

HOUSE COMMITTEE ON LAND USE

January 14, 2005 Hearing Room 50

1:30 PM Tapes 1 - 2

Corrected 10/14/05

MEMBERS PRESENT: Rep. Bill Garrard, Chair

Rep. Gordon Anderson, Vice-Chair

Rep. Mitch Greenlick, Vice-Chair

Rep. Bob Ackerman

Rep. Mary Nolan

Rep. Patti Smith

Rep. Mac Sumner

STAFF PRESENT: Sam Litke, Committee Administrator

Lindsay Luckey, Committee Assistant

MEASURES/ISSUES HEARD & WITNESSES:

Introduction of Members – Organizational Meeting

Adoption of Committee Rules – Organizational Meeting

Meeting
Dept of Land Conservation and Development – Informational

Lane Shetterly, Director

Department of State Lands – Informational Meeting

Ann Hanus, Director

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

| TAPE/# | Speaker | Comments |
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TAPE 1, A

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| 003 | Chair Garrard | Calls meeting to order at 1:32 PM. Opens an organizational meeting. |
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INTRODUCTION OF MEMBERS - ORGANIZATIONAL MEETING

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| 007 | Chair Garrard | Briefly sets up agenda and invites members to introduce themselves. |
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| 012 | Rep. Sumner | Introduces himself. |
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| 015 | Rep. Ackerman | Introduces himself. |
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| 017 | Rep. Greenlick | Introduces himself. |
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| 022 | Rep. Anderson | Introduces himself. |
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| 032 | Rep. Smith | Introduces herself. |
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| 032 | Chair Garrard | Introduces Staff. |
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| 040 | Sam Litke | Committee Administrator. Introduces himself and staff. |
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| 047 | Chair Garrard | Invites Nolan to introduce herself. |
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| 053 | Rep. Nolan | Introduces herself. |
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ADOPTION OF COMMITTEE RULES – ORGANIZATIONAL MEETING

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| 055 | Chair Garrard | Seeks a motion to adopt the proposed Committee Rules (EXHIBIT A). |
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058 Rep. Anderson MOTION: Moves to ADOPT the proposed Committee Rules.

060 VOTE: 7-0- 0

Chair Garrard Hearing no objection, declares the motion CARRIED.

062 Chair Garrard Closes Work Session and opens Informational Meeting.

DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT - INFORMATIONAL MEETING

072 Lane Shetterly Director, Department of Land Conservation and Development (DLCD). Thanks the Committee and describes experience in testifying during last session and during interim. Also mentions his colleagues Bob Lindy and Ron Eber who will testify later in the session.

083 Shetterly Outlines his presentation which will be an overview of the department and its progress during the last year. Explains he does not intend to specifically discuss Measure 37 today as there is a meeting scheduled for this purpose but will answer any questions as they arise.

090 Chair Garrard Announces that there will be a special joint meeting of the House Committee on Land Use and the Senate Committee on Environment and Land Use 3:00 Monday to specifically discuss Measure 37. Today's testimony will be an overview of agency functioning.

094 Shetterly Describes the materials distributed. The first is the Biennial report from 2003-2005 to the 73rd Legislature (**EXHIBIT B**) and the second a collection of three informational bulletins including "Planning for Economic Development," "Streamlining the Land Use Planning Program" and "State Agency Efforts to Implement Measure 37" (**EXHIBIT C**).

105 Shetterly Enumerates the three directives from the governor given to him as director of DCLD and in working with LCDC (Land Conservation and Development Commission):

1) Better integration of Land Use Planning program with statewide agenda of economic development ;

2) Improve relationship with local government partners and citizens;

3) Begin work on agency bill which would be a 30 year review of land use planning to assess future direction of program.

- 134 Chair Garrard Asks if the passage of Measure 37 interferes with the goal of the aforementioned agency bill.
- 135 Shetterly Responds that it complicates the issue. Measure 37 does not render the review unnecessary and possibly makes the review and revision even more important. Recognizes that Measure 37 is now a component of land use planning and expresses importance of determining the future of the program.
- 152 Shetterly Begins discussion of economic development. References Page 9 of report, "Planning for Economic Development" (EXHIBIT C).
- 181 Shetterly Stresses significance of recent recognition of the economic development side of their work in addition to natural resources.
- 187 Shetterly Discusses agency role in certification of industrial sites. Agency is participant of Governor's Economic Revitalization Team (ERT).
- 200 Shetterly Describes travel as an important element of the ERT, allowing meetings with local government officials and ability to work across agency lines.
- 212 Shetterly HB 2011 (2003) directed the department to create a committee on conversion of industrial lands. The issue of concern was both the lack and loss of industrial land; there is still a significant problem.
- 232 Shetterly Discusses the creation of an Economic Development Advisory committee composed of public and private sector representatives to advise department on development strategies within the land use planning program. Have also awarded \$200,000 to communities through their grants programs.
- 254 Shetterly Begins discussion of the second directive from the Governor, working with local government partners.
- 282 Shetterly Gives a specific example of how this process has been successful and put to use on the South Coast.
- 340 Shetterly

Reiterates the success the department has had through their active grant program, staff/experts to assist in planning, and work with regional staff.

