

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	5 - 0 - 0
Yeas:	Atkinson, Boquist, Hass, Prozanski, Dingfelder
Nays:	0
Exc.:	0
Prepared By:	Beth Herzog, Administrator
Meeting Dates:	3/31, 4/21

WHAT THE MEASURE DOES: Specifies that when a metropolitan service district (district) includes land designated as urban reserve within an urban growth boundary (UGB) the district does not have to consider the capability classification system or the cubic foot site class of the land. Act takes effect December 1, 2009.

ISSUES DISCUSSED:

- Statutory priorities for adding land to the UGB
- Considering sub-region's needs when applying priorities
- Regional needs

EFFECT OF COMMITTEE AMENDMENT: Replaces the measure.

BACKGROUND: The long-accepted reading of ORS 197.298 has given first priority for including land within an UGB to land designated as an urban reserve. However, statute (ORS 197.298(2)) could be interpreted to require that higher priority be given to land of lower capability as measured by the capability classification system or by cubic foot site class. The capability classification system is used by the USDA Natural Resource Conservation Service, Oregon Department of Agriculture, and Oregon Statewide planning program to classify soils for agricultural productivity; lands are classified I-VIII. Oregon's statewide planning goal 3 requires counties to protect class I-IV soils in western Oregon and I-VI soils in eastern Oregon. The cubic foot site class rating system is used to rate forest timber productivity. Senate Bill 566A explicitly states that when a district includes land designated as an urban reserve within an UGB the district does not have to consider the capability classification system or the cubic foot site class of the land.