

## GOAL ONE COALITION



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Goal One is Citizen Involvement

Oregon Task Force on Land Use Planning  
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Dear Members of the Task Force:

Thank you for the opportunity to review and comment on the preliminary recommendations developed by the Task Force as set forth in the Stakeholder Group Briefing Booklet.

Senate Bill 82 directed the Task Force to begin by evaluating “[t]he effectiveness of Oregon’s land use planning program in meeting current and future needs of Oregonians in all parts of the state” and to then “[d]evelop legislation for recommendation to the Seventy-fourth Legislative Assembly and the Seventy-fifth Legislative Assembly.”<sup>1</sup>

We believe an honest review of the preliminary recommendations compels a conclusion that the Task Force has failed to realistically and adequately identify “the current and future needs of Oregonians” or to evaluate the role of the land use planning program in meeting those needs. The inexorable consequence of failure at the first step is failure to carry out the legislative charge.

The four “overarching principles for land use planning” set forth by the Task Force can be seen as a statement of current and future needs of Oregonians:

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<sup>1</sup> Senate Bill 82 directs the Task Force to study and make recommendations on

- (a) *The effectiveness of Oregon’s land use planning program in meeting current and future needs of Oregonians in all parts of the state;*
- (b) *The respective roles and responsibilities of state and local governments in land use planning; and*
- (c) *Land use issues specific to areas inside and outside urban growth boundaries and the interface between areas inside and outside urban growth boundaries.*

In fulfilling this charge, Senate Bill 82 directs the Task Force to:

- (a) *Conduct public meetings;*
- (b) *Survey citizens;*
- (c) *Gather comprehensive information necessary for the task force to carry out its purpose . . . ;*
- (d) *Provide information regarding the current land use planning program as needed to inform the public’s discussion; and*
- (e) *Develop legislation for recommendation to the Seventy-fourth Legislative Assembly and the Seventy-fifth Legislative Assembly.*

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- *Providing a healthy environment*
- *Sustaining a prosperous economy*
- *Ensuring a desirable quality of life*
- *Maintaining a program that is fair and equitable*

The greatest challenges to realizing the first three “overarching goals” - providing a healthy environment, sustaining a prosperous economy, and ensuring a desirable quality of life – are 1) global warming and consequent climate change, and 2) fossil fuel depletion in general, and peak oil in particular. The Task Force’s report does not recognize the scope of these challenges or the urgency of crafting a viable response.

The Task Force has recognized the reality of climate change and “rising fuel costs”:

“[T]he world is facing the collective challenge of climate change and rapidly increasing oil costs. The Task Force believes that it is imperative to plan for and invest in communities that are resilient to challenges such as water shortages, high gasoline costs, and climate-related changes that were unimaginable just a few years ago.”

However, the Task Force in Recommendation #5 fails to recognize the crucial role that the land use planning program must play in addressing our climate and energy challenges.<sup>2</sup> Rather than calling for LCDC and DLCD to take a leading role in developing and implementing a plan to drastically reduce fossil fuel usage greenhouse gas emissions and to increase carbon sequestration on farm and forest lands, the Task Force recommends that others – i.e., the “state” and the Global Warming Commission – set “targets” or “benchmarks” for reducing greenhouse gas emissions. The planning program’s role is reduced to nothing more than “establishing expectations” and developing better “tools” for local governments to use voluntarily.

NASA’s James Hansen has laid out what must be done if we’re to avoid crossing “tipping points” beyond which global temperatures will keep rising without any additional forcing – to

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<sup>2</sup> Recommendation #5 provides:

*Establish expectations for how community design and transportation affects reduction of greenhouse gases from all sources, including transportation sources. As part of this, the state should set targets for how land use planning can reduce greenhouse gas emissions resulting from transportation. Recommended benchmarks should be developed by the Global Warming Commission, with broad involvement of local entities and the public. There should be a corresponding effort to create better analytical tools to predict carbon emissions resulting from different land use and transportation alternatives.*

- *Ensure that infrastructure investments support compact development in urbanized areas;*
- *Develop tools for cities and counties to evaluate the “climate impact” of proposed UGB expansions and other land use actions;*
- *Collect and disseminate “best practices” for using land use planning tools to reduce greenhouse gas emissions;*
- *Provide technical assistance to local and regional governments to carry out these best practices; and*
- *Help communities plan for climate change.*

levels that will result in an end to the world as we know it. We've got to stop the rise in atmospheric CO<sub>2</sub> and then quickly get on a track to get atmospheric CO<sub>2</sub> back down to 350 parts per million (ppm). Oregonians must do their part – which means quickly getting on a path to *net negative* carbon emissions.

