

SENATE COMMITTEE ON WATER AND LAND USE

January 16, 1997 Hearing Room C

9:00 A.M. Tapes 1 - 3

MEMBERS PRESENT:

Sen. Veral Tarno, Chair

Sen. Bob Kintigh Vice-Chair

Sen. Ginny Burdick

Sen. Ted Ferrioli

Sen. Bill Fisher

Sen. David Nelson

Sen. Thomas Wilde

MEMBER EXCUSED:

STAFF PRESENT:

Mark Volmert, Administrator

Nancy Masee, Administrative Support

MEASURE/ISSUES HEARD:

Introduction of Committee Members & Staff

Adoption of Committee Rules

Comments from Chair and Members

Overview Presentation on Land Use

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
TAPE 1, A		
010	Chair Tarno	Calls meeting to order at 9:02 a.m.

020	Members	Members introduce themselves.
Adoption of Committee Rules		
025	Chair Tarno	Asks for approval of committee rules (EXHIBIT A).
045	Sen. Nelson	MOTION: Moves to ADOPT the proposed Committee Rules dated 1/16/97.

047 Chair VOTE: 8-0

Hearing no objection, declares the motion CARRIED.

- 050 Dick Benner Director, Department of Land Conservation and Development, DLCD, introduces goals of Department as published in *Oregon's Statewide Planning Goals & Guidelines, 1995*, by the Department. (**EXHIBIT B**)
- 075 Benner Continues presentation on establishment of ORS 197 statutes relating to the agency.
- 100 Benner Continues presentation on state-wide planning goals.
* Continues presentation on comprehensive plans (**EXHIBIT C**)
- 140 Benner
* Requirement of state agencies to acknowledge comprehensive plans
* DCLD establishment in ORS 197.075
* periodic review of DCLD
- 200 Sen. Kintigh Asks who actually does the periodic reviews.
Responds regarding periodic review that local government evaluate plan.
- 210 Benner
* at least every 10 years
* not more often than every 4 years
- 238 Sen. Kintigh Asks if they are looking for major changes.
- 245 Benner Responds with an example of a task such as revising a goal or in change of statutes, which would be major.
- 285 Benner Continues on process of periodic review and shortening it.
- 295 Sen. Fisher Asks about process of periodic review in holding up processes such as buildings.
- 305 Benner Responds that he does not believe periodic review holds up processes.
- 311 Sen. Fisher Responds that in his area he thought that the periodic review had held up for 2-3 years a process that the county did not want to go

		through due to the expense. Asks if this is a fair assumption.
335	Benner	Responds that he would need to know the circumstances, local government gets choice of changing during the periodic review or through an outside this process. Outside of periodic review, it does not come before the commission for review.
373	Sen. Fisher	Responds that it was during the urban growth planning that this occurred .
388	Chair Tarno	Introduces Senator Burdick.
397	Benner	Continues presentation on periodic review.

TAPE 2, A

		Continues on Periodic Review.
		* 100 cities and counties now being processed
016	Benner	* grants for periodic review
		* technical assistance grants for local governments
		* dispute resolutions
		Continues on dispute resolution program.
		* to resolve problems before they could get to the appeals or commission stages
050	Benner	* program grew rapidly
		* costs paid by different sources
		* success of the dispute resolution program results in demand for it
		Discusses enforcement of compliance to state-wide planning goals
		* Land Use Board of Appeals
080	Benner	* violations of land use regulations
		* provision that authorizes citizens to come before the commission by petition
		* Regional land use problem solving
		Continues on growth management problems.
115	Benner	* air quality problems
		* transportation problems

122	Benner	Continues on importance of local government inclusion in seeking solutions to problems. Discusses four pilot programs. (EXHIBIT C)
140	Sen. Tarno	Asks if there will be a report on the pilot programs.
142	Benner	Responds that they will have it fairly soon. Continues on comprehensive plans
177	Benner	* relationships to local governments * state agency coordination programs * Coastal Zone Management Act Discusses Oregon's ocean plan
200	Benner	* Oil and gas exploration off the coast * renewable and non-renewable resources
205	Chair Tarno	Asks about Territorial Sea Plan's relationship to the Ocean Plan.
208	Benner	Responds affirmatively that the Territorial Sea Plan is a supplement to the Ocean Plan. Discusses federal funds passed on to communities as grants.
225	Benner	* impact of ocean activities on coastal communities * application not used as yet Discusses budget of \$10.4 million. E Board approved four pilot programs and moved funds to the department for that purpose.
245	Benner	* \$6 million general fund * \$3.2 million federal fund * \$1.1 million other than federal or general fund Current issues * urban growth
280	Benner	* prison expansions * transportation * rural development
329	Benner	Continues on unincorporated communities. * small, rural communities unincorporated

