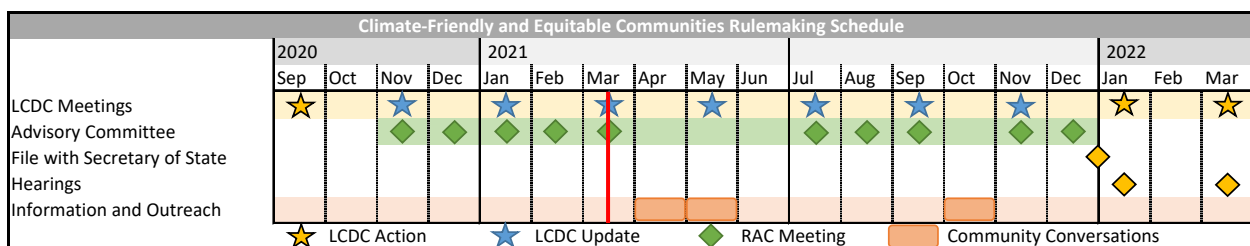
TO: Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members
FROM: Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff
SUBJECT: **RAC 5 Item 1: RAC Meeting 5 Packet Cover Memo**
DATE: March 22, 2021

Thank you for your ongoing contributions to the Climate-Friendly and Equitable Communities rulemaking effort. Your comments and questions are helping us to build policies that will help shape the future of our state for decades to come. We continue to try to make our materials and meetings more understandable. Please let us know how we are doing by responding to the post-meeting survey.

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Schedule Update

At their meeting last week, we asked the Land Conservation and Development Commission to adjust the rulemaking schedule. They approved a move to accommodate additional rule development discussion, and another round of community conversations this fall. The most immediate change for RAC members is that we will not meet in June, and we will meet in November. Our next meeting will be July 12, 2021. We will send updated calendar items to RAC members soon and hope that members will attend at least one Community Conversation in April or May.



Meeting Overview

At this meeting, we will review the actions under the Statewide Transportation Strategy (STS), and what we need to accomplish to meet the state's climate pollution reduction goals. We will continue our discussion of reporting and monitoring from our last meeting and we will review new revisions to the draft rules in Division 44 – the Metropolitan Greenhouse Gas Reductions Rules. Finally, we will wrap up with a review and discussion about mapping equity. There are five key documents for your review ahead of this meeting:

- **Item 3:** The Key Questions Worksheet is both a worksheet for you as well as a feedback guide for staff. You may find it useful to make notes during the meeting. After the meeting, we will send you a survey based on these questions for you to provide additional written feedback. We encourage all RAC members and alternates to provide feedback in this way. Your written comments continue to be very helpful.
- **Item 4:** The Review of STS Trajectories is a preview of a presentation at the upcoming meeting. The Statewide Transportation Strategy (STS) lists the state and local actions that need to be implemented to meet the state's climate pollution reduction goals in the transportation sector. A trajectory in the STS is a path which each action is assumed to follow over time. If the path for each action is met, then the overall vision will achieve the state's goals for climate pollution reduction.
- **Item 5:** The Review of Reporting and Monitoring Guidance is a comprehensive list of the feedback you provided at our last RAC meeting, along with analysis of how we have used, or intend to use, this guidance in the rule amendments.
- **Item 6:** The Proposed Amendments to Division 44, the Metropolitan Greenhouse Gas Reduction Rules, are a revised version of the proposed rules that the RAC reviewed in RAC meeting 3 in January. Since then, we have taken your feedback, held discussions with some affected jurisdictions, reviewed the draft with other state agencies, and received legal review. We will discuss these rules at this meeting, and then revisit these rules in the context of the other updated divisions this fall.
- **Item 7:** The Equity Mapping memo describes some reasons staff recommend using an equity mapping tool as part of meeting our targets, and some examples of tools used or proposed to be used in the state. The memo also describes where we have identified data gaps. An equity mapping tool may have a number of uses, including prioritizing investments in areas with historic underinvestment; identifying areas where people are at risk of displacement; and to add an equity lens to performance measures.

Community Conversations

Over the next few months, staff will be holding a series of community conversations for locations across the state. RAC members are strongly encouraged to participate in any of these meetings. Please let us know if you did not receive the email invitation. While each meeting is generally geared toward a specific metropolitan area, or pair of metropolitan areas, we will hold all meetings online and anyone can attend.

The times and dates of each meeting are:

April 6, 6:30 pm – 8:30 pm	Albany and Corvallis (register here)
April 13, 6:30 pm – 8:30 pm	Southern Oregon (register here)
May 11, Noon – 1:30 pm	Bend (register here)
May 19, 6:30 pm – 8:30 pm	Eugene/Springfield (register here)
May 25, 6:30 pm – 8:30 pm	Salem/Keizer (register here)

Conclusion

As always, there will be a [livestream of this RAC meeting on YouTube](#), which will be available for later viewing as well.

Please remember that the [project website](#) has many related materials available. You can find the [packet from RAC Meeting 4](#) there as well as a [video recording](#) of the last meeting and prior meetings.

Finally, if you have any questions on the materials in this packet or anything else about the rulemaking process, please feel free to contact us via phone or email at DLCD.CFEC@state.or.us. Emails to this address go to several of our project team, including those listed below.

On behalf of DLCD and the Land Conservation and Development Commission, we continue to be grateful for your participation in this important initiative!

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**Climate Friendly and Equitable Communities
Rulemaking Advisory Committee (RAC)
Meeting 5**

March 29, 2021; 1:00 pm – 4:00pm



This meeting will be [available for livestreaming on the internet](#).
A recording of the meeting will be posted on the [rulemaking web page](#).

Public comments may be submitted to the Rulemaking Advisory Committee by sending them to DLCD.CFEC@state.or.us. Comments received at least three working days before the meeting will be distributed to committee members prior to the meeting. Comments also will be shared with members of the Land Conservation and Development Commission.

AGENDA

Time	Topic	Who
<i>12:45 – 1:00 pm</i>	<i>Arrive and Settle In</i>	RAC members
<i>1:00 – 1:10 pm</i>	Welcome, Opening Remarks, and Review Agenda	Commissioner welcome Sylvia Ciborowski, Meeting Facilitator
<i>1:10 – 1:40 pm</i>	What Will It Take? – Review of Statewide Transportation Strategy (STS) Trajectories In Key Areas	Amanda Pietz, ODOT Staff Sylvia Ciborowski
<i>1:40 – 2:00 pm</i>	Monitoring and Reporting – What we’ve heard	Kevin Young, DLCD Staff Bill Holmstrom, DLCD Staff Sylvia Ciborowski
<i>2:00 – 3:00 pm</i>	Division 44 Review	Cody Meyer, DLCD Staff Matt Crall, DLCD Staff Sylvia Ciborowski
<i>3:00 – 3:10pm</i>	BREAK	
<i>3:10 – 3:55 pm</i>	Equity Mapping	Cody Meyer Allison Platt, City of Bend Sylvia Ciborowski
<i>3:55 – 4:00pm</i>	Next Steps and Wrap Up	Sylvia Ciborowski Kevin Young Commissioner close

Upcoming Meetings	
Date/Time	Meeting
April 2021	Interagency Technical Support Team Meeting #2
May 20-21, 2021	Land Conservation and Development Commission Update
Early July 2021	Interagency Technical Support Team Meeting #3
Monday, July 12, 2021, 1-4pm	Climate Friendly and Equitable Communities RAC Meeting #6
July 22-23, 2021	Land Conservation and Development Commission Update
Wednesday, August 18, 2021, 9am-12pm	Climate Friendly and Equitable Communities RAC Meeting #7

Climate-Friendly and Equitable Communities Rulemaking Advisory Committee

MEETING 5



TO: Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members
FROM: Kevin Young and Bill Holmstrom, DLCD Rulemaking Lead Staff
SUBJECT: **RAC 5 Item 3: Key Questions Worksheet**
DATE: March 22, 2021

In order to meet our ambitious timeline and schedule, meetings of the RAC will need to be a space for robust conversation and discussion about agenda items. In order to facilitate this type of discussion, we have pulled specific topics, questions, and decision points from the meeting packet into this central discussion worksheet document. The intent of this document is to mirror the flow of the discussion and agenda items. You may use the document to collect your thoughts, comments, questions, and concerns on specific points.

As you review the meeting packet contents prior to our meeting on **March 29, 2021, from 1:00 pm – 4:00 pm**, please use this worksheet to take down notes or to formulate your questions for the project team. We will send committee members and alternates a link to a fillable version of this discussion worksheet in order to collect additional questions or comments.

RAC Meeting Discussion Items: Statewide Transportation Strategy Trajectories

1. Please let us know any general responses you have to reviewing the progress needed to reach Oregon’s greenhouse gas reduction goals in Metropolitan Areas. Concerns? Aspirations?

RAC Meeting Discussion Items: Review of Monitoring and Reporting

2. In the last meeting, we discussed Monitoring and Reporting. Based on this feedback, staff have developed concepts that we will use in our rules, including in Division 44 (Metropolitan Greenhouse Gas Reduction Targets). Does our staff analysis reflect your guidance?

Yes No Somewhat

3. Is there anything else you would like to add?

RAC Meeting Discussion Items: Division 44 Review

4. As you review and reflect on the revised draft of Division 44: Metropolitan Greenhouse Gas Reduction Rules, what is your general level of satisfaction with these draft rules?

- Fairly satisfied Not satisfied Still assessing

5. Please share any suggestions you may have for improving the draft rules. If there are rules or sections that are unclear, please let us know of those specifics.

RAC Meeting Discussion Items: Equity Mapping

6. Several agencies in the state are considering equity mapping tools. We are working with many of those agencies to align efforts. Our intent for these rules is to provide an equity mapping tool to cities and counties to aid in their analysis and help inform public policy and associated investments. For example, cities and counties would use the tool to prioritize investment decisions in places with concentrations of priority populations, or describe why they are making investments in other areas. Would such a tool be useful to help reach our Equitable Outcomes?

- Yes No

7. If no, why not?

8. What concerns would you have?

9. Staff identified four approaches to equity mapping vis a vis rule development. At this time, which one do you prefer and why?

- **Approach 1:** All data from the priority populations is included in individual map layers
- **Approach 2:** Index using five key demographic indicators from existing MPO and ODOT work
- **Approach 3:** Hybrid approach using an index of five key demographic indicators, with separate layers for user to turn on or off based on context (community) and use (housing, transportation)
- **Approach 4:** Full index that includes data from each of the indicators from the priority populations

Approach 1 Approach 2 Approach 3 Approach 4

10. Please describe any reasons for your preference you are able to share. Concerns and questions are also welcome.

General Questions

11. How was the format of this meeting for you?

Good Needs Improvement

12. If needs improvement, what suggestions do you have?

13. What was the most valuable aspect of this meeting for you?

14. Please share any recommendations to help improve your understanding or the productivity of future meetings.

Thank You!

Climate-Friendly and Equitable Communities Rulemaking Advisory Committee

MEETING 5



TO: Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members
FROM: Cody Meyer, Land Use and Transportation Planner, DLCD
Amanda Pietz, Director, ODOT Climate Office
Tara Weidner, Climate Impact Analysis Program Manager, ODOT Climate Office
Brian Hurley, Statewide Transportation Strategy Program Manager, ODOT Climate Office
SUBJECT: **RAC 5 Item 4: Review of Statewide Transportation Strategy Trajectories**
DATE: March 22, 2021

The purpose of this memo is to provide the RAC members with an understanding of the scale of the work that will be required to meet the state's transportation related climate goals. Staff will present information from the regional goals in the 2013 Statewide Transportation Strategy to help RAC members understand what it will take to meet them. In 2018 the Oregon Transportation Commission adopted the STS.

I. STATEWIDE TRANSPORTATION STRATEGY

The [Statewide Transportation Strategy \(STS\)](#), and 2050 STS Vision scenario, is Oregon's roadmap of the state and local actions necessary to meet the state's transportation sector greenhouse reduction goals. The STS Vision includes actions implemented by local governments and other agencies that affect household travel and local commercial service delivery vehicles. It is important to note that while actual greenhouse gas emissions change will result from choices made by individuals and businesses, state and local governments provide the options and a framework of incentives and disincentives to influence low carbon travel choices. These all must be done within the context of market forces outside of government's direct control that exert significant influence, such as fuel price, economic health, population, and demographic trends.

The predominant mode of transportation in Oregon, like elsewhere in the United States, is driving a vehicle. The current mix of vehicles driving on Oregon's roadways emits a relatively high amount of carbon and pollutants, making the emission profile of vehicle miles traveled (VMT) a significant factor. Light duty vehicles (cars and trucks) represents roughly half of today's overall transportation greenhouse gas emissions. A large majority of future reductions in greenhouse gas emissions will be due to cleaner vehicles and fuels, led by state and federal policies. However, the state cannot get to its greenhouse gas goals through clean vehicles and fuels alone. Supportive pricing, active and public transportation, transportation options and land use policies are critical to reduce vehicle miles traveled; these are areas in which local governments and other agencies such as transit providers play a key role.

Strategies that reduce vehicle miles traveled will also reduce greenhouse gas emissions, especially in the short-term. Vehicle miles traveled can be reduced by strategies that reduce drive-alone trips and support people telecommuting, taking the bus, biking, walking, or shortening trip lengths. Supportive land use efforts are needed to develop our urban and suburban communities so that homes, jobs, services and shopping are in close proximity and can therefore be easily accessed on foot, bike, or bus. Carpooling, transit, biking and walking all help reduce emissions by transitioning trips to higher capacity modes such as carpooling and transit, and lower-emitting modes of travel.

The STS 2050 Vision, if achieved, would result in a decrease in daily vehicle miles traveled of over 20 percent per person over the 2010 base year as shown in Figure 1. This VMT reduction assumes that both state and local actions are implemented.

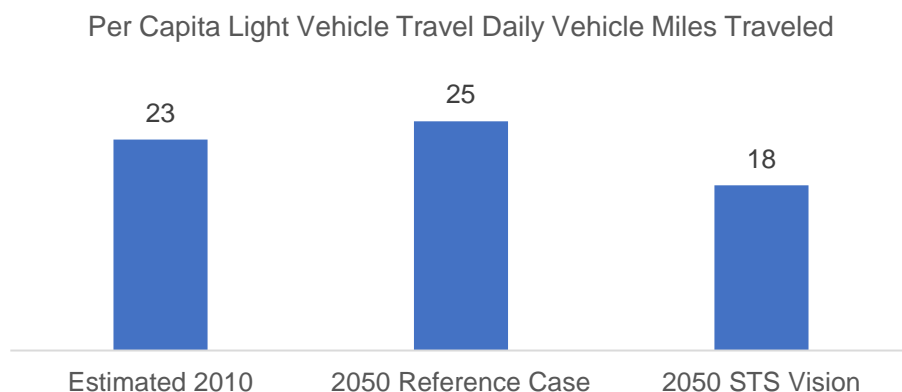


Figure 1 VMT Reduction from the STS

II. LOCAL STRATEGIES NEEDED TO ACHIEVE THE STATEWIDE TRANSPORTATION STRATEGY VISION

There are a number of strategies in the Statewide Transportation Strategy that local governments can and will need to undertake to reduce emissions from transportation if we are to meet our reduction goals. Some key strategies that influence low carbon travel choices are presented below. These strategies are a starting point for a mix of local strategies that can help achieve the STS vision in combination with state and federal actions, such as ambitious vehicle fuels and pricing actions. The levels represented for the 2050 STS vision were developed in 2012 for the development of the 2013 Statewide Transportation Strategy. Local governments conducting scenario planning will be able to set a different mix of benchmarks to meet the goal as part of the planning process. In addition to the strategies described below, more information on the strategies and trajectories to achieve the STS vision can be found in the [Statewide Transportation Strategy Technical Appendix](#).

A. EFFICIENT LAND USE

Strategies in this category focus on infill and walkable mixed-use development in urban areas to reduce demand for vehicle travel, shorten trips, expand non-auto travel mode choices, and enhance the effectiveness of public transportation and other transportation options. This type of development pattern promotes more efficient movement throughout the transportation system, reduces the distances that people and goods must travel, and provides more opportunities for people to use zero or low energy transportation modes. Examples of these types of strategies include supporting mixed-use development, limiting expansion of urban growth boundaries, and

development of urban consolidation centers for freight. To reach the STS Vision, over 30% of urban households will need to reside in a compact, mixed-use neighborhood by 2050.