The “high gasoline costs” cited by the Task Force are just a symptom of the underlying reality that global demand for oil is exceeding supply. Global oil production has been on a plateau since 2005. Within a very few years global oil production will likely be decreasing at a rate between 3% – 6% per year. This reality makes meeting the goals of “sustaining a prosperous economy” and “ensuring a desirable quality of life” ever more challenging, as our economic prosperity has historically relied upon ever increasing supplies of cheap energy, primarily from fossil fuels. And our transportation system is almost entirely dependent on oil. If we are to solve our energy dilemma while at the same time avoiding catastrophic climate change, coal and unconventional fossil fuel resources must be kept off-limits.

The question Oregon’s planning program must address is this:

**How is Oregon to accommodate the anticipated increase in population; maintain prosperity, a desirable quality of life, and a healthy environment; while at the same time adjusting to a decrease in oil supplies on the order of five percent a year and moving towards a net negative greenhouse gas emissions economy?**

Laying out in detail how the land use planning program could be revamped to address our energy and climate challenges is beyond the scope of this letter – indeed, that should have been the task of the Task Force. But crucial “framing” pieces are already in place.

The Climate Change Integration Group has already established a goal of achieving, by 2050, a “climate stabilization” emissions level *at least 75 percent* below 1990 levels.<sup>3</sup> And the general approach that must be taken to both the energy and climate challenges is laid out in the *2007 – 2009 State of Oregon Energy Plan*:

“In addition to alternative supplies, it will be necessary to increase the efficiency of the energy used. With the peak of world oil production approaching, major improvements in the energy efficiency of cars, homes and buildings, lights, appliances, and industrial processes are needed. In addition, major savings can be achieved by walking and bicycling more often, changing land use patterns to reduce transportation needs, and investing more in long-distance rail and mass transit.”<sup>4</sup>

The land use planning program’s role in addressing Oregon’s energy and climate challenges might include the following elements.

- **Alternative energy supplies.** Oregon must rebuild its energy complex to phase out coal (unless all carbon is sequestered) quickly and lessen its reliance on natural

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<sup>3</sup> We now know that a goal of 75% reduction is not nearly ambitious enough. According to James Hansen, achieving “climate stabilization” levels will require reducing atmospheric CO<sub>2</sub> from its current approximately 387 ppm to an *initial* target of 350 ppm, which would in turn require net global emissions become negative – that we take more carbon out of the atmosphere than we put in.

<sup>4</sup> *2007 – 2009 State of Oregon Energy Plan*, p. 27.

gas.<sup>5</sup> Oregon must transition to renewable energy sources including, in addition to hydroelectricity, wind, wave, geothermal, photovoltaic solar, solar thermal, passive solar for buildings, and in the limited situations where appropriate, biofuels. Accommodating the development of the infrastructure for alternative energy sources will require effective land use policies.

- **Increased efficiency.** Data from the US Energy Information Administration show that buildings are responsible for almost half (48%) of all energy consumption and greenhouse gas emissions annually; globally, the percentage is even greater. 76% of all power plant-generated electricity is used just to operate buildings.

Achieving increased energy efficiency for buildings requires more than simply making the building envelope and building components (heating and cooling, water heaters, appliances, lighting, etc.) more efficient. Multi-story, multi-unit buildings are inherently more efficient than stand-alone boxes, especially if they incorporate design elements such as active and passive solar. The size, orientation, and design of the building “envelope” all effect ultimate energy usage and can be influenced by statewide strategic plans and local comprehensive plans and land use regulations.

- **Changing land use patterns to reduce transportation needs.** 40% of Oregon’s energy use is for transportation, with comparable consequences for greenhouse gas emissions. Minimizing transportation needs requires that we make goods – food and manufactures – near where they are consumed; that people growing food and making things live near where they work; and that all of the goods and services that people need in their daily lives are within easy reach. Ideally, according to the “new urbanists,” most everything we need should be within a 10-minute walk. Oregon’s land use planning program would be recrafted to set this as a goal - in rural as well as urban areas – and to incorporate mechanisms to actually make it happen.
- **Investing more in rail and mass transit.** If land use patterns were to ensure that routine daily needs could be met without requiring transportation other than foot or bicycle, the necessity to travel longer distances would be dramatically reduced. Public transit for other than routine trips and for intervillage, intertown, and intercity travel would become more feasible due to the resulting concentrations of population.
- **Conserve farm, forest, and other rural lands.** Around the world, arable land per capita is declining at a steady rate as populations grow. This past year has seen food shortages and even food riots. Oregon cannot continue to accept the inevitability of farm land being lost to urban growth boundary expansions and to non-farm and non-forest related rural development. Farm land – and especially farm land near to urban areas where farm produce is consumed – is a limited and precious resource that must be treasured and husbanded.

