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To: House Energy & Environment Committee
Re: House Bill 2488 Public Hearing
Date: March 29, 2021

I am writing in support of House Bill 2488 as much-needed financial and legislative support for more explicit and forceful action by LCDC and DLCD relating to climate change, social equity, and environmental justice. All of the measures contemplated by HB 2488 are already well within the scope of their authority and responsibility and have been since the adoption of Senate Bill 100 in 1974.

The Commission's existing statewide goals require consideration of social and environmental justice in ways that the Legislature, the Commission, and the Department must be careful to strengthen and not to impair, in adopting and implementing the new climate change goal.

The Urbanization Goal, which governs urban growth boundary expansions, requires consideration of "comparative environmental, energy, economic and social consequences." The Planning Goal requires consideration of those consequences in justifying exceptions to state planning goals, and the Open Space Goal requires their consideration in developing plans to allow, prohibit, or limit conflicting uses.

The Housing Goal, as supplemented and reinforced by several statutes (most recently the ADU, missing middle, and housing production statutes), requires local and regional governments to maintain 20-year inventories of buildable residential lands for and to plan and zone those lands in ways that "encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density."

The Energy Goal requires that "uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles."

The Citizen Participation Goal calls for "widespread citizen involvement." It requires inclusion of "a cross-section of affected citizens in all phases of the planning process."

These and the other existing statewide goals, together with the acknowledged plans and zoning regulations that implement them and the administrative rules and case law that interpret them, constitute a regulatory ecosystem, concisely described in Part III of NEDC's March 8 testimony. A new entry into that system can strengthen or weaken it and must be introduced with care and forethought. It is critically important that no one comes away from this session with the idea that anything in HB 2488 is intended to weaken or compromise the environmental justice, social justice, and equity elements of the existing goals and needed housing statutes.

I hope that the Committee shares my support for the bill and my understanding of its intent.

Respectfully,
Al Johnson
Retired land use attorney (1974-2010) and former LCDC hearings official (1977-1980)