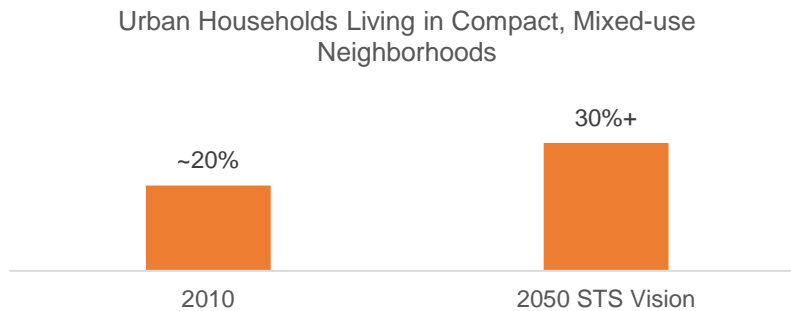


Figure 2 Compact, Mixed-use Neighborhoods from STS

B. ACTIVE TRANSPORTATION, PUBLIC TRANSPORTATION, AND TRANSPORTATION OPTIONS

Strategies in this category provide infrastructure and options for public transportation, bicycle, and pedestrian travel, enhancing [Transportation Options programs](#), and shifting to more efficient modes of transportation. These strategies encourage a shift to transportation modes that produce fewer emissions and provide for more efficient movement of people and goods. Examples of these types of strategies include adding biking and walking infrastructure, providing employer-based Transportation Options programs, promoting ride-matching services, and a significant growth in public transportation service including transit.

Shifting to Active Modes and Public Transportation

Reaching the STS Vision will require a large increase in active transportation modes of travel and a significant shift away from single occupancy vehicles for both shorter and longer distance trips. Oregonians will need better access to a range of active transportation options (e.g., bicycling, walking) for shorter trips. To reach these goals, communities and transit providers will need to provide safe walking paths, bicycle facilities, and support more frequent transit service for longer trips. Co-benefits of strategies that improve bicycling and walking facilities are that they encourage physical activity, foster reduced obesity rates, and overall improve public health. As shown in Figure 3, 40% of single occupancy vehicle trips are shifted to bicycle or other similar modes.

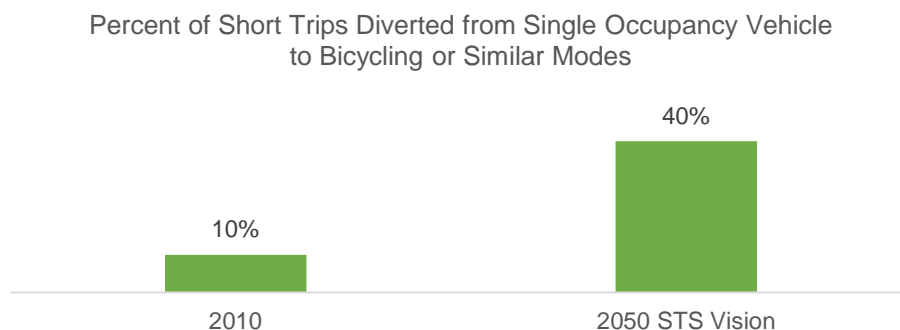


Figure 3 Active Mode Trips from STS

Transit is a key strategy for reducing vehicle miles traveled at the local level. Investing in public transportation infrastructure and operations provides more transportation options and helps reduce single-occupant vehicle travel for longer trips. To reach the STS Vision, the state will need to realize significantly increased transit levels of service in the metropolitan areas. If all longer trip diversion were accommodated by transit, transit service levels will need to increase 4 to 6 times beyond the service levels required to keep pace with population growth. The transit funding provided by legislation in 2017 is expected to keep pace with current population growth projections. The Portland metropolitan area will need the highest levels of service, similar to current San Francisco-Oakland levels. Transit service is not a one-size fits all approach. Transit frequency, service patterns, and vehicles will differ by community. By 2050, Oregon metropolitan areas will need to be expanded to levels that are as high as present levels in top performing comparably sized urban areas in the U.S.

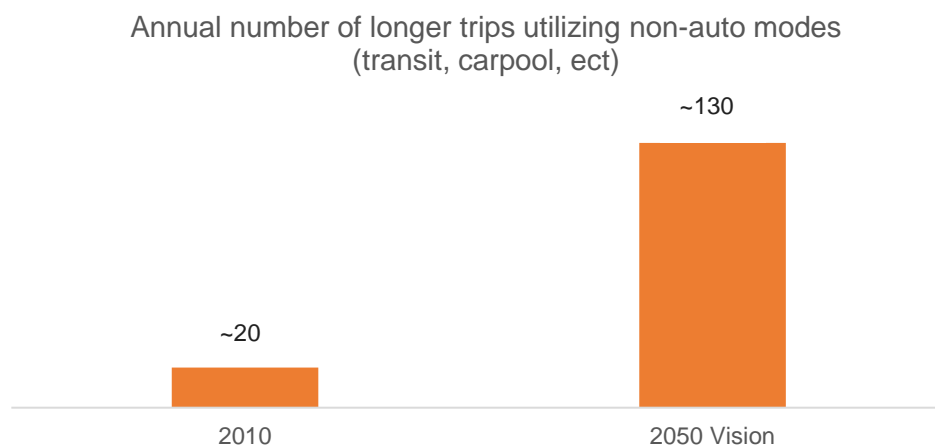


Figure 6 Long distance trips using alternative modes from STS

Low-Carbon Transit Vehicles

The 2050 STS Vision includes strategies for aggressively shifting transit vehicles to low emission vehicles. This may include biofuels in the near term, but long term the STS Vision assumes nearly all urbanized areas operate fully electric buses and demand responsive vehicles. This also has significant air quality health benefits to the residents living in the higher density areas served by transit.

Transportation Options

The 2050 STS Vision includes strategies for regions to support and implement technologies and programs that manage demand and make it easier for people to choose transportation options other than single-occupancy for trips of all lengths. While much of this work is being done through programs at the statewide level, there are a number of supporting local ordinances that help encourage transportation options such as requiring commercial developments to provide trip reduction programs in lieu of expensive infrastructure. As shown in Figure 7, the STS Vision assumes that by 2050, 50% of employees will participate in a transportation options or trip reduction program. Key elements of effective employer programs include incentives (subsidized transit passes and first/last-mile modes, bike and carpool promotion and facilities, alternative work schedules, ride-sharing phone app), parking restrictions and fees to reduce overall vehicle miles traveled.

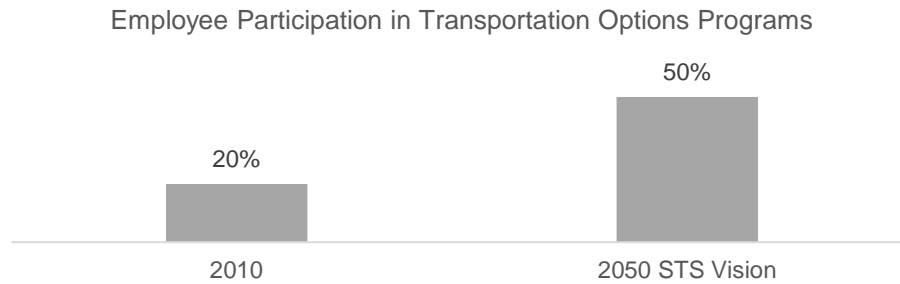


Figure 7 Employee Transportation Options Participation from STS

C. PRICING, FUNDING, AND MARKETS

An important component of the STS Vision is for transportation system users to pay the full cost of travel, both the cost of wear and tear on the system and other social and environmental impacts of driving (noise, energy security, climate pollution, and health). Strategies to implement pricing actions, including user fees and value pricing help to recover these costs and reduce vehicle miles traveled. While many of these actions would have to be initiated at the state level, important local pricing actions include parking fees, congestion fees, and local gas taxes.

Successful implementation of the STS Vision relies on adequate funding from these user pricing systems to maintain and improve system performance, provide transportation options, and enhance operations. Transportation funding through increased fees helps to provide some of the revenue needed to support the other strategies in the Statewide Transportation Strategy. Rising long-term operations and maintenance costs and inflation result in the need to increase funding for effective transportation systems.

Climate-Friendly and Equitable Communities Rulemaking Advisory Committee

MEETING 5



TO: Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members
FROM: Kevin Young, DLCD Senior Urban Planner
Bill Holmstrom, DLCD Land Use and Transportation Planning Coordinator
Cody Meyer, DLCD Land Use and Transportation Planner
SUBJECT: **RAC 5 Item 5: Review of Monitoring and Reporting Guidance**
DATE: March 22, 2021

A. INTRODUCTION

At our fourth meeting of the rulemaking advisory committee (RAC) on February 22, 2021, the Climate-Friendly and Equitable Communities meeting facilitators lead the group through a virtual sticky note exercise. The purpose of the exercise was to collect RAC members' guidance on the monitoring and reporting that will be necessary to assess local and regional progress toward meeting the dual goals for climate pollution reduction and improved equitable outcomes. RAC members provided brief written comments in response to the question, "What kind of information do you think would be useful in a regular report from local jurisdictions in order to show advancement toward our climate and equity goals?"

Below, staff have organized the responses received. All comments are included in the RAC Meeting 4 Summary (RAC meeting 5 packet, item 8). We also provide a brief summary of our understanding of each section and how the comments and recommendations might be implemented.

B. RAC GUIDANCE ON MONITORING AND REPORTING

Question: What kind of information do you think would be useful in a regular report from local jurisdictions in order to show advancement toward our climate and equity goals?

Housing/Neighborhoods

- Number of housing units in mixed use neighborhoods that are affordable to low- and very low-income populations
- Number of mixed-use neighborhoods created
- How the city has mapped or zoned its current and future mixed use, walkable neighborhoods

- Building permits for all housing, and for non-single family housing (annual housing reporting, cities > 10,000)¹
- How many of excess parcel sizes have been developed². What cities have done to eliminate overly large parking lots (churches, entertainment facilities etc.) to increase housing
- How fast cities are processing building permits when compared to the prior years. Percentages of permits are related to housing affordability
- Whether the city has re-zoned its residential land so that approximately half of all new housing is planned for mixed use walkable neighborhoods
- Number of new housing units in mixed use neighborhoods
- Increase in area designated to mixed use development
- Focus on adequate housing - not just affordable housing
- Status of implementing HB 2001
- Whether or not the regulations cause housing costs to rise or reduce costs. Methods by which the regulations were determined
- Narrative of code/regulatory changes

Staff Analysis: Numeric tracking or metrics regarding housing production will be an important measure of the effectiveness of regulations and incentives for development in mixed-use areas allowing higher levels of development near transit and provided with excellent pedestrian and cycling networks. We are calling these areas Climate-Friendly Areas. The definition and designation of Climate-Friendly Areas will be a very important component of that work. We look forward to shaping these concepts with RAC members this fall. The proposed Metropolitan Greenhouse Gas Reduction Rules in Division 44 (OAR 660-044-0110(c)(d) require that a regional scenario plan reach the Statewide Transportation Strategy goal for at least 30% of households within metropolitan areas to be located in Climate-Friendly Areas.

Currently, cities with a population above 10,000 are required to report annually on housing production. Geographically specific reporting and associated analysis would be needed to align this reporting with designated Climate-Friendly Areas. Currently, this reporting, initially required by way of House Bill 4006 in the 2018 legislative session, requires data on permitted and produced housing units within each calendar year, in the following categories:

- (a) Residential units
- (b) Regulated affordable housing units
- (c) Multifamily residential units
- (d) Regulated affordable multifamily residential units
- (e) Single family homes
- (f) Regulated affordable single family homes
- (g) Accessory dwelling units
- (h) Regulated affordable accessory dwelling units
- (i) Units of middle housing, as defined in HB 2001 (2019)
- (j) Regulated affordable units of middle housing

¹ Committee members have advised against duplicate reporting, e.g., in response to 2020 rules to implement House Bill 2001 and HB 2003. Staff appreciates this guidance and agrees to work to minimize or avoid duplicate reporting requirements.

² Staff take this to mean vacant or underutilized.

Regarding local government implementation of House Bill 2001 (the “Middle Housing Bill”), DLCD housing team staff will continue to monitor compliance with rules and statutes implementing the Bill. Cities with population between 10,000 and 25,000 must adopt middle housing allowances by June 30, 2021. Cities with population of 25,000 or more and most cities and urbanized portions of counties within the Portland Metro area must adopt middle housing allowances by June 30, 2022. Local governments that fail to adopt compliant regulations by these deadlines must directly implement the respective model codes for “medium” or “large” local governments. The allowances for middle housing types (duplexes, triplexes, fourplexes, townhomes, and cottage clusters) in single family neighborhoods will help to achieve our climate and equity goals, but will be distinct from rules related to Climate-Friendly Areas.

Staff anticipate addressing vacant and underutilized land as well as parking requirements in administrative rules. Some of those requirements may be included in the housing-related portions of administrative rules in Divisions 7 and 8 rather than in Division 12 (Transportation Planning Rules) or Division 44 (Metropolitan Greenhouse Gas Reduction Rules).

Engagement

- Engagement with priority populations, including modes of outreach

Demographics/Equity

- Percentage of transit enforcement actions against BIPOC and white people
- Any data that is collected should be disaggregated by demographic data (age, gender, race, disability)
- General population satisfaction surveys: whether people are satisfied with the measures their jurisdictions are taking. Note any differences by geography
- Share of population (by income, race/ethnicity, age, etc.) with ≤15 min transit access in walking distance
- 2/3 Year: demographics of residents (income, education, racial background)
- 2-3 year: survey of residents: Walkability, safety, access to services, food
- Data/demographics; population counts, number of small businesses or businesses owned by priority populations. crimes against those populations. Safety improvements to transportation areas
- Infrastructure investment in census blocks with higher proportions of priority populations, and in other census blocks to show how investment is being distributed

Staff Analysis: Staff intend to incorporate equity considerations in much of the Climate-Friendly and Equitable Communities work. This will be reflected in administrative rules, but also will be embedded in technical assistance provided to local governments, and in guidance and best practices provided to local governments and other interested parties.

Equity considerations are included in a number of places within the proposed amendments to Division 44, including the following rules: OAR 660-044-0000, -0005; -0040, -0100, and -0110. Because Division 44 pertains to the regional scenario planning process, these requirements generally require local governments to engage with priority populations and to evaluate positive and negative impacts to priority populations as part of the regional scenario planning process.

Staff propose to develop a spatial equity mapping tool to help us to work towards meeting our equity outcomes. In order to be useful and to provide a consistent basis for decision-making, the tool will need to utilize data that is available and consistent on a statewide basis. Because of this, we expect that much of the data will need to come from the US Census and American Community Survey.

With this in mind, information from the mapping tool may be supplemented with local data and information that is not consistently available on a statewide basis, such as information from school districts, community-based organizations, and other parties. Because other data will not be consistent statewide or between metropolitan areas, such requirements will not be implementable in administrative rules, but may be used to inform each regional scenario planning process, and may be reflected in guidance and best practices to be developed by DLCD ideally in collaboration with community-based organizations and local governments.

Staff recognize that not all of the priority populations will have supporting data sources and may not be spatially concentrated. Staff will continue to solicit guidance regarding how best to understand and work to address the needs of these populations.

Funding

- Information on how funds are spent. Disclosure of names of firms awarded contracts; whether or not they are minority owned firms and whether or not they source locally
- Percent of contracts that support small businesses
- Balance of how funding is spent on different activities, e.g., amount for transit vs highways vs housing
- Amount of funding available and percent used for GHG reduction projects (a city could spend 100% of funding on the right thing, and still be penalized for not meeting the desired outcomes unless the overall funding is increased)

Staff Analysis: The State of Oregon and many local governments prioritize contracting with minority owned firms. Because existing programs vary and data may, or may not be collected, clear and consistent reporting on this metric could be challenging.

Staff plans to address transportation project funding prioritization as part of the amendments to the Transportation Planning Rules (Division 12). These elements will be forthcoming for RAC review.

Connectivity

- Progress on sidewalk connectivity to key destinations, including schools
- Data regarding improved sidewalk connections, missing links, extensions
- Amount of development centered around schools or other social anchors
- Bike stress and times to essential destinations from census blocks with higher BIPOC and priority populations
- Bike/pedestrian maps that shows connectivity between different areas of town
- Data on access to goods and services (walking distance, travel distance, travel time)
- Land use law impediments and incentives related to food and other essential services deserts
- Miles of connected bikeway/walking routes
- Importance of measuring actual use of services and infrastructure. We don't want bike lanes that no one uses; focus on complete systems

Staff Analysis: Connectivity of pedestrian, bicycle, other forms of micro-mobility and transit service will be an important consideration, especially in Climate-Friendly Areas. Comments from the RAC note many important considerations for metrics that may be used to reflect progress in this area. Staff expect some ability to customize metrics within regions as part of the scenario planning process. For example, a region committed to improving increased bicycle usage, may wish to adopt a system for measuring “bicycle level of traffic stress” for various bike routes, with a local performance measure monitoring reductions to levels of stress for various routes.

Local governments are dependent upon the private sector to develop grocery stores and other healthy food options. Higher residential densities will help to create sufficient demand for these types of businesses.

