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May 30, 2017

House Committee on Agriculture and Natural Resources
900 Court Street NE
Salem, OR 97301

RE: SB 418A and –A4 amendments

Chair Clem and Committee Members:

1000 Friends of Oregon opposes both SB 418 Aand the unrelated -A4 amendment being proposed to add to it. The one thing the bill and the amendment have in common is that neither is necessary.

SB 418A

SB 418A provides for segmented and sequential review, and approval or remand, of individual work tasks associated with a city's evaluation and possible expansion of an urban growth boundary (UGB). Thus, under this bill, a city could separately submit to the Department of Land Conservation and Development (DLCD) each discrete task, such as the Housing Needs Analysis and the Economic Opportunity Analysis. The city could then later – months or even years later – submit to DLCD the actions the city proposes to take to address any insufficiencies found in those analyses. SB 418A prohibits parties from objecting to a later decision to expand a UGB, or to not expand a UGB, based on an earlier, approved work task.

1000 Friends of Oregon opposes SB 418A for several reasons. First, the bill is not necessary. Cities may already conduct a sequential analysis in the current UGB evaluation system. A city can structure its UGB work tasks and the review of those work tasks as part of its periodic review program with DLCD.

Second, the Land Conservation and Development Commission (LCDC) recently adopted – at the Legislature's direction – a streamlined process that cities can choose to use when evaluating and expanding their UGBs. Cities and counties were very involved in crafting these new rules, and we expect them to be used in UGB expansions in the next few years.

Third, SB 418A may well lead to outcomes opposite what was intended with the bill. Because this bill (page 2, lines 23-25), prohibits using a prior approved work task as the basis for a later objection to a UGB expansion, it may well lead interested parties to appeal each individual work task because the end product is uncertain, thus prolonging the entire UGB process. In our experience, those participating in the local public process surrounding the evaluation and possible expansion of their city's UGB want to see how all the pieces fit into the whole puzzle. Often, they might not like some aspects of the final decision but can also see that other aspects worked out as they hoped, and so they can live with the whole outcome. That is much more challenging to do if each of the individual parts must be dealt with separately or the opportunity to object lost.

Because this bill is unnecessary and is likely to result in inefficiencies in the review and amendment of urban growth boundaries, we ask that you not pass it.

-A4 Amendment

The –A4 amendments are an attempt to add to SB 418 the content of HB 2893 – a bill which is currently in the House Rules Committee. The attempt last week to make this same amendment to another bill in the Senate was rebuffed.

This amendment would apply to cities and towns east of the Cascades, and would allow certain lands with Class VII and VIII soils to automatically move to the top of the list for UGB expansions and urban reserve designations, regardless of their current productivity or contribution to the area's agricultural industry. These soils are among those that support Oregon's #1 agricultural commodity - cattle and calves. They should not be automatically moved to the top of the priority list.

Most importantly, this bill is *not needed*, because the law already provides a process whereby a city can bring lesser quality farm soils to the head of the line for future UGB expansions – and that is through designating urban reserves. Under current law, cities may designate areas outside the current UGB, where it may expand over the 10-30 year period, if additional land is needed. Urban reserves may include farm and forest lands, as well as non-resource lands. Through this process, a city may evaluate which of any lower quality farm areas is *appropriate* for possible future urbanization, based on its location relative to other farming operations, as well as other rural resources values, including wildlife habitat. When a city determines, it must expand its UGB, it can then go first to any of the lands in the urban reserves – even farm lands.

Jackson County and all the cities in it have used the urban reserve tool effectively, by collaborating to designate urban reserves around every city to accommodate population growth through the year 2050. The region has decided where it will make sense to grow – and to not grow – using the urban reserve process. Yes, it took a while, but it was well worth it – the end results include not only shared vision for the region, but also a trust that all the entities will stick to that agreement. That it took a long time reflects that a dozen cities and one county were involved.

In contrast, the –A4 amendment seems an attempt to circumvent difficult conversations amongst all the Bend area players and landowners by pre-determining, years in advance, where the UGB will expand. According to a Bend City Councilor with whom I spoke, Bend is not expected to evaluate its UGB for 10 years. The urban reserve process is ideally suited for this planning for Bend's long range urban needs. Because this will not even be an issue for 10 years, the urban reserve process provides an inclusive decision-making framework for Bend and Bend area residents to provide input that could be initiated today.

There are two other existing processes which, as described in the state agency letter, provide the city with effective methods to determine where it makes sense to next expand the UGB, if and when an expansion is warranted. These methods all take into account the issues the city has said it is concerned with, plus they provide for public participation in that determination.

Respectfully submitted,



Mary Kyle McCurdy, Deputy Director