Oregon’s planning program must be redesigned to establish and support local food producing communities and economies. Growing food locally means reduced need

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<sup>5</sup> The Oregon Department of Energy reports that 41% of Oregon’s electricity is generated from coal. Another 10% comes from gas-fired power plants.

for transport of both food products and food workers. As an additional benefit, locally grown food is tastier and healthier.

Similarly, Oregon's planning program should support a sustainable timber economy based on timber communities supplying local and regional needs for building materials and other forest products.

- **Manage rural lands, including farm, forest, and other lands, to sequester carbon.**

Globally, the net impacts from forestry and agricultural land use on climate change are massive – far more significant than global transportation emissions. Agriculture contributes nitrous oxide and methane emissions. Land use change – including conversion of forest land to other uses and some harvesting practices – disrupt or destroy the forests' ability to serve as carbon sinks.

The potential of all terrestrial ecosystems to sequester carbon in the form of plant and animal biomass as well as soil organic matter should be recognized, encouraged, and required by Oregon's land use planning program. This requires protection of the functionality of lands to include farm lands, forest lands, rangelands, wetlands, and less productive lands that might not otherwise be considered to be "lands of statewide importance." In addition to regulation, carbon sequestration marketing could bring new conservation and economic opportunities to Oregon farmers, ranchers and foresters.

Only after the objectives of Oregon's land use planning program are adequately identified and the strategies for achieving those objectives laid out can the second and third legislative charges – making recommendations on "the respective roles and responsibilities of state and local governments in land use planning" and on specific issues pertaining to urban and rural lands and their interface – be addressed.

We have left discussion of the Task Force's fourth "overarching principle" – "*Maintaining a program that is fair and equitable*" – for last, but in many ways it is of primary importance. Given the historical context in which the words "fair and equitable" arose in relation to Oregon's land use planning program, we fear that the Task Force intends a limited and crabbed interpretation focused on the protection of private and selfish interests.

Yet the meaning and implications of the concepts of "fairness" and "equity" have been the focus of our deepest and most profound reflection since humanity's very beginnings. The concepts of fairness and equity are concerned with the proper allocation of resources among members of a community. We believe that Oregon's land use planning program should include fairness and equity as an objective. We disagree that the planning program should limit its concern for fairness and equity to property owners. All members of the community *and future generations* must receive fair and equitable consideration and treatment.

We believe the unspoken assumptions within the Task Force's analysis incorporate a fundamental error that corrupts its conclusions. Land is assumed to be nothing more than a "resource" to be exploited by humans. If land does not have sufficient economic value, it then should be open to and available for development.

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But the reality is that all of Earth is a single global system composed of myriads of interacting and interdependent ecosystems, each of which is unique and precious in some way. All creatures of the Earth are members of a single community of life, each filling an essential niche that contributes to the health and resiliency of the whole. However complex and powerful we humans may be, we are not exempt from this community of life or its laws. This means we must respect all life and that we have a responsibility to act within nature's limits, with the well-being of the land as our ultimate aim.

A "fair and equitable" land use planning program therefore should and must embody the land ethic as voiced by Aldo Leopold:

"All ethics so far evolved rest upon a single premise: that the individual is a member of a community of interdependent parts. . . .The land ethic simply enlarges the boundaries of the community to include soils, waters, plants, and animals, or collectively: the land."

If we are to establish and maintain a "fair and equitable" land use planning program, we must install the land ethic as the touchstone of that program.

Revamping Oregon's planning program to effectively meet the unprecedented challenges we face requires setting aside old issues and ideologies to take an unencumbered look at what reality requires of us. We believe that it is imperative that LCDC and DLCDC play a lead role in forging and implementing a statewide response to our energy and climate challenges so as to maintain human prosperity within a healthy and stable ecosystem for all generations to come.

Sincerely,

Jim Just  
Executive Director

cc: Gov. Kulongoski  
Senate President Peter Courtney  
Speaker Jeff Merkley