Safety/Transportation

- Focus on micro mobility measures too. E.g., electric bike, scooter. Place to charge, park safely
- Data regarding increased transit service
- Number of electric vehicle plugs installed in their city
- Whether or not the city has reduced or eliminated off street parking requirements
- 2-3 Year: Increase in non-personal auto transportation modes / availability
- Survey of residents pertaining to bike safety comfort level, vehicle miles traveled, transit utilization in lieu of single person car trips
- Transit miles per capita, both service provided and total rides
- Employee bus pass participants
- Number of school buses converted from diesel to electric
- Qualitative measures around personal safety at the community-level
- Local government’s investment in walking and bicycling infrastructure
- First step is to complete a spatial equity analysis on existing transportation projects and then the awarded/funded projects in TSPs
- Has city prioritized investments in walking and bicycling?
- Number of "Direct Marketing" or other Transportation Options outreach/education efforts
- Safety measures (# crashes, # fatalities), accessible sidewalks built
- Whether or not the city has adopted street design standards for Zero Vision, future bus use, pedestrian safety, etc.
- In regards to safety: documentation of over-policing and the number of stops from various law enforcement as well as the number of bias and hate incidents in the public realm.
- Bike comfort level
- Number of increased people with greater access to transportation options, walk/bike/transit

Staff Analysis: Staff appreciate these comments and expect to incorporate a number of the items listed here with proposed amendments to the Transportation Planning Rules (Division 12). These include electric vehicle charging station requirements, changes to off-street parking requirements, employee bus pass participation (as part of increased transportation demand management measures), and the prioritization of investments in transportation improvements for travel modes other than single-occupant vehicles (SOVs). Other metrics, such as increased pedestrian, bicycle, and transit usage are expected to be among the data used to evaluate progress.

Safety considerations are mentioned several times in the suggestions from the RAC. Given that transportation mode choices are strongly influenced by safety considerations, metrics monitoring the safety of pedestrians, bicyclists, and transit users will be important to evaluate progress, and may also be useful for public information purposes.

Energy/GHG

- Total energy use is available easily thru the tax each city collects on gas and electricity use
- GHG emissions reduced. Local governments may need better tools to measure this
- A consistent measure for GHG reduction, which is not measured in a uniform way typically

Staff Analysis: Computer modeling provides the best means of estimating and projecting greenhouse gas emissions from transportation. Part of the proposal in the requirements in Division 44 is setting a uniform measure (CO2 grams per mile) for the state and local governments to use. One of the challenges of this effort will be correlating local progress on the identified local performance measures with resultant greenhouse gas reductions. While there are not “off the shelf” products developed to date to support this correlation, staff are aware of, and sensitive to, that need.

Reduced Use of Vehicles

- Innovative approaches local governments have taken to reduce miles traveled
- Explanation of the link between vehicle miles travelled (VMT) reduction as required by the transportation planning rule (TPR) and greenhouse gas reduction (GHG) goals

Staff Analysis: The focus of our Climate-Friendly and Equitable Communities rulemaking work is reducing climate pollution from light duty vehicles (cars and light trucks) within metropolitan areas while simultaneously increasing equitable outcomes. Supportive pricing, multi-modal, and land use policies are critical to reaching our climate goals through reduced VMT; areas in which local governments play an important role.

Staff are looking into connecting the existing VMT reduction requirements in the Transportation Planning Rules (Division 12) with the greenhouse gas reduction targets. We expect to be able to discuss these connections with RAC members at an upcoming meeting.

Other

- Reporting metrics on resiliency. How well cities’ systems perform during adverse weather events
- It's reasonable to re-do the scenario model every five years to measure effectiveness. Any more often is just repetitious.
- Need to recognize that some actions will take some time to see results. Collecting too much annually will just result in data noise and obscure trends.
- Built facility information (linear miles, etc.) should be every three years. Programmatic progress annually.
- This question feels premature and I feel like I cannot answer it without knowing what the performance measures and specific metrics are. For example, I would advocate that metropolitan areas (MPOs) not be able to choose their own metrics but rather apply for exceptions to what the RAC recommends. If MPOs get to choose their metrics, the reporting

may look different. I do agree that there could be an annual report with qualitative data and more robust report with quantitative data

- What we report on depends what the measures are
- City integration of the performance measures should be included. For example, what are cities doing to change funding decisions and evaluation to choose a project. And how are other staff/committees knowledgeable about the performance measures and reports? What plans have been created, like a TDM Plan, multi-use housing plan, carsharing plan, etc.
- Modal split (for all trips)
- Ratio of green spaces to concrete
- Don't spend so much time reporting that you don't leave time for doing

Staff Analysis: Many monitoring and reporting details remain to be developed. RAC feedback has been very helpful in this regard. Some of that will occur in rules. Staff expect to establish the relationship between local performance measures and regional climate pollution reduction goals through the regional scenario planning process. In general, required monitoring and reporting will assess local and regional progress in two areas: climate pollution reduction; and improved equitable outcomes.

Although metrics will be an important component, there will also be a need for analysis and qualitative progress towards these outcomes. For example, a metric showing increased capital improvement funding in a neighborhood with a high degree of priority populations does not necessarily indicate improved conditions within the neighborhood if the improvement is a freeway interchange rather than a connected pedestrian and bicycle network.

We are grateful for RAC members' attention to the importance of the monitoring and reporting system and look forward to continuing to developing these concepts with you after the community conversations this spring.

Climate-Friendly and Equitable Communities Rulemaking Advisory Committee

MEETING 4



TO: Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members

FROM: Cody Meyer, DLCD Land Use and Transportation Planner
Bill Holmstrom, DLCD Land Use and Transportation Coordinator
Matt Crall, DLCD Planning Services Division Manager

SUBJECT: **RAC 5 Item 6: Proposed Amendments to Division 44**

DATE: March 22, 2021

Summary of Proposed Changes:

In order to meet the state's targets for Greenhouse Gas reduction, these proposed rule amendments would require regional scenario planning in the near term for the Eugene-Springfield and Salem-Keizer metropolitan areas and include a process for expanding requirements to the five other metropolitan areas. The state's five smaller metropolitan areas would be required to submit a monitoring report that uses a gap analysis to determine the difference between the region's adopted plans and regional goals from the Statewide Transportation Strategy on a schedule to be determined.

In preparing these draft rules for advisory committee review, staff suggest that the Rules Advisory Committee (RAC) members focus on the new rules listed below that are proposed additions to the existing rules. The draft rules also includes minor amendments in other rules, those changes are shown in underline and ~~striketrough~~. Staff appreciate RAC members review and discussion of these proposed updates to Division 44.

- 0000 – New purpose statement
- 0015 – Schedule for cities and counties to do scenario planning
- 0100 – Work programs for scenario planning
- 0110 – Required contents of a scenario plan
- 0120 – Department and commission review
- 0130 – Local plan amendments to implement the scenario plan
- 0140 – Reporting and Corrective Actions
- 0145 – Exemptions to Reporting Requirements
- 0150 – Enforcement
- 0200 – Interim Reporting Requirements Prior to Scenario Planning
- 0210 – Interim Report Contents

If RAC members would like to propose specific revisions to the text, please let staff know. Staff will provide a file in MS Word format so that RAC members can use the track changes feature to propose updates directly. Please send an email to DLCD.CFEC@state.or.us if you would like to comment in this way.

Oregon Administrative Rules
Chapter 660 – Land Conservation and Development Commission
Division 44 – Metropolitan Greenhouse Gas Reduction Targets

0000 Purpose

- (1) Consistent with EO 20-04 and the charge from the Land Conservation and Development Commission, the changes in this division implements Oregon Land Use Planning Goal 12 (Transportation), and the state goal in ORS 468A.205 to reduce greenhouse gas emissions. The purpose of this division is to significantly reduce climate pollutants that are causing increasing climate disruption as rapidly as possible. Cities, counties, metropolitan planning organizations, and Metropolitan Service District serving the Portland metro area (Metro) are encouraged to take actions beyond the minimum requirements of this division to make large reductions in pollution rapidly.

*This is a **new purpose statement** to entirely replace the existing purpose statement.*
- (2) Specifically this division requires cities, counties, and Metro to make changes to transportation and land use plans to significantly reduce pollution from light vehicles. This division places specific requirements on Metro in recognition of its unique status in the Portland region. This division also requires cities and counties within other metropolitan regions to work together to prepare a preferred land use and transportation scenario that describes a future set of aspirational transportation facilities and alternative future land use patterns that will reduce greenhouse gas pollution from light vehicles. This division requires the cities and counties within a metropolitan area to prepare a transportation and land use scenario plan that will define and implement a preferred scenario, identify performance measures for tracking progress, and work to not only to avoid or mitigate any impacts to historically marginalized communities, but to improve outcomes for these communities over time.
- (3) It is the purpose of this division to reduce inequities for historically marginalized communities. The land use and transportation scenario planning process and the local implementation process must prioritize historically marginalized communities so that the actions that reduce pollution also reduce the historic inequities from prior transportation and land use plans.

[Several **new definitions** added and small changes to some existing definitions. New text is underlined. Removed text is marked with ~~strikethrough~~.]

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:

(#) “Climate Friendly Area” means land uses designated under OAR 660-012-XXXX.

Climate Friendly Areas will be defined later in the TPR work.

(#) “Community-based conversations” means accessible and inclusive community meetings held for areas with above-average populations of historically marginalized community members.

This defines a process to strengthen the inclusion of community voices.

(1) “Design type” means the conceptual areas described in the Metro Growth Concept text and map in Metro’s regional framework plan, including central city, regional centers, town centers, station communities, corridors, main streets, neighborhoods, industrial areas and employment areas.

(#) “Equitable outcomes” means outcomes including:

(a) Increased stability of historically marginalized communities, lowering the likelihood of displacement due to gentrification from public and private investments;

(b) More accessible, safe, affordable and equitable transportation choices with better connectivity to destinations people want to reach (e.g. education, jobs, services, shopping, places of worship, parks and open spaces, and community centers);

(c) Adequate housing with access to employment, education, and fresh food, goods, services, recreational and cultural opportunities, and social spaces;

(d) Increased safety for people in public spaces, transportation and community development;

(e) Equitable access to parks, nature, open spaces and public spaces;

(f) Better and more racially equitable health outcomes across the lifespan, particularly health outcomes connected to transportation choices, air pollution, and food;

(g) Recognizing and remedying impacts of past practices such as redlining, displacement, exclusionary zoning, and roadway and other public infrastructure siting decisions that harmed historically marginalized communities; and

(h) Fairly-distributed benefits to residents and local governments across cities and counties within metropolitan areas.

This defines the RAC’s Equitable Outcomes to help operationalize the statement in this division. This list is consistent with Version 5 of the Equitable Outcomes Statement.

(2) "Framework plan" or "regional framework plan" means the plan adopted by Metro as defined by ORS 197.015(16).

(3) "Functional plan" or "regional functional plan" means an ordinance adopted by Metro to implement the regional framework plan through city and county comprehensive plans and land use regulations.

(4) "Greenhouse gas" has the meaning given in ORS 468A.210. Greenhouse gases are measured in terms of carbon dioxide equivalents, which means the quantity of a given greenhouse gas multiplied by a global warming potential factor consistent with a state-approved emissions reporting method.

(5) "Greenhouse gas emissions reduction target" or "target" means a reduction from 2005 emission levels of per capita greenhouse gas emissions from travel in light vehicles. Targets are the reductions beyond reductions in emissions that are likely to result from the use of improved vehicle technologies and fuels. Travel in light vehicles includes all travel by members of households or university group quarters living within a metropolitan area regardless of where the travel occurs, and local commercial vehicle travel that is a function of household labor or demand regardless of where the travel occurs. Examples include commuting to work, going to school, going shopping, traveling for recreation, delivery vehicles, service vehicles, travel to business meetings, and travel to jobsites.

(#) "Historically marginalized communities" means the following, with priority on Black, Indigenous and People of Color, including additional consideration of people with these additional characteristics and experiences:

- (a) Black and African American people;
- (b) Indigenous people (including Tribes, American Indian/Alaska Native and Hawaii Native);
- (c) People of Color (including but not limited to Hispanic, Latina/o/x, Asian, Arabic or North African, Middle Eastern, Pacific Islander, and mixed-race or mixed-ethnicity populations);
- (d) Immigrants, including undocumented immigrants;
- (e) People with limited English proficiency;
- (f) People with/ disabilities;
- (g) People experiencing homelessness;
- (h) Low-income and low-wealth community members;
- (i) Low- and moderate-income renters and homeowners;
- (j) Single parents;
- (k) LGBTQIA+ community members; and
- (l) Youth and seniors.

This provides local governments with a definition of historically marginalized communities for increased outreach and inclusion. This list is consistent with Version 5 of the Equitable Outcomes Statement.

(6) “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 land use and transportation scenario that accommodates planned population and employment growth while achieving a reduction in greenhouse gas emissions from light vehicle travel in the metropolitan area and an increase in outcomes for historically marginalized community members. Land use and transportation scenario planning may include preparation and evaluation of alternative scenarios that do not meet targets specified in this division.

(7) “Light vehicles” means motor vehicles with a gross vehicle weight rating of 10,000 pounds or less.

(8) “Metro” means the metropolitan service district organized for the Portland metropolitan area under ORS Chapter 268.

(9) “Metropolitan planning area” or “metropolitan area” means lands within the planning area boundary of a metropolitan planning organization.

(10) “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). The Longview-Kelso-Rainier metropolitan planning organization and the Walla Walla Valley metropolitan planning organization are not metropolitan planning organizations for the purposes of this division.

(11) “Planning period” means the period of time over which the expected outcomes of a scenario plan are estimated, measured from a 2005 base year, to a future year that corresponds with greenhouse gas emission targets set forth in this division.

(12) “Preferred land use and transportation scenario” means an aspirational plan for a metropolitan area adopted by Metro through amendments to the regional framework plan that achieves the targets for reducing greenhouse gas emissions set forth in OAR 660-044-0020 and 660-0440-0025 as provided in OAR 660-044-0040 and 660-044-0110.

(13) “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 chapter 85, section 2, Oregon Laws 2010.

0015 Applicability – Compliance Schedule

- (1) This division applies to Metro (OAR 660-044-0000 through OAR 660-044-0020 and OAR 660-044-0030 through OAR 660-044-0060), and to the cities and counties within Metro (OAR 660-044-0055).
- (2) This division (OAR 660-044-0000 through 660-044-0015, OAR 660-044-0025 through 660-044-0030, and OAR 660-044-0100 through 660-044-0210) applies to the cities and counties within the metropolitan planning area of the Central Lane Metropolitan Planning Organization as described in this section.
 - (a) These cities and counties must:
 - (A) Submit a work program as provided in OAR 660-044-0100) to the department for review under section (4) by December 31, 2022;
 - (B) prepare a land use and transportation scenario plan based provided in OAR 660-044-0110 and submit it for review by the commission as provided in OAR 660-044-0120 by December 31, 2023 or other date in the approved work program;
 - (C) Adopt local amendments as provided in OAR 660-044-0130 by December 31, 2024, or other date in the approved work program.
 - (b) These cities and counties may use the preferred scenario submitted to the commission and legislature in 2015 as required by Chapter 865, Oregon Laws 2010 as the basis for the land use and transportation scenario plan. If these cities and counties use the preferred scenario from 2015, then:
 - (A) These cities and counties are not required to redo the prior work that produced the preferred scenario, and not required to comply with requirements of OAR 660-044-0110 specific to the preferred scenario.
 - (B) These cities and counties are required to produce the additional elements that build on the preferred scenario to prepare a complete transportation and land use scenario plan, including OAR 660-044-0110(4)(d) and 660-044-0110(8) through (13).

*This is a **new rule** that expands the scenario planning requirement to cities and counties beyond the Portland metropolitan area.*

The cities and counties in the Eugene-Springfield metropolitan area conducted regional scenario planning in 2011-2015. The [preferred scenario](#) which resulted from that work will be used as the foundation for meeting the new requirements in this section.

This section is significantly changed from the January 2021 draft.

- (3) This division (OAR 660-044-0000 through 660-044-0015, OAR 660-044-0025 through 660-044-0030, and OAR 660-044-0100 through 660-044-0210) applies to the cities and counties within the metropolitan planning area of the Salem-Keizer Area Transportation Study. These cities and counties must:
- (a) Submit a work program as provided in OAR 660-044-0100 to the department by June 30, 2023;
 - (b) Submit an Interim Report prior to scenario planning as provided in OAR 660-044-0200 and 660-044-0210 to the department by June 30, 2023;
 - (c) Prepare a land use and transportation scenario plan as provided in OAR 660-044-0110 and submit it for review by the commission as provided in OAR 660-044-0120 by June 30, 2025, or other date in the approved work program; and
 - (d) Adopt local amendments as provided in OAR 660-044-0130 by June 30, 2026, or other date in the approved work program.
- (4) Cities and counties may request, and the director or commission may approve, applying this division (OAR 660-044-0000 through 660-044-0015, OAR 660-044-0025 through 660-044-0030, and OAR 660-044-0100 through 660-044-0210) to the cities and counties within a metropolitan area and establishing compliance schedule under the following procedures.
- (a) Cities and counties within a metropolitan area may jointly submit a proposed work program or resubmit a revised work program as provided in OAR 660-044-0110.
 - (b) The department shall consult with the Oregon Department of Transportation to review a proposed work program. The director may approve the work program or refer the work program to the commission with recommended revisions.
 - (c) If the director refers a proposed work program to the commission under subsection (b), the commission shall hold a hearing to review the proposed work program and the recommended revisions. The commission may approve the work program based on OAR 660-044-0100 or remand the work program with required revisions.
- (5) The commission may issue an order applying this division (OAR 660-044-0000 through 660-044-0015, OAR 660-044-0025 through 660-044-0030, and OAR 660-044-0100 through 660-044-0210) to cities and counties within a metropolitan area and establishing compliance deadlines using the procedures below.

