

March 30, 2023

FROM: Jonathan Harker, AICP

TO: House Committee On Agriculture, Land Use, Natural Resources, and Water
Representative Ken Helm, Chair
Representative Annessa Hartman, Co-Vice-Chair
Representative Mark Owens, Co-Vice-Chair

RE: Testimony in Opposition to HB 2659

Dear Chair Helm, Vice-Chairs Hartman and Owens and Members of the Committee:

I am testifying as a member of Climate Friendly & Equitable Communities (CFEC) RAC and as a retired city land use planner with 30 years of experience in Oregon city planning. At retirement I was the City of Gresham's Planning Director. I am also testifying as the grandparent of an 18-month old grandson and a 5-month granddaughter.

It makes no sense and will be harmful to stop the ongoing implementation of the CFEC rules; to spend time and resources to amend/change the rules; and to delay implementing actual changes to land use and transportation regulations at the local level for five more years.

The CFEC rules are based on practical and well established land use and transportation planning principles that will result — within Oregon's 8 metropolitan areas — in significant reduction of GHG emissions; more transportation options; more affordable housing opportunities; safer and more convenient transit, walking and biking systems; stronger local economies; healthier communities; and increased climate resiliency.

The CFEC rules also, and importantly, will result in more equitable participation and outcomes as climate friendly areas are planned and designated and as transportation system plans are updated to be consistent with the rules.

As a RAC member I attended over 20 meetings including all the RAC meetings; topical issues sub-RAC meetings; work sessions; and LCDC meetings. I read and studied the extensive staff packets. I provided both written and oral feedback as requested by staff. In short I put a great amount of my personal energy, time and resources into the rule making.

And I wasn't alone in the effort. Past RACs that I have been on typically included only City/County representatives; impacted industry organizations and representatives (such HBA); LOC and AOL; 1000 Friends of Oregon and Oregon American Planning Association. But they did not include representatives from typically underrepresented communities. This RAC did.

The CFEC RAC did include its usual membership but also included organizations and communities traditionally underrepresented in State rule making. Among others it included AARP, disability advocacy, intercultural and environmental justice advocacy, Indian Health Board, homelessness advocacy, NAACP, National Safe Routes to School Partnership, OPAL Environmental Justice Oregon, Oregon School Board - Black Caucus, a Portland State under-21 student, a single parent, and transportation choice advocacy. These organizations and individuals invested significant time and resources into the CFEC process. Advancing HB 2659 negates their efforts and the agency's very deliberate intent to create rules that work for all Oregonians.

As an experienced city land use planner having done many projects akin to what the rules will require, I can attest that the work of implementing the rule is doable and appropriate. And I can attest that in my experience with implementing state rules that the agency can and will work with jurisdictions to clarify and implement.

In my experience on rule implementation it is critical that the agency have the funding both to have the staff and related resource to support local government and, most importantly, to provide direct funding to help local government efforts.

Instead of spending time, energy and resources on HB 2659 I would ask the legislature to take these actions:

- Provide the funding that LCDC asked to be included in the GRB (POP 203). The funding request was for approximately \$12 million of which \$10 million would be direct grants to local governments.
- Support LCDC on-going efforts the work with local governments and other impacted communities to refine and clarify the rules.
- Recognize the CFEC rules provide flexibility in implementation and allow for extension of timelines. In my experience the flexibility and timeline extensions are more than responsive to local project planning challenges.

Again, thank you for this opportunity to provide testimony in opposition to HB 2659. I sincerely hope that the legislature will take action to support the ongoing implementation of the CFEC rules. It has been over a dozen years since the legislature stated its intent to reduce GHG emissions in Oregon's metropolitan areas. My grandchildren can't afford further delay and misspending of public resources if they are to enjoy a resilient and healthy Oregon.