		* Example of LaPine area problems Continues on airport planning and rules.
375	Benner	* affect on local government planning * 100 airports listed * periodic reviews to include airport planning
Tape 1, B		
		Continues presentation on forces affecting department
020	Benner	* growth causing more work in periodic review
041	Benner	* new assignments changing ORS laws increasing work on Dept. Continues presentation on regional problem solving and funding. Continues on problem solving working with other agencies.
070	Benner	* local government * flexibility in government outcome Continues on urban growth boundaries.
090	Benner	* growth management objectives * financial assistance sought Comments on the initiatives and the perception that the rural districts that do have growth problems.
108	Sen. Ferrioli	* population growth * diverse agricultural resources protection
130	Benner	* flexibility important in managing new growth Explains that he can get more details to Sen. Ferrioli. 1000 Friends of Oregon, Exec. Director, Portland, Oregon.
137	Robert Liberty	Describes his group. Shares the booklet, <i>Agenda for Livability</i> , by the 1000 Friends of Oregon, which can be purchased through their office. Offers growth statistics for Oregon's next 10 years.
150	Liberty	* 5 Counties with highest growth rate Deschutes, Washington, Jefferson, Curry, Morrow * public attitudes on growth * Portland area wants urban growth boundaries kept in place

		* High growth areas more likely to want boundaries Continues on attitudes
		* wherever growth occurs, anxiety grows
231	Liberty	* differences in attitude diminishing
		* as citizens continue to perceive growth uncontrolled, dissatisfaction occurs
267	Liberty	Increase in changes in law have become profuse. * planning laws HB 3661 Continues presentation on changes taking place in land use.
		* forest zones
300	Liberty	* non-farm uses
		* standards differ from area to area
327	Liberty	Discusses Wasco County and Jefferson County examples of growth management.
331	Chair	Asks how it is working out for Wasco County and Jefferson County.
337	Liberty	Responds that they could come and testify. Results of changes are still coming in.
		* mapping of houses being built
350	Liberty	* high value farm land and other farm land
		* HB 2709 discusses 20-year plan
375	Liberty	Discusses attorney fees incurred by persons adopting frivolous positions.
TAPE 2, B.		
008	Liberty	Continues on costs of growth. Continues presentation on funding transportation
040	Liberty	* flexibility in local control. Explains stand on exemptions
060	Liberty	* stresses need for management
		* stronger laws needed to manage growth
075	Sen. Kintigh	Comments on light rail, land fills, prisons use and previous session laws.

1085	Sen. Burdick	Asks who would do fiscal analysis on the issues.
089	Liberty	Comments that an independent analyst would be preferred, an applicant, a grant, or the state.
		* grant could be considered for local government
100	Jon Chandler	Oregon State Home Builders Association, describes changes in the organization. Now called the Oregon Building Industries Association.
120	Chandler	Continues presentation on his organization. Supports land use system.
125	Chandler	Supports growth ideas. Organization has some ideas of their own. Discusses seeking balance of environment, growth, and other areas in land use system.
		Continues difference in growth control and growth management.
170	Chandler	* protection of farm and forest land
		* allow growth to take place in certain places
		* growth needs to pay its way
		Comments on HB 2709 that they support.
		* 20 year land supplies
227	Chandler	* moving urban growth boundaries
		* to maintain the plans this Session
		* wants to make the system work better
		Discusses annexation measures to come up.
241	Chandler	* Measure 47 effects being considered
		* adding new development to the tax base
		* encourages keeping what was passed previously
		Oregon Farm Bureau, comments on agricultural part of Oregon's economy,
		* 200 commodities worth \$3 billion annually
271	Don Schellenberg	* many jobs created from production, servicing, marketing, etc. created from farms
		* exports of farm produce
		* products are a naturally renewable resource

Continues presentation

- 332 Schellenberg * control of land use by management
* Oregon leads the nation producing grass seed and many other products
- 375 Schellenberg Discusses Farm Bureau Policy saying the Bureau supports land use planning to protect resources for farm use and profit.
- Tape 3,
A**
- 024 Schellenberg Continues presentation on Bureau's support of issues on land and water use.
- 033 Chair Tarno Discusses agenda for next week's meetings. Asks committee for input.
- 041 Chair Tarno Adjourns meeting at 10:57 a.m.

Submitted By, Reviewed By,

Nancy Masee Mark Volmert,

Administrative Support Administrator

EXHIBIT SUMMARY

A - Senate Water & Land Use Committee Rules, 1997 Session, 2 pp, Staff

B - Testimony by Department of Land Conservation and Development, 1 p, D. Benner

C - Testimony Regional Problem Solving Pilots, 2 pp, D. Benner