This section provides target dates in the Salem-Keizer metropolitan area. The cities and counties in this region have yet undertaken scenario planning as described in this division.

The target dates in this section are moved back one year from the schedule previously shared in the January 2021 draft. An interim report has been added.

This section allows for other regions to voluntarily opt into the regional scenario planning program.

This section provides a process for requiring scenario planning in the Albany, Bend, Corvallis, Grants Pass, and Rogue Valley metropolitan areas.

- (a) The department will provide the cities and counties a draft order with compliance schedule prior to a commission hearing.
- (b) The commission will hold a hearing and consider any revised or alternate order proposed by cities or counties, and any public testimony.
- (c) When considering whether to issue an order, the commission shall consider the following factors using the best available data:
 - (A) Greenhouse gas emissions including actual measurements, model estimates, recent trends, and future projections under current adopted plans;
 - (B) Local transportation and land use actions that influence greenhouse gas emissions and more equitable outcomes, including adopted plans, recent actions by cities and counties, and development trends;
 - (C) Population growth including recent trends and future projections;
 - (D) Presence or absence of regional cooperation on greenhouse gas emissions reduction;
 - (E) Vehicles miles travelled per capita by residents of the metropolitan area, including actual measurements, model estimates, recent trends, and future projections under current adopted plans; and
 - (F) State and local funding available for scenario planning.

[Small specific changes in this rule. New text is underlined. Removed text is marked with ~~strikethrough~~.]

0020 Greenhouse Gas Emissions Reduction Target for the Portland Metropolitan Area

(1) Metro shall use the greenhouse gas emissions reduction targets in this rule as it develops, reviews, and updates a ~~two or more alternative~~ land use and transportation scenarios that accommodates planned population and employment growth while achieving a reduction in greenhouse gas emissions from light vehicle travel in the metropolitan area as required by OAR 660-044-0040 through 660-044-0060.

(2) This rule only applies to the Portland metropolitan area.

(3) The greenhouse gas emissions reduction target is a 20 percent reduction in the year 2035.

(4) Targets for the years 2040 and beyond through ~~2050~~ are:

- (a) By 2040, a 25 percent reduction.
- (b) By 2041, a 26 percent reduction.
- (c) By 2042, a 27 percent reduction.
- (d) By 2043, a 28 percent reduction.
- (e) By 2044, a 29 percent reduction.
- (f) By 2045, a 30 percent reduction.
- (g) By 2046, a 31 percent reduction.

Extending horizon year to incorporate any planning work that goes beyond 2050.

- (h) By 2047, a 32 percent reduction.
- (i) By 2048, a 33 percent reduction.
- (j) By 2049, a 34 percent reduction.
- (k) By 2050 and beyond, a 35 percent reduction.

[Small specific changes in this rule. New text is underlined. Removed text is marked with ~~strikethrough~~.]

0025 Greenhouse Gas Emissions Reduction Targets for Other Metropolitan Areas

(1) Purpose and effect of targets

~~(a)~~ Local governments in metropolitan planning areas not covered by OAR 660-044-0020 ~~may shall~~ use the ~~relevant~~ targets set forth in section (2) of this rule as they conduct land use and transportation scenario planning to reduce greenhouse gas emissions.

As the state has not been meeting its greenhouse gas reduction targets, this change makes the targets mandatory

~~(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 (2) of this rule.~~

(2) Targets ~~by for the years 2040 and beyond through 2050~~ are:

- (a) By 2040 or earlier, a 20 percent reduction.
- (b) By 2041, a 21 percent reduction.
- (c) By 2042, a 22 percent reduction.
- (d) By 2043, a 23 percent reduction.
- (e) By 2044, a 24 percent reduction.
- (f) By 2045, a 25 percent reduction.
- (g) By 2046, a 26 percent reduction.
- (h) By 2047, a 27 percent reduction.
- (i) By 2048, a 28 percent reduction.
- (j) By 2049, a 29 percent reduction.
- (k) By 2050 and beyond, a 30 percent reduction.

Extending horizon year to incorporate any planning work that goes beyond 2050.

[Small specific changes in this rule. New text is underlined. Removed text is marked with ~~strikethrough~~.]

0030 Methods for Estimating Greenhouse Gas Emissions and Emissions Reductions

(1) Applicability: When ~~if~~ local governments within a metropolitan area are conducting land use and transportation scenario planning to demonstrate that their plans would meet the greenhouse gas emissions reductions targets established in this division, then they shall use the provisions and options in this rule to project future emissions.

(2) Projected Emission Rates: Projections of greenhouse gas emissions must use the emission rates specified in subsection (a) or the flexible option described in subsection (b).

(a) Projections of greenhouse gas emissions may use the emission rates listed below, which are based on the Statewide Transportation Strategy and reflect reductions likely to result by the use of improved vehicle technologies and fuels. Rates are measured in grams of carbon dioxide equivalent per vehicle mile.

(A) In 2040, 140 grams per mile.

(B) In 2041, 134 grams per mile.

(C) In 2042, 128 grams per mile.

(D) In 2043, 123 grams per mile.

(E) In 2044, 117 grams per mile.

(F) In 2045, 112 grams per mile.

(G) In 2046, 108 grams per mile.

(H) In 2047, 103 grams per mile.

(I) In 2048, 99 grams per mile.

(J) In 2049, 94 grams per mile.

(K) In 2050, 90 grams per mile.

(b) Projections of greenhouse gas emissions may ~~use emission rates lower than~~ differ from the rates in subsection (a) if local or regional programs or actions can be demonstrated to result in changes to vehicle fleet, technologies, or fuels above and beyond the assumption in the Statewide Transportation Strategy, or agreed to by ODOT and DLCD. One example would be a program to add public charging stations that is estimated to result in use of hybrid or electric vehicles greater than the statewide assumption in the Statewide Transportation Strategy.

(3) Actions in the Statewide Transportation Strategy: Projections of greenhouse gas emissions may assume state actions specified in subsection (a), and may use the flexibility for local and regional actions described in subsection (b).

(a) State Actions: Projections of greenhouse gas emissions may include reductions projected to result from state actions, programs, and associated interactions up to, but not exceeding, the levels identified in the Statewide Transportation Strategy.

(b) Local and Regional Actions: Projections of greenhouse gas emissions may include local or regional actions similar to actions in the Statewide Transportation Strategy if the local or regional governments have authority to and have adopted plans that would implement the actions.

[No changes in this rule.]

0035 Review and Evaluation of Greenhouse Gas Reduction Targets

(1) The commission shall by June 1, 2021, and at four year intervals thereafter, conduct a review of the greenhouse gas emissions reduction targets in OAR 660-044-0020 and 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, 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;
- (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; and
- (j) State funding and support for scenario planning and public engagement.

(3) 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.

[Small specific changes in this rule. New text is underlined. Removed text is marked with ~~strikethrough~~.]

0040 ~~Cooperative Selection of a~~ Preferred Scenario in the Portland Metropolitan Area; Initial Adoption

(1) Within one year of adoption or amendment of a preferred scenario, Metro shall amend the regional framework plan and the regional growth concept to select and incorporate a preferred land use and transportation scenario that meets targets in OAR 660-044-0020 consistent with the requirements of this division.

The Metro region has already selected and adopted a preferred scenario by way of their Climate Smart Communities program. This change is to support any future amendments needed to the plan.

(2) In preparing, ~~and selecting,~~ or amending a preferred land use and transportation scenario Metro shall:

- (a) Consult with affected local governments, representatives of historically marginalized communities, the Port of Portland, TriMet, and the Oregon Department of Transportation;
- (b) Consider adopted comprehensive plans and local aspirations for growth in developing and selecting a preferred land use and transportation scenario;
- (c) Use assumptions about population, housing and employment growth consistent with the coordinated population and employment projections for the metropolitan area for the planning period;
- (d) Use evaluation methods and analysis tools for estimating greenhouse gas emissions that are:
 - (A) Consistent with the provisions of this division;
 - (B) Reflect best available information and practices; and,
 - (C) Coordinated with the Oregon Department of Transportation.
- (e) Make assumptions about state and federal policies and programs expected to be in effect over the planning period, including the Statewide Transportation Strategy, in coordination with the responsible state agencies;
- (f) Evaluate a reference case scenario that reflects implementation of existing adopted comprehensive plans and transportation plans;
- (g) Evaluate at least two alternative land use and transportation scenarios for meeting greenhouse gas reduction targets and identify types of amendments to comprehensive plans and land use regulations likely to be necessary to implement each alternative scenario;
- (h) Develop and apply evaluation criteria that assess how alternative land use and transportation scenarios compare with the reference case in achieving important regional goals or outcomes;
- (i) Evaluate if the preferred scenario relies on new investments or funding sources to achieve the target, the feasibility of the investments or funding sources including:

- (A) A general estimate of the amount of additional funding needed;
- (B) Identification of potential/likely funding mechanisms for key actions, including local or regional funding mechanisms; and,
- (C) Coordination of estimates of potential state and federal funding sources with relevant state agencies (*i.e.* the Oregon Department of Transportation for transportation funding); and,
- (D) Consider effects of alternative scenarios on development and travel patterns in the surrounding area (*i.e.* whether proposed policies will cause change in development or increased light vehicle travel between metropolitan area and surrounding communities compared to reference case).

(3) The preferred land use and transportation scenario shall include:

- (a) A description of the land use and transportation growth concept providing for land use design types;
- (b) A concept map showing the land use design types;
- (c) Policies and strategies intended to achieve the target reductions in greenhouse gas emissions in OAR 660-044-0020;
- (d) Planning assumptions upon which the preferred scenario relies including:
 - (A) Assumptions about state and federal policies and programs;
 - (B) Assumptions about vehicle technology, fleet or fuels, if those are different than those provided in OAR 660-044-0030;
 - (C) Assumptions or estimates of expected housing and employment growth by jurisdiction and land use design type; and
 - (D) Assumptions about proposed regional programs or actions other than those that set requirements for city and county comprehensive plans and land use regulations, such as investments and incentives;
- (e) Performance measures and targets to monitor and guide implementation of the preferred scenario. Performance measures and targets shall be related to key elements, actions and expected outcomes from the preferred scenario. The performance measures shall include performance measures adopted to meet requirements of OAR 660-012-0035(5); and
- (f) Recommendations for state or federal policies or actions to support the preferred scenario.

(4) When amending a local Transportation Systems Plan, or comprehensive plan, local governments shall adopt findings demonstrating that implementation of the preferred land use and transportation scenario meets the requirements of this division and can reasonably be expected to achieve the greenhouse gas emission reductions as set forth in the target in OAR 660-044-0020. The findings shall demonstrate:

- (a) Explain how the expected pattern of land use development in combination with land use and transportation policies, programs, actions set forth in the preferred scenario will result in levels of greenhouse gas emissions from light vehicle travel that achieve the target in OAR 660-044-0025;

(b) The preferred scenario Advances equitable outcomes for historically marginalized communities; and

~~(c) Explain how t~~The preferred scenario is or will be made consistent with other applicable statewide planning goals or rules.

(5) Guidance on evaluation criteria and performance measures.

(a) The purpose of evaluation criteria referred to in subsection (2)(h) is to encourage Metro to select a preferred scenario that achieves greenhouse gas emissions reductions in a way that maximizes attainment of other community goals and benefits. This rule does not require the use of specific evaluation criteria. The following are examples of categories of evaluation criteria that Metro might use:

- (A) Public health;
- (B) Air quality;
- (C) Household spending on energy or transportation;
- (D) Implementation costs;
- (E) Economic development;
- (F) Access to parks and open space; and,
- (G) Equity, specifically impact promoting equitable outcomes for historically marginalized communities.

(b) The purpose of performance measures and targets referred to in subsection (3)(e) is to enable Metro and area local governments to monitor and assess whether key elements or actions that make up the preferred scenario are being implemented, and whether the preferred scenario is achieving the expected outcomes. This rule does not establish or require use of particular performance measures or targets. The following are examples of types of performance measures that Metro might establish:

- (A) Transit service revenue hours;
- (B) Mode share;
- (C) People per acre by 2040 Growth Concept design type;
- (D) Percent of workforce participating in employee commute options programs; and
- (E) Percent of households and jobs within one-quarter mile of transit.

[Small specific changes in this rule. New text is underlined. Removed text is marked with ~~strikethrough~~.]

0045 ~~Adoption of~~ Regional Plans to Implement the Preferred Scenario in the Portland Metropolitan Area

(1) Within one year of the commission's order approving Metro's amendments to the regional framework plan to select, ~~and incorporate,~~ or amend a preferred land use and transportation scenario, Metro shall adopt regional functional plan amendments to implement the framework plan amendments.

Metro has moved beyond the adoption phase and is in the implementation phase.

(2) Functional plan amendments shall establish requirements, deadlines and compliance procedures for amendments to local comprehensive plans, transportation system plans and land use regulations as necessary to implement the framework plan amendments. The functional plan amendments shall require affected cities and counties to adopt implementing amendments to comprehensive plans and land use regulations within two years of acknowledgement of Metro's functional plan amendments or by a later date specified in the adopted functional plan.

(3) Functional plan amendments shall include requirements that local governments amend local comprehensive plans, transportation system plans and land use regulations to:

- (a) Use population, housing and employment allocations to specific areas and land use design types that are consistent with estimates in the framework plan including assumptions about densities, infill, and redevelopment;
- (b) Apply comprehensive plan designations and zoning districts that are consistent with land use design type, allowing uses and densities that are consistent with land use design type and limiting uses that would be incompatible with the design type specified in the preferred scenario; and,
- (c) Include other provisions needed to implement the amended framework plan.

(4) As part of its adoption of functional plan amendments under this rule, Metro shall adopt findings demonstrating that actions required by the functional plan amendments are consistent with and adequate to implement the relevant portions of the preferred land use and transportation scenario set forth in the adopted framework plan amendments. The findings shall demonstrate that assumptions or allocations of housing and employment growth to specific areas are consistent with the estimates or assumptions in the framework plan amendments. In the event Metro's allocations or assumptions vary from those upon which the framework plan amendments are based, Metro shall demonstrate that the revised assumptions or allocations, in combination with other measures adopted as part of the functional plan will meet the GHG reduction target in OAR 660-044-0020.

(5) Those portions of the preferred scenario in the framework plan that Metro chooses to implement by establishing requirements for city and county comprehensive plans and land use regulations shall be set forth in amendments to the functional plan. The amendments shall meet the following minimum planning standards:

- (a) For adoption of amendments to the regional framework plan, the Metro Council shall follow the process set forth in the Metro Charter;
- (b) For adoption of amendments to the functional plan, the Metro Council shall follow the process set forth in the Metro Charter for adoption of ordinances;
- (c) The Metro Council shall strive for flexibility when establishing new requirements for cities and counties, and shall consider offering optional compliance paths to cities and counties, such as adoption of a model ordinance developed by Metro;

(d) Metro shall make new requirements for cities and counties included in the functional plan amendments adopted under this rule enforceable by Metro pursuant to ORS 268.390(6).~~;~~

(6) When it adopts an updated regional transportation system plan required by OAR chapter 660, division 12, Metro shall demonstrate that the updated plan is consistent with framework plan amendments adopting a preferred scenario as provided in 660-044-0040(3).

[Small specific changes in this rule. New text is underlined. Removed text is marked with ~~strikethrough~~.]

0050 Commission Review of Regional Plans in the Portland Metropolitan Area

(1) The commission shall review Metro's framework plan amendments adopting or amending a preferred land use and transportation scenario and amendments to functional plans to implement the framework plan amendments in the manner provided for periodic review under ORS 197.628 to 197.650.

Extends commission review to amendment of the regional plan.

(2) The commission's review of framework plan amendments adopting a preferred land use and transportation scenario shall determine whether the preferred scenario can reasonably be expected to achieve greenhouse gas emission reductions as set forth in the targets in OAR 660-044-0020, other requirements of this division, and any applicable statewide planning goals.

(3) The commission's review of amendments to functional plans shall determine whether the adopted functional plans are consistent with and adequate to carry out relevant portions of the framework plan amendments.

(4) The commission may conduct review of Metro's framework plan amendments adopting a preferred scenario in conjunction with review of a UGB update or an update to the regional transportation system plan.