- 358 Shetterly Addresses efforts to streamline the land use planning program; to work more efficiently and have easier access for communities' use.
- References **(EXHIBIT B)**.
- 370 Shetterly Discusses working with groups to amend Goal 14 to simplify the Urban Growth Boundary (UGB) process.
- 386 Shetterly Discusses Safe harbors and work on providing a streamlined process.
- 431 Shetterly Recommends further review of Biennial report **(EXHIBIT B)** which accurately conveys themes of commitment to economic development, working with local governments, and streamlining the land use planning program. Looks forward to working with the committee to implement the proposed 30 year review and Measure 37. Offers to answer questions and return at the request of the committee.
- 460 Rep. Greenlick Commends Shetterly. References page 18 of **(EXHIBIT B)** and the Oregon Transportation and Growth Management program (TGM).
- 482 Rep. Greenlick Asks about how TGM works and the relationship between transportation and land use.

TAPE 2, A

- 051 Shetterly Encourages Committee to invite TGM staff to a later meeting. TGM is a joint program of ODOT and LCDC and recognizes that transportation and land use planning effect the other. Elaborates on outreach programs.
- 070 Shetterly Discusses other programs in TGM. Cites Page 19 **(EXHIBIT B)** Also discusses actions in the Interim Session.
- 085 Shetterly Continues discussing legal action taken. Concludes with the need for transportation and land use coordination.
- 103 Rep. Greenlick Comments that he hopes that other forms of transportation beyond automotive will be included in this program.

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| 111 | Shetterly | Responds affirmatively citing their policy statements including other forms of transportation. |
| 120 | Chair Garrard | Commends Shetterly. |
| 124 | Rep. Sumner | Gives personal commendation for Shetterly through an anecdote. |
| 137 | Shetterly | Thanks the Committee. |
| 140 | Rep. Anderson | Provides anecdote of Shetterly's leadership. |

DEPARTMENT OF STATE LANDS – INFORMATIONAL MEETING

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| 154 | Chair Garrard | Invites Ann Hanus to speak. |
| 160 | Ann Hanus | Director, Department of State Lands (DSL). Introduces staff, John Lilly, Assistant Director of Policy and Planning and Steve Purchase, Field Operations Assistant Director and Jeannette Holman, Assistant Director of Finance and Administration and Legislative Coordinator. |
| 173 | Hanus | Begins Overview of Department of State Lands. References PowerPoint Presentation (EXHIBIT D, Page 1). Describes DSL Mission. |
| 176 | Hanus | Explains DSL Purpose (EXHIBIT D, Page1). |
| 180 | Hanus | Begins explanation of current agency organization and planned agency organization (EXHIBIT D, Page 2). |
| 190 | Hanus | Begins discussion of State Land Board (EXHIBIT D, Page 2). |
| 201 | Hanus | Explains the origins and functioning of the Common School Fund (CSF) (EXHIBIT D, Page 3). |
| 232 | Hanus | Begins discussion of DSL land management (EXHIBIT D, Page 4). |
| 265 | Hanus | Begins discussion of submerged and submersible lands(EXHIBIT D, Page 5). |

- 270 Hanus Discusses forest lands (**EXHIBIT D, Page 5**).
- 277 Hanus Explains initiatives involved with to boost CSF Value (**EXHIBIT D, Page 6**).
- 325 Hanus Discusses Removal Fill Program (**EXHIBIT D, Page 6**).
- 345 Chair Garrard Asks about the relationship between the Removal Fill Program and Measure 37.
- 350 Hanus Responds that they are not yet certain how Measure 37 applies to the Removal Fill Program.
- 356 Hanus Discusses the role DSL has in preparing Industrial Lands for Development (**EXHIBIT D, Page 6**).
- 389 Hanus Discusses the South Slough Reserve Page 7 (**EXHIBIT D, Page 7**).

TAPE 1, B

- 008 Hanus Explains major issues of concern to the Committee (**EXHIBIT D, Page 8**).
- 034 Hanus Describes Measure 37 as one of the concerns and its meaning for removal-fill program is uncertain.
- 057 Hanus Discusses Agency Legislation put forth this session (**EXHIBIT D, Page 8**). Explains legislation relating to South Slough Reserve: SB 91, SB 92.
- 063 Hanus Explains legislation relating to Trust Property: HB 2128, HB 2129
- 073 Hanus Explains legislation relating to Removal fill program bills: HB 2082, HB 2130 and SB 170.
- 100 Chair Garrard Asks how much the CSF is worth today.
- 104 Hanus Responds that the CSF has around \$900 million and has grown considerably since the fund was allowed to be invested.

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| 107 | Rep. Anderson | Asks what the logic was behind shifting the task of issuing 700 J permits on turbidity from Department of Environmental Quality (DEQ) to DSL. |
| 110 | Hanus | Responds that it is part of an effort to streamline, defers to John Lilly, DSL. |
| 117 | John Lilly | Assistant Director, DSL. Elaborates on reasoning. |
| 145 | Rep. Anderson | Asks if the agency has the enforcement capability. |
| 146 | Lilly | Responds that the details have not been completed. Elaborates. |
| 155 | Chair Garrard | Asks for final questions. |
| 158 | Hanus | Gives concluding remarks. |
| 165 | Chair Garrard | Announces next meeting will meet jointly with Senate Committee on Environment and Land Use. |
| 175 | Chair Garrard | Adjourns meeting at 2:38. |

EXHIBIT SUMMARY

- A. **Rules, Proposed committee rules, staff, 2 pp.**
- B. **Land Conservation and Development, Dept. of, (DLCD), 2003-2005 Biennial Report to the 73rd Legislative Assembly Lane Shetterly, 30 pp.**
- C. **DLCD Informational Memos, Lane Shetterly, 4 pp.**
- D. **State Lands, Department of, PowerPoint, Pamphlets and Proposed Legislation, Ann Hanus, 19 pp.**