



January 27, 2022

sent via: DLCD.CFEC@dlcd.oregon.gov

Land Conservation and Development Commission
635 Capitol Street NE, Suite 150
Salem, OR 97301

Re: Supportive and constructive comments on Climate-Friendly and Equitable Communities Rulemaking for LCDC Commission Meeting Feb. 3, 2022

Dear LCDC Commission Chair McArthur and Commission members:

1000 Friends of Oregon, Bend Bikes, Better Eugene-Springfield Transportation (BEST), Central Oregon LandWatch, Oregon Environmental Council, The Environmental Center, and the individuals listed below submit these supportive and constructive comments on the ongoing Climate-Friendly and Equitable Communities rulemaking (“CFEC”).

We thank you for continuing to devote substantial time and energy to crafting these critical land use and transportation rules.

Our organizations work collectively—and often collaboratively—with one another and throughout our state’s communities to help create a more inclusive, safe, vibrant, sustainable future for Oregon. **Overall, our organizations and the tens of thousands of Oregonians and community members we represent are highly supportive of the goal of this CFEC rulemaking to reduce greenhouse gas emissions and “transform Oregon’s communities to be safe, equitable, sociable, and pleasant places where driving is not required, and the amount of driving is reduced.”**¹

Here we’ve summarized the key elements we strongly support that are critically important to this effort and must remain in the CFEC rules when adopted. We’ve also provided a summary on a few additional improvements that should be made to further ensure this process delivers strong, implementable, and effective rules.

¹ Climate-Friendly and Equitable Communities Rulemaking Advisory Committee Meeting 7, 9 & 10 materials: https://www.oregon.gov/lcd/Commission/Documents/2021-09_Item-6_CFEC-Attachment-D-TPR-Amendments_RAC7.pdf

Key elements of CFEC rules and process we strongly support

1. Designate and implement Climate Friendly Areas

Timely designation of CFAs is a critical part of implementing these rules in our communities. While we recommend more housing capacity in Climate Friendly Areas (CFAs), 30% (total of current and future capacity) should be the absolute minimum. Once CFAs are designated and implemented, we have the ability to let this play out on the ground, see how the market responds, and adjust if need be. CFAs are about providing the potential to build better.

2. Use reduction of Vehicle Miles Traveled (VMT) as a key performance standard and metric

Reducing VMTs is connected to many parts of these rules (660-012-0160, 0170, 0180, 0210, 0105, 0155, 0325, 0350, 0810, 0830 and 660-044-0030). Using VMT reduction as a performance standard and metric is essential and must remain in the final rules. Communities throughout the country use VMT as a performance standard and metric for reducing GHG and improving transportation and land use planning decisions. It's time for Oregon to do this as well. Additionally, VMT reduction goes hand-in-hand with having a safe and connected bike and pedestrian network, so we strongly support the rules that state that the connected bike network must be designed for all ages and abilities.

3. Keep the existing CFEC rulemaking adoption & implementation timeline

Please hold firm on the existing CFEC rulemaking timeline, with the first public hearing scheduled for March 31 and April 1, 2022 and rule adoption scheduled for May 19 and 20, 2022. Extensions have already been made and no more are needed. This rulemaking is the result of not just the Governor's Executive Order, but also legislation passed in 2009 and 2010. We are already behind schedule, and the climate cannot afford more delay. These rules need to be adopted and implemented with urgency and the current timeline does this.

4. Provide resources to local jurisdictions for CFEC implementation through the Infrastructure Investment and Jobs Act

Local governments need resources to meet the ambitious and absolutely essential goals that the CFEC rules will establish. It's encouraging that DLCD and ODOT are in close coordination and that ODOT and OTC are considering IIJA funding scenarios that earmark \$15 million for local climate planning and CFEC rule implementation. We strongly support this - and recommend increasing funding to \$20 million, clearly earmarking a majority of this funding for Transportation System Plan updates (TSP), and tying compliance and implementation of the CFEC rules to receipt of this funding.

Elements of CFEC rulemaking to take a closer look at

You can find more details and recommended solutions on these issues [in this memo](#), page 56, submitted to the CFEC RAC on January 18, 2022.

1. Ensure every opportunity is taken to provide State-level leadership that listens to

voices that have been intentionally and systemically excluded from power and provides critical sideboards and direction for communities who are working to address climate change at the local level.

2. Designate specific timelines to ensure these rules are implemented with urgency. The most critical need is to set a clear timeline for TSP updates - not just for a work plan, but deadlines for the actual completion of the TSP updates.
3. Include additional, specific metrics and standards ([see memo](#), pages 3-7) that move the needle even further on reducing VMT and GHG emissions by requiring a system of connected and safe walking and biking networks for all ages and abilities in local communities.

Thank you for your service and your consideration of these comments. We look forward to continuing to work with you, RAC members, local partners, elected officials, city staff and our communities to ensure this CFEC rulemaking process delivers more climate-friendly and equitable communities to Oregon - and by doing so ensure we tackle climate change in real, tangible and urgently needed ways.

Sincerely,

Mary Kyle McCurdy, Deputy Director
1000 Friends of Oregon
CFEC RAC Member

Elisa Cheng, Board Secretary
LeeAnn O'Neill, Board President
Bend Bikes
CFEC RAC Members

Rob Zako, Executive Director
Better Eugene-Springfield Transportation (BEST)

Corie Harlan, Cities & Towns Program Manager
Rory Isbell, Staff Attorney
Central Oregon LandWatch

Sara Wright, Transportation Program Director
Oregon Environmental Council
CFEC RAC Alternate

Neil Baunsgard, Electric Mobility Program Manager
Mike Riley, Executive Director
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Jonathan Harker, AICP
CFEC RAC Member