[Small specific changes in this rule. New text is underlined. Removed text is marked with ~~strikethrough~~.]

0055 Adoption of Local Plans to Implement the Preferred Scenario in the Portland Metropolitan Area

(1) Local governments shall amend comprehensive plans, land use regulations, and transportation system plans to be consistent with and implement relevant portions of the preferred land use and transportation scenario as set forth in Metro’s functional plans or amendments. “Consistent” for the purpose of this section means city and county comprehensive plans and implementing ordinances, on the whole, conforms with the purposes of the performance standards in the functional plan and any failure to meet individual performance standard requirements is technical or minor in nature.

Specifies a process for Metro. Proposes a parallel process for other metropolitan areas in rule 0130.

(2) Beginning one year from Metro’s adoption of a preferred scenario, local governments in the Portland metropolitan area shall, in adopting an amendment to a comprehensive plan or transportation system plan, other than a comprehensive plan or transportation system plan update or amendment to implement the preferred scenario, demonstrate that the proposed amendment is consistent with the preferred land use and transportation scenario.

[Small specific changes in this rule. New text is underlined. Removed text is marked with ~~strikethrough~~.]

0060 Monitoring and Reporting in the Portland Metropolitan Area

(1) Metro shall ~~as part of reports required by ORS 197.301~~ prepare a report monitoring progress in implementing the preferred scenario including status of performance measures and performance targets adopted as part of the preferred scenario as part of regular updates to the Regional Transportation Plan and preparation of Urban Growth Reports.

Specifies a process for Metro. A parallel process for other metropolitan areas is proposed in rule 0140.

(2) Metro’s report shall assess whether the region is making satisfactory progress in implementing the preferred scenario; identify reasons for lack of progress, and identify possible corrective actions to make satisfactory progress. Metro may update and revise the preferred scenario as necessary to ensure that performance targets are being met.

(3) 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.

0100 Scenario Planning Work Programs

As used in this division, a work plan must include:

- (1) A governance structure for regional cooperation: a proposed mechanism for regional cooperation. The governance structure may be an existing metropolitan planning organization, a new regional inter-governmental entity, an intergovernmental agreement for collaboration among local governments, or other mechanism. The governance structure must describe how the entity or entities will make decisions and complete tasks. The governance structure must, at a minimum, include cities and counties and describe how transit providers will be involved in the planning process.
- (2) A scope of work: A list of tasks to develop scenarios, analyze scenarios, select a preferred scenario, assemble a land use and transportation scenario plan, and amend local plans consistent with the land use and transportation scenario plan.
- (3) A community engagement plan: A community engagement plan with a focus on outreach to and inclusion of historically marginalized communities including community-based conversations.
- (4) A funding estimate: A general estimate of needs for state funding for regional entities to for develop and select scenarios and for each city and county to adopt local amendments to implement the selected scenario. The funding estimate must include a schedule of requested amounts in current and future budget periods.
- (5) A schedule: The work plan must include the schedule for submitting the land use and transportation scenario plan and for adopting local amendments to implement the approved preferred land use and transportation scenario.

*This is a **new rule** that describes the process for scenario planning in cities and counties beyond the Portland metropolitan area. A work program is the first step in the process. The work program provides the basic framework for doing conducting the greenhouse gas reduction scenario planning.*

0110 Land use and Transportation Scenario Plan Contents

As used in this division, a land use and transportation scenario plan must include:

- (1) A horizon year at least 20 years in the future.
- (2) Lists and maps of transportation projects, including:
 - (a) Assessment of transportation needs of historically marginalized communities;
 - (b) Projects reasonably likely to be funded through the horizon year;
 - (c) Projects that would require additional funding
 - (d) General estimates of the amount of additional funding required; and
 - (e) Potential sources of additional funding.

*This **new rule** lists the elements of a scenario plan. The core element is a preferred scenario that would meet the pollution reduction targets. The scenario plan includes additional elements to implement the preferred scenario, to track progress and to report on the planning process.*

- (3) Projections of land uses at the horizon year including:
 - (a) Assessment of housing needs of historically marginalized communities;
 - (b) Residential densities;
 - (c) Employment densities;
 - (d) A minimum of 30 percent of households living in a Climate Friendly Area as designated under OAR 660-012-XXXX; and
 - (e) Total regional population consistent with forecasts under OAR 660-032-0020.
- (4) Analysis of local development regulations to identify any changes needed to enable development of the projected land uses, including:
 - (a) Comparison of zoning maps with projected densities;
 - (b) Parking requirements; and
 - (c) Electric vehicle charging requirements.
- (5) Projection of future greenhouse gas emissions at the horizon year using methods described in OAR 660-044-0030 using a preferred land use and transportation scenario to meet the targets in OAR 660-044-0025.
- (6) Assumptions used to project future greenhouse gas emissions including:
 - (a) Assumptions about state and federal policies and programs;
 - (b) Assumptions about vehicle technology, fleet or fuels, if those are different than those provided in OAR 660-044-0030; and
 - (c) Assumptions about proposed regional programs or actions such as investments and incentives not already included in the list of transportation projects and projections of future land uses.
- (7) Methodologies for performance measures that cities and counties will use to report on implementation of the preferred land use and transportation scenario, including:
 - (a) Regional outcome performance measures to determine whether outcomes are progressing to achieve the projected reductions in greenhouse gas emissions. The regional outcome performance measures must include actual performance for the data elements used to project greenhouse gas emissions as described in OAR 660-044-0030.
 - (b) Local action performance measures to determine whether cities and counties are taking the actions necessary to implement the preferred land use and transportation scenario.
 - (c) Equity performance measures to determine whether implementation of the preferred land use and transportation scenario is improving equitable outcomes for historically marginalized communities.
- (8) The performance measures in section (7) must include:
 - (a) A set of performance measures including methods, details, and assumptions to calculate the value;

This adds a requirement for regional scenario plans to identify land uses that meet the land use goals in the STS.

Division 12 (Transportation Planning Rules, or TPR) will define "Climate Friendly Area."

These sections specify how cities and counties will report and monitor plan implementation, actions taken, and on equitable outcomes.

- (b) Baseline current data, or historical data, for each performance measure;
 - (c) A reporting schedule repeating every four or five years through the horizon year;
 - (d) A target for each performance measure for each reporting point; and
 - (e) Best available demographic information for historically marginalized communities.
- (9) Report on community-based conversations and other efforts to solicit input from historically marginalized communities.
- (10) An assessment of benefits and burdens of the scenario on historically marginalized community members compared to the population as a whole.

0120 Commission Review of a Land Use and Transportation Scenario Plan

- (1) Cities and counties shall submit a land use and transportation scenario plan to the director.
- (2) Upon receipt of a land use and transportation scenario plan, the director shall determine whether the submittal is complete based on the applicable criteria in this division.
 - (a) If there is any missing information, the director must inform the cities and counties with sufficient specificity to allow the cities to provide missing information.
 - (A) The cities and counties must supply additional information within 30 days of the director's notification. If the cities and counties do not supply additional information, the director shall review the original submission as provided in subsection (b).
 - (B) If the director does not send a notice of missing information within 30 days of submittal, the submittal shall be deemed complete.
- (b) Upon completeness, the department shall:
 - (A) Post the complete land use and transportation scenario plan on the department's website; and
 - (B) Provide notice to persons described under ORS 197.615 (3).
 - (C) The notice provided shall describe;
 - (i) How and where the land use and transportation scenario plan may be freely obtained; and
 - (ii) That objections to the land use and transportation scenario plan may be submitted to the Department within 14 days of the notice.
 - (c) Review the submittal for compliance with the rules within this division and either:
 - (A) Issue an order approving the submittal, with responses to any objections submitted; or

*This **new rule** describes the review process for scenario plans in cities and counties beyond the Portland metropolitan area. Before the formal review, state and local staff will collaborate on the plan and resolve most questions. If there are no remaining issues, the cities and counties will formally submit the plan and the DLCD Director will approve it. If there are unresolved questions, the process goes to the commission for a public hearing and decision.*

- (B) Refer the submittal to the commission for review and action under section (5).
- (d) If the director does not issue an order approving the submittal or make a referral to the commission within 60 days of completeness, the submittal shall be deemed approved, and an order sent under section (3).
- (3) The director shall send an approval order to the cities and counties, post on a public website using the Internet or a similar electronic method, and provide a copy of the order to the commission at its next regular meeting. The approval order must include information on the process to appeal the director’s order as described in this rule.
- (4) A person who has filed an objection may appeal a director’s approval order to the commission. An appeal must be submitted within 30 days of the date of the commission meeting(s) at which the commission received the order. An appeal must clearly identify an alleged deficiency in the submittal based the requirements of this division.
- (5) The commission shall hold a hearing on a submittal referred by the director under section (2), or appealed under section (4).
 - (a) The commission will consider the contents of the land use and transportation scenario plan, the director’s staff report, testimony from the city or county that submitted the plan, and testimony from any persons who filed objections to the plan.
 - (b) The commission may:
 - (A) Remand the submittal with specific directions for needed changes consistent with the requirements of this division; or
 - (B) Approve the submittal.
- (6) The director shall issue an order of the commission’s decision to the cities and counties and to all participants in the hearing.

0130 Local Amendments to Implement Approved Land use and Transportation Scenario Plan

- (1) Local governments shall amend comprehensive plans, land use regulations, and transportation system plans to be consistent with and implement relevant portions of the land use and transportation scenario plan approved by an order under OAR 660-044-0120. “Consistent” for the purpose of this rule means city and county comprehensive plans and implementing ordinances, on the whole, conform to the purposes of the performance standards in the approved land use and transportation scenario plan.
- (2) Cities and counties with an approved land use and transportation scenario plan under OAR 660-044-0120 may only adopt amendments to a comprehensive plan, land use regulation, or transportation system plan that are consistent with the approved land use and transportation scenario plan.

*This **new rule** describes the process for local governments outside of the Portland metropolitan area to individually implement the regional scenario plan they jointly developed.*

0140 Reporting and Corrective Actions

- (1) Cities and counties must submit a progress reports for each reporting year specified in an approved scenario plan.
- (2) Cities and counties must submit within six months of the end of the report period.
- (3) The report must include:
 - (a) Actual data for each performance measure with a comparison to the target;
 - (b) Corrective actions to improve performance for any performance measure that does not meet the target;
 - (c) An assessment of whether the reporting city or county has implemented the approved scenario plan;
 - (d) A narrative on the actions taken to reduce climate pollution;
 - (e) Corrective actions for any lack of implementation; and
 - (f) Status of any corrective actions identified in prior reports.

*This **new rule** describes the reporting and corrective actions for local governments in cities and counties beyond the Portland metropolitan area. This rule has been added after RAC 3 This rule has been added after the January 2021 draft.*

- (4) The department shall review the report.
 - (a) If the director finds that the cities and counties have met the performance targets and have implemented the approved scenario, the director will report the findings as an update to the commission.
 - (b) If the director finds that the corrective actions are adequate to address any performance targets that were not met and adequate to implement the approved scenario plan, the director will report the findings as an update to the commission.
 - (c) If the director finds that corrective actions are inadequate, the director shall refer the report to the commission for a compliance hearing as provided in OAR 660-044-0150.

The performance targets include all of the performance measures listed in 0110(7):

- (a) Regional outcome performance measures*
- (b) Local action performance measures*
- (c) Equity performance measures*

0150 Enforcement

- (1) The commission will hold a compliance hearing in response to a request from the director, in response to a request submitted to the department, or on its own motion.
- (2) At the hearing the commission shall hear from any party alleging non-compliance, and from the cities or counties alleged to be not in compliance.

*This is a **new rule** that describes the enforcement process for local governments in cities and counties beyond the Portland metropolitan area. This rule has been added after the January 2021 draft.*

- (3) Compliance includes, but is not limited to, meeting deadlines established in OAR 660-044-0015, submitting reports as provided in OAR 660-044-0140, or implementing corrective actions as provided in OAR 660-044-0140.
- (4) The commission may evaluate the compliance the cities and counties within a metropolitan area in a collective evaluation, or the commission may evaluate the compliance of an individual city or county separately.
- (5) If the commission finds a city, a county, or a collection of cities and counties out of compliance with the requirements of this division, the commission may use any authority granted to commission, including but not limited to the actions below.
 - (a) *[To be determined at a later date in rulemaking]*
- (6) A city must meet all applicable requirements of this division in order to expand an urban growth boundary under OAR 660-024-0020(1) or OAR 660-038-0020(13).
- (7) A city or county must meet all applicable requirements of this division to make findings under OAR 660-012-0060(1). If a city or county has not met all applicable requirements of this division, the city or county must, in addition to all applicable requirements of OAR 660-012-0060, make additional findings that the proposed amendment to an acknowledged comprehensive plan or land use regulation (including a zoning map) would advance each of the purposes of this division in OAR 660-044-0000.

Enforcement actions remain under legal review.

0200 Interim Reporting Requirements Prior to Scenario Planning

- (1) Cities and counties that do not have an approved work program as provided in OAR 660-044-0100 shall submit an interim report no later than June 30, 2023.
- (2) The department shall review the report.
 - (a) If the director finds that the city or county has met the reporting requirement, the director will report the findings as an update to the commission.
 - (b) If the director finds that a report is inadequate, the director shall refer the report to the commission for a compliance hearing as provided in OAR 660-044-0150.

*This **new rule** that describes the interim scenario planning process for cities and counties beyond the Portland metropolitan area that have not undertaken the scenario planning work. This rule sets up a regional monitoring and reporting framework that will track regional progress towards STS Vision and used to help set benchmarks for local performance measures.*

This rule has been added after the January 2021 draft.

0210 Interim Report Contents

As used in this division, an interim scenario planning report must include:

- (1) A schedule for future interim reports every four to five years.
- (2) A planning horizon year at least 20 years in the future.
- (3) Current land uses and projections of land uses at the horizon year including:
 - (a) Residential densities; and
 - (b) Employment densities.
- (4) Data from the implementation of adopted local and regional transportation and land use plans that measures progress towards meeting the Statewide Transportation Strategy 2050 Vision including but not limited to:
 - (a) Compact, mixed-use development;
 - (b) Electric vehicle charging availability;
 - (c) Urban design supporting multi-modal/walkability;
 - (d) Transportation demand management program implementation;
 - (e) Transit service;
 - (f) Parking costs and management;
 - (g) Road growth and management; and
 - (h) Alternative and renewable fuels for transit and commercial fleets.

*This is a **new rule** that describes the contents of report for cities and counties beyond the Portland metropolitan area that have not undertaken the scenario planning work.*

The data required by sections (2) and (3) is already produced by metropolitan planning organizations as part of Regional Transportation Plans. Section (4) requires data that the department will use to measure whether local actions are close to or far from the assumptions used in the Statewide Transportation Strategy.

This rule has been added after the January 2021 draft.

Climate-Friendly and Equitable Communities Rulemaking Advisory Committee

MEETING 5



TO: Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members
FROM: Kirstin Greene, Deputy Director and Cody Meyer, Land Use and Transportation Planner
SUBJECT: **RAC 5 Item 7: Equity Mapping**
DATE: March 22, 2021

Governor Brown's [Executive Order 20-04](#) directed the Department of Land Conservation and Development and the Land Conservation and Development Commission to reduce greenhouse gas emissions *and* improve equitable outcomes for priority populations. The purpose of the Climate-Friendly and Equitable Communities rulemaking initiative is to provide rules to support a program to reduce climate pollution and improve outcomes for Oregonians as a whole, and for specific priority populations. As defined in the Rules Advisory Committee-developed Equitable Outcomes Framework, these populations include the following:

- Members of these communities include:
- Black and African American community members
- Indigenous people (including Tribes, American Indian/Alaska Native and Hawaii Native)
- People of Color (including but not limited to Hispanic, Latina/o/x, Asian, Arabic or North African, Middle Eastern, Pacific Islander, and mixed-race or mixed-ethnicity populations)
- Immigrants, including undocumented immigrants
- People with limited English proficiency
- People with disabilities
- People experiencing homelessness
- Low-income and low-wealth community members
- Low- and moderate-income renters and homeowners
- Single parents
- LGBTQIA+ community members
- Youth and seniors
- People unfairly excluded from resources due to employment, homeownership, experience with the justice system, or other life status

One important element of improving outcomes for priority populations is identifying where concentrations of these community members live. With spatial tools including mapping, populations can be cross-referenced with outcomes such as access to safe walking infrastructure, transit and other amenities. Accordingly, staff is working to develop an equity mapping tool. The purpose of this tool is to help local governments and their community members better understand the expected benefits of policies and investments with respect to populations who may have not received fair benefit and access to public infrastructure to date.

Potential uses for this equity mapping approach are to:

- Inventory and score projects and investments for benefits to state and locally-defined priority populations;
- Identify areas that have not received adequate resources in the past;
- Identify areas at risk for displacement; and
- Add an equity lens to performance measures.

Staff are working with Oregon Department of Transportation and staff from the Chief Data Officer's office as well as six other state agencies including the Oregon Health Authority and Oregon Housing and Community Services. Building the tool and data will be an iterative process that will be improved over time.

Examples of Equity Mapping

ODOT Statewide Transportation Improvement Plan Equity Mapping

Staff of the Oregon Department of Transportation (ODOT) are developing an equity mapping index with the goal to apply a social equity score to potential projects for the 2024-27 [Statewide Transportation Improvement Plan](#) (STIP) and for project selection in the [Safe Routes to School](#) program. Another goal held by ODOT staff is to provide this map as a communications tool so state and local community members and staff can better envision and hold more productive discussions about conditions where people live.

ODOT's Equity Mapping tool is built with data from the American Community Survey (ACS) produced by the United States Census Bureau. The data is available at the block group geographic level which includes about 250 to 550 households. The tool calculates a composite social equity score for each Census Block Group using concentrations of disadvantaged communities using the following data:

- Black, Indigenous and People of Color (BIPOC) community members
- Limited English Proficiency speakers
- People with disabilities
- People living in poverty
- Seniors – community members over 65 years of age

Metropolitan Planning Organizations – Title VI of the Civil Rights Act

Metropolitan Planning Organizations (MPOs) across the US are required to consider populations listed in Title VI of the 1964 Civil Rights Act as a condition for receiving federal funding. Equity maps are used to direct funds to underserved areas and to avoid, minimize, or mitigate disproportionate adverse impacts on minority and low-income populations. MPOs typically collect and map demographic information on community members with the following attributes:

- Race and Ethnicity
- English Proficiency
- Seniors
- Low Income
- Disability

City of Bend Equity Mapping

The Bend City Council is working on adopting several goals centered on equity, including accessible services, shared prosperity, housing, and transportation and infrastructure. City staff have identified equity mapping as a tool that will help the city achieve these goals.

One example of how the City of Bend MPO has applied equity mapping is in the Transportation System Plan (TSP). Staff mapped the following indicators using Census American Community Survey data. The analysis was used to inform public engagement and project development and prioritization using the following data:

- English Proficiency Levels
- Low-Income
- Minority
- Residents with Disabilities
- Senior Residents

Priority Populations Data Scan

As mentioned above, DLCD staff have convened an Interagency Technical Support Team (TST), which includes staff from the Oregon Departments of Energy, Environmental Quality, Housing and Community Services, Transportation, Health Authority, Business Oregon, Portland State Population and Research Center, the Chief Data Officer and the Governor's Office. The mission of the group is to help achieve the Governor's Executive Order 20-04 in ways that result in more equitable outcomes as defined by the RAC and the LCDC charge. TST members have helped DLCD staff identify the demographic data sources necessary for an equity analysis of spatial and social equity using the priority populations in the RAC's Equitable Outcomes statement.

An initial data availability scan for the priority populations identified by the RAC is presented below. Staff would like guidance from the group on data and limitations for these indicators.

Priority Population	Data Source	Geography	Frequency
Black and African American people	Census (ACS)	Tract Block Group	5 year
Indigenous people (including Tribes, American Indian/Alaska Native and Hawaii Native)	Census (ACS)	Tract Block Group	5 year
People of Color (including but not limited to Hispanic, Latina/o/x, Asian, Arabic or North African, Middle Eastern, Pacific Islander, and mixed race or mixed ethnicity populations)	Census (ACS)	Tract Block Group	5 year
Immigrants, including undocumented immigrants	Unidentified	Unidentified	Unidentified
People with limited English proficiency	Census (ACS)	Tract Block Group	5 year
People with disabilities	Census (ACS)	Tract Block Group	5 year
People experiencing homelessness	US Department of Housing and Urban Development Point in Time, Homelessness Management Info System, or Oregon Department of Education	Continuum of Care area, or School District	Annual update
Low income community members	Census (ACS)	Tract Block Group	5 year
Low wealth community members	Oregon Department of Education	School District	Annual
Low and moderate income renters	Census (ACS)	Tract Block Group	5 year
Low and moderate income homeowners	Census (ACS)	Tract Block Group	5 year
Single parents	Census (ACS)	Tract Block Group	5 year
LGBTQIA+ community members	Unidentified	Unidentified	Unidentified
Youth and seniors (ages 65+ and <18)	Census (ACS)	Tract Block Group	5 year

Table 1.

Technical Support Team Priority Population Data Availability Scan

Data Gaps

From the review of Technical Support Team members, staff have identified data gaps for the following populations.

Immigrants, including undocumented immigrants – TST members were not aware of information that would identify populations of immigrants. Perhaps more importantly, TST members advised DLCD staff of safety-associated sensitivities with publishing maps of these populations.

LGBTQIA+ community members – TST members identified same sex couples as collected by the Census as a potential indicator, however this was deemed too limiting considering the range of community members identifying as LGBTQIA+.

People experiencing homelessness – TST members identified three potential data sources which may serve as indicators, however each of the three present some challenges in portraying the true populations of homeless. Data sources identified by the TST members are the US Department of Housing and Urban Development's Point in Time Counts, Homelessness Management Information Systems, and the Oregon Department of Education's McKinney-Vento reports. Local housing production strategies associated with implementation of the 2019 House Bill 2003 and now incorporated as [Oregon Administrative Rules 660-008](#) require inclusion of this data at a qualitative and community level.

Low wealth community members – TST members could not identify specific data to adequately support this indicator to date. While the Oregon Department of Education does collect information on free and reduced lunch programs that could be used as a surrogate, it is largely based on income relative to the federal definition of poverty, which is already included above.

Considerations:

Health Outcomes – Members of the TST also flagged data for health outcomes as possible additions to an equity mapping tool. Staff from the Oregon Health Authority have offered their expertise in providing data for health outcomes and environmental predictors of health and life expectancy.

Indicators vs Index – A tool might include a collection of demographic data layers that a user can explore and turn on or off as desired, or a tool might include one map layer of a weighted index that includes the concentration of each demographic indicator per total population. An index will require significantly more time and outreach to build and vet through community members.

Priority Indicators – Staff has heard concerns over the number of potential indicators in the priority populations. Adding more data may obscure concentrations of key indicators and may be difficult to explain and understand by the public. Other equity mapping work have typically relied on less than seven key demographic indicators.

Staff have identified four potential approaches to pursue:

Approach 1: All data from the priority populations is included in individual map layers

Approach 2: Index using five key demographic indicators from existing MPO and ODOT work

Approach 3: Hybrid approach using an index of five key demographic indicators, with separate layers for user to turn on or off based on context (community) and use (housing, transportation)

Approach 4: Full index that includes data from each of the indicators from the priority populations

We look forward to RAC guidance about which approach will be best.

Climate-Friendly and Equitable Communities Rulemaking Advisory Committee

MEETING 5



TO: Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members
FROM: Kevin Young and Bill Holmstrom, DLCD Rulemaking Lead Staff
SUBJECT: **RAC 5 Item 8: RAC Meeting 4 Meeting Summary**
DATE: March 22, 2021

RAC Meeting 4 Summary – February 22, 2021

Video recording: https://www.youtube.com/watch?v=443xHIZn_es

Attendees

RAC: Aimee Okotie-Oyekan; Al Johnson; Alex Georgevitch; Alex Phan and alt (Kyle Macadam); Ariel Nelson; Bandana Shrestha; Bill Graupp; Candice Jimenez; Cassie Lacy; Ellen Miller; Emma Newman; Francisco Ibarra; Jairaj Singh; Jana Jarvis; Jonathan Harker - alt for (Kaitlin La Bonte); Julie Warncke; Karen Swirsky; Kari Schlosshauer; Kyle Macadam - alt for Alex Phan; Laquida Landford; Lee Helfend; LeeAnn O’Neill; Lisa Anderson-Ogilvie; Mallorie Roberts; Mary Kyle McCurdy; Michael Szporluk; Nancy Evenson; Paige West; Patricia Selinger and Alt – Bandana; Paul Bilotta; Paul Thompson; Rebecca Lewis alt - (Vivek Shandas); Rob Inerfeld; Ron Irish; Sara Wright; Sarah Adams-Schoen; Shane Witham; Simeon Jacob; Steve Lee; Sushmita; Wade Elliott - alt for (Bradley Clark); Zack Geary

LCDC Liaisons: Commissioners Nick Lelack and Stuart Warren

Staff: Casaria Taylor; Jon Dunsmore; Ingrid Caudel; Bill Holmstrom; Cody Meyer; Kevin Young; Matt Crall; Kirstin Greene; Brian Hurley; Samuel De Perio Garcia; Amanda Pietz; Evan Manvel;

Facilitator: Sylvia Ciborowski; Bianca Valdez

Agenda

Welcome, Opening Remarks, and Agenda Review (0:00:00)

Kevin Young, DLCD

- LCDC Liaison, Nick Lelack, welcomed the participants to the meeting and let the group know the LCDC have been briefed on this rulemaking process and are very supportive.
- LCDC Chair, Robin McArthur, joined the meeting in “listen” mode. She wanted to ensure there will be implementable rules the commission can smoothly adopt at the end of the RAC process.
- A special note was made about the terms “Priority Populations” being defined as BIPOC and the department’s other priority populations that are very important to the department, commission, and this process. The department cares about these community members and

admires their resilience in the face of historical marginalization. Priority populations are to be uplifted, celebrated, and listened to.



Provide Context: Shared Terms and Understanding for Rulemaking (0:07:58)

- A definition of terms document was included with the materials for this meeting. It was included to help build a shared understanding.
- The process began with the Statewide Transportation Strategy (STS), then developed into the Every Mile County (EMC) project, which has led to the Climate-Friendly and Equitable Communities Rulemaking.
- 2007 the Oregon legislature developed an overall Greenhouse Gas (GHG) Reduction Goal to reduce emissions to 75% below 1990 levels by 2050. (Goal is now 80% based on the Governor's Executive Order)
- 2013 the Oregon Department of Transportation (ODOT) developed the STS
- 2011 the Land Conservation and Development Commission (LCDC) adopted the GHG rules (division 44)
- Now we are working on the Climate-Friendly and Equitable Communities rulemaking
- 2018 there was an STS report that found we are not making sufficient progress toward our climate reduction goals.
- Planning for climate reductions in Metropolitan Areas
 - Regional scenario planning
 - Decision making process that allows local governments in a local region to have a set of actions that can be taken to reduce climate pollution, commonly referred to as the "preferred scenario."

- Goal is for each of the eight metropolitan areas to develop a set of actions (preferred scenario).
 - Interim requirements
 - For regions waiting to begin, the STS has identified strategies that can be used in lieu of a regional plan.
- Climate-Friendly and Equitable Transportation Planning Requirements will be impactful.
 - Allow high levels of mixed-use development in areas with focused transportation investments
 - Planning for high-quality pedestrian, bicycle, and transit infrastructure
 - Limit off-street minimum parking mandates
 - Limit motor vehicle congestion standards (single occupant vehicles)
 - Prioritize and select transportation projects to meet climate and equity goals
 - Support electric vehicle (EV) charging
- Medium duty and heavy duty vehicle traffic will be an ongoing issue of discussion between DLCD and ODOT.
 - Want to be sure our commerce still moves

Equitable Outcomes for the Climate-Friendly and Equitable Communities Rulemaking Process (0:31:50)

Evan Manvel, DLCD

- Equitable Outcomes have been discussed at the previous three RAC meetings
- There is a small subgroup that has met to discuss the Equitable Outcomes
- Equitable Outcomes document will guide the rulemaking work and future efforts of DLCD
- Being shared across state agencies
- The document was restructured with significant rewriting from the last iteration
 - Didn't integrate "what it means in practice"
- Next steps: details of implementing, getting to outcomes
- This is a living document and it can be revisited and revised as we learn things over the next few months
 - There is a place in the survey to provide comments
- If RAC members have difficulty printing items they should let Ingrid Caudel (Ingrid.caudel@state.or.us) know so she can print and mail a copy.

Performance Measures (0:40:17)

Cody Meyer, DLCD

Breakout room discussions were part of this portion of the meeting (see attachments)

- Track local progress towards actions
- Track regional progress towards meeting goals and ensure data is reportable
- Provide local governments with:
 - Performance measures for monitoring actions and outcomes
 - Demographic mapping tool to support performance monitoring and project selection
 - Technical assistance, financial support, and guidance
- Division 44 and the regional goals

- Regional Scenario Plan (Portland, Salem-Keizer, Eugene-Springfield)
- Interim Regional Planning (Albany, Bend, Corvallis, Grants Pass, Rogue Valley)
 - Guideposts to developing the targets
 - Fundamental to getting to the Regional Scenario Plan
 - Examples of regional goals: increasing share of bike trips; increasing households in compact mixed-use; increasing transit ridership
- Both Regional Scenario Planning and Interim Regional Planning lead to Local Performance Measures (metropolitan cities and counties)
 - Zoning codes; parking mandates; where are we spending our money...
 - Examples of Local Actions: building active transportation networks; adopting supportive mixed-use zoning codes; adopting zoning for higher densities and mix of uses along transit corridors
- Performance Measures are intended to be universal on the regional level; local measures will be a customized mix of what is regionally preferred
- Next Steps on Performance Measures:
 - March RAC 5
 - Refine priority outcome areas
 - Discuss equity mapping
 - March – June
 - Performance Measures Working group
 - Community Conversations in metropolitan areas
 - Draft Performance Measures to the RAC in June

Breakout Groups to Discuss Outcomes (1:05:00)

- Six policy areas to help reduce climate change: increase walkable mixed use areas; improved transit, walking, biking infrastructure; prioritize funding of climate friendly transportation options; limit use of congestion metrics for transportation planning; managing parking; increase electric vehicle charging options.

Report Out from Breakout Sessions (1:39:47)

- **Group 1**
 - Recognize that the theme of mixed-use may not work for all parts of the regions
 - Mixed-use isn't affordable or built into all communities
 - Transit needs to be affordable and safe
 - Need to engage youth and elders
 - Safety on sidewalks and bike paths
 - Make sure communities that have been disproportionately underserved (houseless, etc) are taken care of by using incentives and awards for communities
- **Group 2**
 - Safety
 - Sidewalks
 - Safe in the environment
 - Lighting
 - Building complete neighborhoods/communities
 - Sidewalks and bike paths have to lead to somewhere

- Connect to grocery stores, schools, etc.
 - Measure out and identify ratio of green spaces and concrete
 - Industry that supports cities and town
 - Freight routes, etc.
- **Group 3**
 - Improving walking infrastructure
 - Walk safely
 - Takes you where you need to go – relatively safe distance
 - Physically safe in your environment
 - Free from discrimination and harassment
 - Mixed-use compact walkable communities
 - Have safe sidewalks
 - Safe bike paths
 - Take you where you need to go safely and quickly
 - Need more housing in mixed-use areas
 - Remove barriers and invest in mixed-use communities
- **Group 4**
 - Safe network for walking/biking/transit especially for crossing busy streets
 - Network that gets people to where they need to go
 - Cars available for those that don't own a car
 - Affordable housing and daycare within a close distance
 - BIPOC communities have access to green jobs
 - Make driving more difficult and more expensive
- **Group 5**
 - Improved transit service
 - Improved transit amenities/shelters
 - Need for safe walking
 - Affordable housing especially for those who have been most harmed/excluded
 - Funding that is prioritized for those that will have the greatest climate benefit
- **Group 6**
 - Diversity and varying incomes
 - Transit provides security
 - Transit can serve the priority groups
 - Diversity of needs among people and families on various days
 - Rural perspective should be kept in mind
 - Focus on access and not so much ability
 - Walk to a store within 20 minutes doesn't look the same as riding a bus for 20 minutes
 - Think about 20 minute neighborhoods
 - Funding is needed to implement projects
- Key themes that seemed to be repeated: safety, connectivity, walking, affordable housing connected to services, better transit (safe and free from discrimination), more funding to pay for prioritized actions

Monitoring and Reporting (2:18:18)

Bill Holmstrom, DLCD

- Monitoring and reporting will be done to know that a local jurisdiction and the State is moving in the right direction; accountability will be part of the monitoring and reporting; identify if we need to make changes; learn what works
- There are existing requirements but they are unclear; the results are rare and sporadic
- Proposed framework for reporting and monitoring is for cities and counties within metropolitan areas
- Required will be showing progress toward meeting targets against performance measures; progress toward implementing scenario planning; and other information
- Some reporting will be required to be done every four to five years; lining up with federal cycle for metropolitan areas
- Cities and counties will be required to describe corrective actions to meet targets

The group participated in a Jamboard technology exercise to answer a question on monitoring and reporting. The following is a copy of the responses received, divided into topic categories by staff.

Question: What kind of information do you think would be useful in a regular report from local jurisdictions in order to show advancement toward our climate and equity goals?

Housing/Neighborhoods

- Number of housing units in mixed use neighborhoods that are affordable to low- and very low-income populations
- Number of mixed-use neighborhoods created
- Has the city mapped its current and future mixed use, walkable neighborhoods?
- Building permits for all housing, and for non-single family housing
- How many of excess parcel sizes have been developed. What have you done to eliminate overly large parking lots (churches, entertainment facilities etc.) to increase housing?
- How fast they are processing building permits when compared to the prior years? How many are related to housing affordability?
- Has the city re-zoned its residential land so that approximately half of all new housing is planned for mixed use walkable neighborhoods?
- Number of new housing units in mixed use neighborhoods
- Increase in area designated to mixed use development
- Focus on adequate housing - not just affordable housing
- Has city fully implemented HB 2001?

Engagement

- Engagement with priority populations, including modes of outreach
- Demographics/Equity
- Percentage of transit enforcement actions against BIPOC and white people
- Any data that is collected should be disaggregated by demographic data (age, gender, race, disability)

- General population satisfaction surveys: Are people satisfied with the measures their jurisdictions are taking? Are there differences by geography?
- Share of population (by income, race/ethnicity, age, etc.) with ≤15 min transit access in walking distance
- 2/3 Year: Demographics of residents (income, education, racial background)
- 2-3 year: Survey of residents: Walkability, safety, access to services, food
- Data/demographics; population counts, # of small businesses or businesses owned by priority populations. crimes against those populations. Safety improvements to transportation areas
- Infrastructure investment in census blocks with higher proportions of priority populations, and in other census blocks to show how investment is being distributed

Funding

- I'd like information on how funds are spent. What firms are getting contracts? (Are they minority owned firms? Do they source locally?)
- Balance of how funding is spent on different activities, e.g., amount for transit vs highways vs housing
- Amount of funding available and percent used for GHG reduction projects (a city could spend 100% of funding on the right thing, and still be penalized for not meeting the desired outcomes unless the overall funding is increased)
- How many / percent of contracts support small businesses?

Connectivity

- Progress on sidewalk connectivity to key destinations, including schools
- Data regarding improved sidewalk connections, missing links, extensions
- How much development was centered around schools or other social anchors
- Bike stress and times to essential destinations from census blocks with higher BIPOC and priority populations
- Bike/pedestrian maps that shows connectivity between different areas of town
- Data on access to goods and services (walking distance, travel distance, travel time)
- Land use law impediments and incentives related to food and other essential services deserts
- Miles of connected bikeway/walking routes
- Importance of measuring actual use of services and infrastructure? (we don't want bike lanes that no one uses) so focus on complete systems

Safety/Transportation

- Focus on micro mobility measures too. E.g., electric bike, scooter. Place to charge, park safely
- Data regarding increased transit service
- Number of EV plugs installed in their city
- Has city reduced or eliminated off street parking requirements?
- 2-3 Year: Increase in non-personal auto transportation modes / availability
- Survey of residents pertaining to bike safety comfort level, vehicle miles traveled, transit utilization in lieu of single person car trips
- Transit miles per capita, both service provided and total rides
- Employee bus pass participants

- Number of school buses converted from diesel to electric
- Qualitative: Personal Safety level (community-level)
- Local government's investment in walking and bicycling infrastructure
- First step is to complete a spatial equity analysis on existing transportation projects and then the awarded/funded projects in TSP's
- Has city prioritized investments in walking and bicycling?
- # of "Direct Marketing" or other Transportation Options outreach/education efforts
- Since safety was raised multiple times, it would be good to see some measures of that (# crashes, # fatalities), accessible sidewalks built
- Has city adopted street design standards for Zero Vision, future bus use, pedestrian safety, etc.
- In regards to safety: documentation of over-policing and the number of stops from various law enforcement as well as the number of bias and hate incidents in the public realm.
- Bike comfort level
- Number of increased people with greater access to transportation options, walk/bike/transit
- Energy/GHG
- Total energy use is available easily thru the tax each city collects on gas and electricity use
- GHG emissions reduced! Local governments may need better tools to measure this - create it
- A consistent measure for GHG reduction, which is not measured in a uniform way typically

Reduced use of vehicles

- Innovative approaches they have taken to reduce miles traveled
- I want to understand the link between VMT reduction as required by the TPR and GHG goals

Other

- Reporting metrics on resiliency. How well does their system perform during adverse weather events?
- It really depends on what we are trying to measure. Tied to performance measure work group
- It's reasonable to re-do the scenario model every 5 years to measure effectiveness. Any more often is just repetitious.
- What were the tradeoffs of enacting regulations? Did it cause housing costs to rise or reduce costs? How were they determined?
- Need to recognize that some actions will take some time to see results. Collecting too much annually will just result in data noise and obscure trends.
- Built facility information (linear miles, etc.) should be every three years. Programmatic progress annually.
- Narrative of code/regulatory changes.
- This question feels premature and I feel like I cannot answer it without knowing what the performance measures and specific metrics are. For example, I would advocate that MPOs not be able to choose their own metrics (but rather apply for exceptions to what the RAC recommends). But if MPOs get to choose their metrics, then the reporting may look different. I do agree that there could be an annual report with qualitative data and more robust report with quantitative data
- My thoughts are that what we report on depends what the measures are
- City integration of the performance measures should be included. For example, what are cities doing to change funding decisions and evaluation to choose a project? And how are other

staff/committees knowledgeable about the performance measures and reports? What plans have been created, like a TDM Plan, multi-use housing plan, carsharing plan, etc.

- Modal split (for all trips)
- Ratio of green spaces to concrete
- Don't spend so much time reporting that you don't leave time for doing

Next Steps and Wrap-up (2:50:38)

- March RAC 5
 - Draft division 44 rules
 - Introduce concepts for climate-friendly areas and other minimum standards
 - Review work to date
- April – May
 - Community Conversations
 - Work group meetings
 - Potential focus group meetings, webinars, etc.
- June to November
 - Transportation System and Land Use Planning
 - Housing and Other Climate-Friendly strategies
 - Close loop on regional scenario planning and performance measures

Climate-Friendly and Equitable Communities Rulemaking Advisory Committee



MEETING 5

TO: Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members
FROM: Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff
SUBJECT: RAC 5 Item 9: RAC Meeting 4 Key Questions Responses
DATE: March 22, 2021

Question 1

A Definition of Terms document is included in your RAC 4 meeting packet to help us to build a shared understanding of key concepts and terms in the rulemaking effort. Are there any additional terms that should be included? If so, is there a particular definition that we should use?

1. I would suggest defining Statewide Planning Goals and specifically those for which the rule making will apply such as Goal 12, Goal 10 and (Goal 14?). I think it would helpful to provide a linkage to the statewide program and the rulemaking we are engaged in.
2. Add: SOV - single occupant vehicle; EV - electric vehicle.
3. Definition of "multi-modal" trip. Minimum length of each leg based on mode (pedestrian, bike, bus, train, cab). Length (time) of minimum multi-modal trip categorization.
4. Additional terms to be included: 1. accessibility: definition. Ensuring that persons with disabilities have access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas (CRPD, art. 9). 2. Person with a disability. Definition - use ADA definition 3. Universal design. Delete the definition in current draft and replace with following: "the design of products, environments, programs and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. "Universal design" shall not exclude assistive devices for particular groups of persons with disabilities where this is needed." (CRPD, Article 2)
5. Nope--now just have to remember what all the alphabet soup stands for!
6. Lists of definitions can go on indefinitely. In my opinion, the critical terms to focus on for definition are those that are relatively new or have new and/or disputed or evolving meanings, such as "intersectionality."
7. Depending on how deep the dialog goes, it may in the future be helpful to have definitions of ITS, v/c, LOS, and other terms used in transportation planning.
8. Is "Universal Design" a state level standard or can we also include "Inclusive Design" which I believe is more appropriate with the goal of equitable outcomes (see https://en.wikipedia.org/wiki/Inclusive_design).

Question 2

Based on feedback from RAC members and Commissioners, we clarified language and split the equity outcomes into those most directly impacted by this rulemaking and additional outcomes to work towards as we develop rules, guidance, and technical assistance. Do you have additional comments as we work to operationalize these outcomes? If so, please share them at the meeting or in the post-meeting survey.

1. At this point I think they should spend more time of the rest of the rulemaking for the next few months and then circle back to equitable outcomes. I would ask if it could be clarified how they will be applied to Metro and the local jurisdictions within the Metro boundary. I know that there was some language presented in RAC meeting #3 but it wasn't clear to me how or when Metro and its local jurisdictions would be held to equitable outcome especially as it has been made clear that the work Metro has done Scenario Planning has been approved by LCDC and that the land use changes that are being considered in the rule making for the other metropolitan areas has already been done (dating back to the late 1990's) but the local jurisdictions. .This seems important considering its large population of priority populations.
2. I still worry about a gap between expectations and the ability of local jurisdictions to deliver the outcomes, but am OK with moving forward. I appreciate the work that fellow RAC members have put into this.
3. Good start.
4. The outcome related to tree canopy was surprising to me and very specific compared to the other two climate outcomes listed. It wasn't clear to me why we would focus on tree canopy specifically in this list. Are we addressing tree preservation or urban forest specifically in the rulemaking? If not, it doesn't make much sense to me to include this specifically here.
5. I think the issue of what data is going to be collected, by whom, and for what use (i.e. who will use and how) needs to be clarified. It is essential to collect data in such a way that it can be disaggregated so communities can track progress for priority populations including BIPOC, gender, persons with disabilities, etc. I'm curious also about the issue of public procurement. Can there be a promotion of socially just and responsive public procurement at the local level? And if so, how can that be encouraged and tracked. I think this gets, in part, to the issue that Aimee rightly raised around sourcing and disposal of waste. Supporting local jurisdictions to procure locally has widespread positive effects. see, for example, Varshney, Sanja B. and Tootelian, Dennis H. (2009), The economic impact of the small business and disabled veteran business enterprise programs on the state of California (Accessed from <https://www.qi-solutions.com/static/files/pdf/sdvo-dvbe/The%20Economic%20Impact%20of%20the%20Small%20Business%20and%20Disabled%20Veteran%20Business%20Enterprise%20Programs%20on%20the%20State%20of%20California.pdf>) . If the link doesn't work - please let me know and I'll send a pdf of that paper.
6. Good, because this has been all over the map--the equitable outcomes of GHG emissions reduction are important, but limited in this instance to transportation--mostly availability and accessibility, convenience, cost, & location.
7. I still feel like the "climate outcome" paragraph in the Equity Outcomes Statement don't make complete sense. These are reasonable climate outcomes (although incomplete) but I don't see how they relate especially to equity. For example, a stronger equity association might be that providing transportation choices can lower the transportation cost burden for certain populations, while also having a positive climate outcome.
8. The description of core outcomes: The core of this work aims to both reduce climate pollution and increase equity by reducing driving, improving transportation choices, and creating

communities where daily needs can be met by walking, biking, remote access, or taking transit. Does not seem to highlight enhanced access to EV and other transportation options with fewer emissions.

Question 3

Within the policy areas to reduce climate pollution (walkable mixed-use neighborhoods, increasing walking and biking, increased transit service and availability, managing parking, and supporting transportation options), what outcomes are most important to you? a. As a community member in your everyday life? b. As a professional in your area of expertise?

1. As a community member, transit is extremely important. I do not own a car in Eugene, meaning my only means of transportation are transit, walking and biking. I am also a young, black female, so safety while doing all of these things is imperative. That means walking and biking areas that are well lit, and have those emergency call stations generously dispersed. Having a transit station nearby is useful to get to class, but it would also be great if I could get to the coast, and Portland just as easily. Connectivity is equally as important. Walkable, mixed use neighborhoods is important to me as an emerging planning practitioner. I am well aware of how the separation of land uses ultimately separated society by race and class to discourage mixing. This legacy of discriminatory land use practices must be redressed with intention. It is great that Oregon passed HB 2001. Now DLCD must continue the work of creating denser, mixed use communities that support a diversity of lifestyles.
2. As both an everyday community member and an expertise in local city planning I would answer this question the same. All of these policy areas need to be addressed at the local level. This is especially true for those that will alter the built environment and thus have a long term impact. This to consider include that All of these policy areas are interrelate; that what gets a person out their GHG emitting vehicle is a variable that depends not just on their current life style but also their life stage. For example younger cohorts may be more influenced by good bike routes whereas senior cohorts may be more influenced by safer walkways. Certainly more households/employment in mixed use areas and better/more frequent transit may have large impacts but I think all these tools need to be in place not just to reduce GHG emissions but to have resilient communities. I am cautious about relying on those programs that can easily be altered or eliminated. For example parking management. Reducing the minimum required parking (as well as the maximum allowed parking) has a long term impact. Charging for parking can be important but also a jurisdiction can easily stop charging (where as a project built without parking impacts last through the life of building). Supporting transportation options on the part of industry (including government) can be helpful but programs — such as subsidized parking passes — can change or be eliminated. Having facilities that support alternatives- such as a locker room for changing or a secure indoor bike parking facility — can be helpful. Also having companies that can be flexible to account for transit use schedules to help employees avoid long queuing times can be helpful.
3. The most important outcome is that those most harmed or excluded from affordable housing and transportation will be able to benefit from the systems put in place and will see health benefits from reduced climate pollution and well-connected and affordable communities that are supportive and inclusive. All of these policy areas are important because they all have to work together to create the outcomes we need to see to reduce climate pollution. We need to see a re-balancing of the transportation system that decreases emphasis on vehicles and focuses on building accessible, affordable transit, plus massive increase in funding to build out our walking and biking networks.

4. I support the ones that can actually be implemented that have the greatest GHG reduction impact and that improve the quality of life and access to opportunity for priority populations. We want to see all of these happen, but we could fail on all of these due to lack of funding to implement. I'd like to see an outcome of increased funding to implement these policy areas. I recommend changing "increase transit service and availability" to "increase transit ridership and serve communities more equitably." A transit district could increase transit service and availability, but focus transit services on coverage to serve people and areas that do not need the services the most. This approach would implement the originally stated policy area, but produce low ridership and insignificant improvements regarding GHG emissions reduction goals. Make transit free for all riders! Transit is a key piece of the solution and it needs increased Federal and State funding.
5. a) Walkability and transit service b) transit availability and managing parking.
6. Increasing safe bike and transit is a personal priority for me as a community member, as its something that can contribute greatly to improved quality of life. Its also a professional priority as our community needs a lot of improvement for bike and ped. As a professional, the other area of priority is increased transit service and availability. In Bend, we don't have a transit system that is convenient or reliable enough for most people and something we need to figure out for our community. Walkable mixed-used neighborhoods is also important as we know this can have a very significant impact on greenhouse gas reduction, in addition to having a lot of other benefits for the community.
7. I see several important outcomes to be tracked (which again need to be disaggregated): 1) actual use of amenities (you can build a rec center, for example in an area that's had historically a lack of investments, but that doesn't guarantee who will use the rec center, i.e. who benefits) 2) contracts going to SME that support employment of priority populations and follow principles of universal design and accessibility standards; 3. Issue of safety, and policing, and finding ways to reduce and ultimately eliminate violence by cops against priority populations, including BIPOC, persons experiencing mental health crises, and persons who are deaf. 4. Development of mixed use housing that is adequate (NOT just affordable!!!!!!) per CESCR General Comment 4. 5. # of transit systems that offer free or reduced fares for all. 6. miles of roads that have been made safer (reducing speed limit, providing traffic calming measures, making sidewalks more accessible, installing bike lanes, bioswales, etc. I'd also love to see commercial areas have no-car zones - as is the case in many or most centers throughout Europe. It can be done.
8. As a community member, getting away from internal combustion, in all vehicles and modes. As a professional, density is the key, especially along transportation corridors.
9. As a community member, the most important thing in my day to day life is a walkable environment. That can mean decent and connected infrastructure but more than that, it means that there is someplace to walk to. I was lucky enough to be able to select where I live based on access to shops, recreation, services, and employment, which add immeasurably to my quality of life. We need to create more places like this. In my professional experience, in order to have an effect on climate pollution, we have to do it ALL. In my city, we were not able to see a reduction in VMT (as proxy for GHG) in the scenario modeling until we build out our mixed-use centers with increased residential density, completed the bicycling and walking network, increase transit service, create mobility hubs throughout the city, implement parking pricing in our commercial areas, and enforce an extremely robust Transportation Demand Management Program.
10. Increased transit service and availability and walkable neighborhoods. Outcomes need to recognize that in most cases we are working to retrofit past development patterns and such efforts come with significant trade-offs. For example, providing comfortable walkable

environment may mean that trees need to be removed to make way for that facility. We have had people present grand ideas that would require both lots of money and would eliminate all existing development along a given roadway to accommodate the tree-lined parkways envisioned.

11. A. Physical safety, connected sidewalks and cycling infrastructure, safe street crossings that prioritize non-vehicle users, robust car sharing programs to support those who do not have cars and do not have alternate transportation options to reach all services, a 10 minute walkshed/bikeshed to essential services (e.g. grocery store, medical centers, job centers), green spaces and parks in every walkshed/bikeshed. B. We need to explicitly address the other side of the equation and shift the dialogue from just increasing biking, walking, and transit service, but actually create disincentives to driving that shift modes of transportation. And this needs to be done in a way that does not disproportionately impact single parents, folks who live in rural areas, and lower income folks who may rely on their vehicles. Convert City subsidized parking to converting parking into affordable housing and the systems to support that (like affordable childcare located next to or within that affordable housing).

Question 4

The proposed monitoring and reporting framework includes the potential for broader qualitative reporting in addition to demonstrating progress toward particular targets. What kinds of information do you think would be useful in a regular report from local jurisdictions in order to show advancement toward our climate and equity goals?

1. Something like a climate community survey might be interesting - do people feel more secure or resilient as a result of the work being done to achieve climate and equity targets?
2. Would first start with those code and policy changes that will be required such as zoning/development codes changes; investments in bike/ped/bus stop infrastructure as a percentage of total street investments; planned # of new households and sq. ft. of new commercial development in mixed-use areas as opposed to other parts of the community; parking #s associated with new development; transit use; transit accessibility. And then as time goes on require reporting on the changes to the built environment (how many units, how much floor area); how accessible is to priority populations and so forth.
3. The reporting must be mandatory and there should be pre-determined consequences laid out by the state for not reporting &/or not meeting targets in the timeframe. This would help local jurisdictions to understand expectations and prioritize actions. It should be as easy as possible to implement these measures, but it should not be without consequence if they are not implemented.
4. The amount of funding available and percentage used to further GHG reduction goals. Local jurisdictions should get credit for actions that further the GHG reduction goals even if they do not rise to the level of being on a TSP project list (i.e. sidewalk infill, pedestrian crossings, bus shelter installations, etc.).
5. Demographics of transit users (income, length of trips), safety of transit users, on-time performance of transit assets.
6. It's hard to say as I feel we still don't really understand what the interim requirements are. I feel that we're still lacking a lot of clarity around what's required, what the roles and responsibilities are, and what resources it will take. It would be easier to answer this question if we had more clarity on the requirements and reporting.

7. Key informant interviews and focus group discussions with priority pops in the different jurisdictions to assess both process indicators (have they been consulted and do they actively engage/participate in decisions) and outcome indicators (what changes have they seen).
8. Progress on code & zoning to create density--parking a big part of this. Cost of public transit--zero in Corvallis. EV vehicles & charging stations (which should support businesses--charge while you shop, dine, etc.)
9. I'm not sure I can envision qualitative reporting. Would this be satisfaction surveys or something similar?
10. I don't think that this can be effectively discussed until we know what the targets are. We also need a realistic understanding of what data is available and what it would take to gather data consistently across the regulated jurisdictions.
11. Please ask this question again once the goals and performance measures have been put forth in draft or final form.

Question 5

The proposed monitoring and reporting framework described in your packet calls for reporting somewhere between annually (every year), to every five (5) years in some places. What do you think is the right balance between reporting too infrequently and requirements that are too burdensome? What other suggestions do you have for monitoring and reporting?

1. I agree with the points made in the meeting about cities doing a smaller, yearly report, and then a more robust report every 3-5 years.
2. I concur with what seem to be the consensus at the meeting which was yearly reports focused on data and every 2-3 years of more detailed and qualitative reporting. I also agree that every 5 years is too long and would be meaningless. Additionally the reporting time periods need to reflect the urgency of climate change and equity and the intended outcome of this rulemaking. I would also pushback on the notion that such reporting would be burdensome to local jurisdictions. I do this from the perspective as a long time local jurisdiction planner. Local jurisdictions should be reviewing the outcome of their planning using this types of reporting. Early report should focus on institutions changes e.g. regarding equity, mixed-use areas; transit support densities; parking minimums (and maximum) elimination and reductions; electric charging stations; and changes to the priorities regarding investment in pedestrian and bike facilities; safe crossing; connected sidewalks; and bus stop pullovers. Late reports then would focus on the outcomes of these changes such as increases in bike trips, walking trips, electric vehicle use and transit trips which should be tied to achieve GHG emission reductions.
3. I like the idea of there being an annual report that provides a narrative of what is happening, and additionally a report every 3-4 years that reports more quantitatively on data and outcomes.
4. The reporting time period should be determined by the content of the reports. Any in depth reporting that includes analysis should be tied to plan updates, not a specific time period. Please make the reporting simple and efficient so that it does not become cumbersome and detract from implementing projects, plans, and policies that support the results we want to produce. This is especially important for smaller jurisdictions with limited staff capacity. It needs to be clearly articulated in the rule what criteria or methodology LCDC will use to judge when a report is "acceptable" or sent back for "corrective actions." What aspects of this will be a formal land use decision or not? What is the appeal process? It would be unfortunate to have to divert staff time away from positive, GHG reducing project implementation work to spend time on appeal processes for items that may be outside the control of local jurisdictions. We would like to see a

requirement for stakeholders to engage at the local level prior to being able to have standing to appeal at the state level. We are concerned that entities with no specific interests and involvement at the local level could appeal at the state level.

5. Full reporting on controllable metrics every three years.
6. Every 4-5 years is appropriate, and ideally linked to other reporting or planning activities that we're already doing. It might be possible to share some data that we collect anyway annually but it seems resource intensive on for both the municipality and DLCD. Additionally, many projects take much longer than a year to even complete, much less demonstrate outcomes for - 4-5 years will ensure we can show the impact of our efforts.
7. It depends on the specific indicator. Some issues will need to be updated annually, others can probably be done every 2-3 years. Five years is too long.
8. Frequent small, informal meetings (reporting is not the only way to meet and move things forward, but having the issue come to the fore often is useful--check in, questions, help needed, roadblocks, etc.)
9. It makes the most sense to me to make reporting part of TSP updates that should be linked to MTP or RTP work.
10. It depends on what is being reported.
11. Yearly (or every two years) reports about the actions actually taken combined with a more quantitative report about the performance measures and outcomes every three or four years.

Question 6

Additional comments or suggestions – meeting format, substance or other:

1. I'm very concerned that these rules may not apply to ODOT facilities or freight, which have the most VMT on the system and are frequently the worst climate polluters. What we need to know is what portion of transportation our work will apply to, and what is being done for the rest so that we can scale accordingly. I'd like to see that addressed at the next meeting.
2. Has DLCD considered tying the Oregon Blue Zones Project work into this effort? It is a program that produces improved health results quickly and would align with the desired outcomes. <https://oregon.bluezonesproject.com/>
3. As referenced in an earlier comment, I still feel there is a lot of vagueness around requirements for the interim requirement municipalities. How are we even measuring GHG reduction? Who (City or DLCD) completes the "gap analysis" and is there a particular method we should be using? How do our GHG reduction targets compare to the VMT requirements we just had approved? I thought we'd be receiving more clarity about these topics during the February meeting so now I'm not sure when we'll get that.
4. Increasingly - I see it is important for us to consider how we can influence budget decisions made by local governments as they engage in public procurement. If we don't influence how they invest, I fear we won't be able to change that much. It would be interesting to look at the public workforce composition in these jurisdictions. Who gets hired? How can we support the outreach, recruitment & hiring of members of priority populations?
5. It would help if these questions were more focused.
6. Amazing amount of work done so far, great course corrections!
7. The collaborative sticky note brainstorming tool <https://ideaboardz.com/> is a little easier to use because (1) it creates a list that you can scroll down through rather than having sticky notes cover each other; (2) it keeps all the text the same size; (3) you can download it in Excel format; and (4) it allows collaborators to "like" or give a thumbs up to other peoples' ideas.

Climate-Friendly and Equitable Communities Rulemaking Advisory Committee MEETING 4



TO: Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Members
FROM: Bill Holmstrom and Kevin Young, DLCD Rulemaking Lead Staff
SUBJECT: **RAC 5 Item 10: Public Comments Received**
DATE: February 12, 2021

DLCD has received one public comment item since the last set of packet materials were distributed to the RAC. This item is written testimony to the Land Conservation and Development Commission from Elizabeth Graser-Lindsey, and is attached after this cover sheet.

TO: Land Conservation and Development Commission
esther.johnson@state.or.us

FROM: Elizabeth Graser-Lindsey
Beavercreek, Oregon
eaglsing@gmail.com

DATE: March 16, 2021

RE: March 18-19, 2021 LCDC Meeting, Agenda Item 7 "Climate-Friendly and Equitable Communities"

LCDC staff convened at 40-person rulemaking advisory committee (RAC) to address Climate-Friendly and Equitable Communities. We are informed (March 18-19, 2021 LCDC meeting, Agenda Item 7 memo, p. 2) that **the committee reflects Oregon's population in many ways, but rural people on working lands were not included.** I only found "rural communities" mentioned in the RAC Charge (p. 1, Desired Outcome #5):

"Follow the lead of, and design processes to accommodate impacted communities, such as... [far down the list] rural communities..."

Farmers, woodlot/timber producers and other people on working lands in **rural areas clearly are the most under-represented and under-served in this public process** (as frequently has occurred historically).

Those on working lands are likely the most impacted by climate change:

- Heat and drought negatively impact crop production and livestock production and farm operation income. Many farms don't have irrigation water nor water rights so they depend on rainfall for crops and pastures. Loss of snow pack negatively impacts irrigated farms. Heat and drought kill Douglas fir trees in our area such as in 2018 and shrink their habitat; this impacts the income of the timber sector.
- Wild fires directly impact rural areas (but rarely enter town). Smoke is harmful to the health of livestock and owner operators and for-hire workers; it reduces the ability to conduct useful work; and it blocks sunlight, reducing or preventing photosynthesis, crop growth and production, and farm income. Sometimes the residence and farm buildings are directly destroyed.
- When ice storms, winds, fires take out power lines, rural areas are typically the last to have power restored and they are often on water wells, so they may lose sanitation (toilets, bathing) as well as electrical appliances and equipment.

- Roads near some urban areas are congested so evacuations from wildfires took hours leaving people un-able to get to safety and threatening their lives.

Farm operators and timber producers, etc. are relevant to Climate-Friendly and Equitable Communities because they typically have to work in town where the jobs are. (I will share farm statistics only, because they are more available to me.) The USDA reports:

“Slightly more than half of U.S. farms are very small, with annual farm sales under \$10,000; the households operating these farms typically rely on off-farm sources for the majority of their household income ¹.

The USDA statistics show that small farms produce over one-fifth of the nation’s food (21.5%); however, the vast majority of small farm income is from off-farm sources whether the farm operator has farming as their major occupation or the off-farm employment as the major occupation, but where farming is the major occupation the overall income is lower²:

¹ Gross cash farm income (GCFI) includes income from commodity cash receipts, farm-related income, and Government payments. Family farms (where the majority of the business is owned by the operator and individuals related to the operator) of various types together accounted for nearly 98 percent of U.S. farms in 2019. Small family farms (less than \$350,000 in GCFI) accounted for 90 percent of all U.S. farms. Large-scale family farms (\$1 million or more in GCFI) make up about 3 percent of farms but 44 percent of the value of production.

Most farmers receive off-farm income, but small-scale operators depend on it

About half of U.S. farms are very small, with annual farm sales under \$10,000; the households operating these farms typically rely on off-farm sources for most of their household income. In contrast, the median household operating large-scale farms earned \$350,373 in 2019 with most of that from farming. <https://www.ers.usda.gov/data-products/ag-and-food-statistics-charting-the-essentials/farming-and-farm-income/>

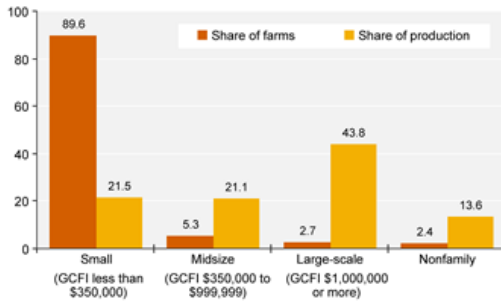
² “If the operator reports being retired from farming or having a major occupation other than farming, the farm is classified as a **residence** farm. If he or she reports farming as a major occupation and is not retired from farming, the farm is classified as **intermediate**. **Commercial** farms are family farms with \$350,000 or more in gross cash farm income, regardless of the occupation of the principal operator.”

“Slightly more than half of U.S. farms are very small, with annual farm sales under \$10,000; the households operating these farms typically rely on off-farm sources for the majority of their household income. In contrast, the typical household operating large-scale farms earned \$348,811 in 2018, and most of that came from farming.” [USDA ERS - Farming and Farm Income](https://www.ers.usda.gov/topics/farm-economy/farm-household-well-being/farm-household-income-estimates/)

“In 2019, the median income from farming was \$139,016 for households operating commercial farms, and their median total household income was \$190,401. Households associated with intermediate farms reported \$654 in median farm income and a median total household income of \$57,081. Residence farms reported a negative median income from farming of -\$800; however, the substantial off-farm income of residence farm households provided them with higher total incomes (\$100,593) than intermediate farm households in 2019.”

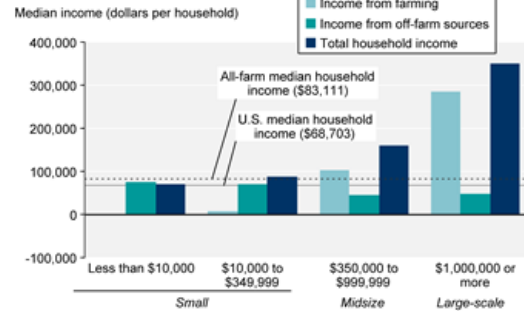
<https://www.ers.usda.gov/topics/farm-economy/farm-household-well-being/farm-household-income-estimates/>

Farms and their value of production by farm type, 2019
Percent of U.S. farms or production



Note: GCFI = annual gross cash farm income before expenses. Nonfamily farms are those where the principal operator and their relatives do not own a majority of the business. Source: USDA, Economic Research Service and National Agricultural Statistics Service, Agricultural Resource Management Survey. Data as of December 2, 2020.

Median household income of principal farm operators by source and sales class, 2019



Note: Sales class reflects annual gross cash farm income before expenses (the sum of the farm's crop and livestock sales, Government payments, and other cash farm-related income). Source: USDA, Economic Research Service and National Agricultural Statistics Service, Agricultural Resource Management Survey and U.S. Department of Commerce, Bureau of the Census, Current Population Reports. Data as of December 2, 2020.

Many of these farmers are supplying food to your local Farmers Markets and CSAs (community-supported agriculture arrangements). They are also producing your meat³. While these small farmers work hard to feed you, they clearly are paid much less than other professions for their labor. In my opinion they are subsidizing the eating public (because they love farming though no one likes to be taken advantage of).

Because farmers can more easily commute to off-farm jobs when they live near major metropolitan areas in Oregon, they naturally live near the Division 44 metropolitan areas. Many are clustered right around the urban growth boundary while others have to drive further. They commute to their jobs and to services (as cities are service centers to rural areas) and they may haul farm products. **They are unlikely to be able to use public transit because they live in areas that are hard to serve with transit. The carpooling situation may be similarly difficult. They don't tend to favor tolls or declining parking because they don't have alternatives. People living in cities tend to not understand the situation and can't represent it.**

How can these metropolitan communities become climate-friendly or equitable⁴ (or conform with Division 44 climate pollution reduction targets or Statewide

³ "While cropland consolidated into larger farms between 1987 and 2012, pasture and rangeland did not, but instead shifted away from the largest farms and ranches and toward smaller operations."

<https://www.ers.usda.gov/amber-waves/2018/march/examining-consolidation-in-us-agriculture/>

⁴ Inequities that farmers experience are:

- Farm operators have such a low-paid occupation that they typically must have a second job as their main financial support.
- Rural areas have been neglected for a long time so many still have substandard roads not up to county roadway standards, such as lacking a shoulder for bicycles and pedestrians or for motorist safety:

Transportation Strategy targets) if those on working lands aren't included? How can they reliably reduce GHG (greenhouse gas) emissions if they don't acknowledge and address the needs and challenges of all their commuters? How can they protect their local food supply if they ignore the needs of the rural part of their workforce?

Why didn't you pay for someone working rural lands and commuting to an urban job to be on your committee?



Can school children safely walk or bicycle here? How can a car pull over for a fire truck or sheriff? Pedestrians and cyclists are to share the lane of travel with high-speed traffic including high-volume traffic near urban areas. Feb. 11, 2019, near Molalla, OR.
<https://www.oregonlive.com/clackamascounty/2019/02/school-bus-driver-cited-after-crashing-into-ditch-near-molalla-deputies-say.html>

- They are on the front-lines of climate as it reduces farm production and income through drought, heat, wildfire smoke , and irrigation availability (for farms with water rights).
- Farm households have lower rates of health insurance. “10.7 percent of farm household members lacked health insurance, indicating that they faced slightly higher health-related financial risks than the general population [in 2015, 9.1 percent of the U.S. population had no form of health insurance]. <https://www.ers.usda.gov/topics/farm-economy/farm-household-well-being/health-insurance-coverage/>