



Oregon

Theodore R. Kulongoski, Governor

Land Conservation and Development Commission

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MEETING NOTICE

LAND CONSERVATION AND DEVELOPMENT COMMISSION



July 29 - 31, 2009

Best Western Beachfront Inn

16008 Boat Basin Road

Brookings, Oregon

The meeting location is accessible to persons with disabilities. To request an interpreter for the hearing impaired or for other accommodations for persons with disabilities, please make requests at least 48 hours before the meeting to Lisa Howard at (503) 373-0050 ext. 271 or by e-mail at lisa.howard@state.or.us or by TTY: Oregon Relay Services (800) 735-2900.

Public Testimony: The commission places great value on testimony from the public. Those items on the agenda with an asterisk (*) are ones where public comment will be accepted.

People who wish to testify are requested to:

- *Provide written summaries (20 copies to the Commission Assistant prior to the agenda item)*
- *Recognize that substance, not length, determines the value of testimony*
- *Endorse, rather than repeat, testimony of other witnesses with whom you agree*
- *The chair may limit time for testimony on any item and may set time limits for individual speakers (usually 3 minutes)*

Thank you for taking the time to present your views.

Note: Because of the uncertain length of time needed, the commission may deal with any item at any time in the meeting, except those set for a specific time. Anyone wishing to be heard on any item not having a set time should arrive when the meeting begins to avoid missing an item of interest. Topics not on the agenda may be introduced and discussed during the Director's Report, during the Commission's Business and Reports, or under Other.

Please note that staff may not be able to distribute written comments (particularly e-mails) that are received less than 48 hours before the scheduled date. If you have written testimony you wish to present to the commission, please bring at least twenty copies for distribution to the commission and members of the public.

The commission may continue its meeting through lunch on any day to deliberate on matters on the agenda. In that event, those persons whose attendance is necessary for any matter of business undertaken during lunch will be required to attend.

9:00 a.m. Wednesday, July 29, 2009

- 1. Tour of the Brookings area.** The tour will begin at the Best Western Beachfront Inn (16008 Boat Basin Road) and will last approximately three hours. Seating is limited on the tour and preference will be given to invited guests. Members of the public and the media may attend as space allows, or may provide their own transportation. For additional information, contact Lisa Howard at (503) 373-0050 ext. 271 or by e-mail at lisa.howard@state.or.us.

2:00 p.m. Wednesday, July 29, 2009

- 2. Territorial Sea Plan Presentation.** Marine Affairs Coordinator Paul Klarin will do a presentation about the origins, background and status of the process for amending the Territorial Sea Plan (TSP) for ocean renewable energy development. The LCDC Territorial Sea Plan Advisory Committee (TSPAC), chaired by Commissioner Josi, is in the final process of developing the renewable energy chapter for the TSP that it will forward to the commission in the fall. For additional information, contact Paul Klarin at (503) 373-0050 ext. 249 or by e-mail at paul.klarin@state.or.us.

3:00 p.m. Wednesday, July 29, 2009

- 3. Invited Guests will Join the Commission for a Discussion of Local and Regional Land Use Issues.** The Roundtable will be held at Best Western Beachfront Inn, 16008 Boat Basin Road. For additional information, contact Lisa Howard at (503) 373-0050 ext. 271 or by e-mail at lisa.howard@state.or.us.

8:00 a.m. Thursday, July 30, 2009

Budget and Management Subcommittee. The subcommittee will report to the full commission during Commission Business and Reports. For additional information, contact Teddy Leland at (503) 373-0050 ext. 237 or by e-mail at teddy.leland@state.or.us.

8:30 a.m. Thursday, July 30, 2009

- *4. Public Comment.** This part of the agenda is for comments on agenda items and topics not scheduled for public comment elsewhere on the agenda. The chair will set time limits (usually 3 minutes) for individual speakers. The maximum time for all public comments under this agenda item will be limited to 30 minutes.
- 5. Request to Appeal pursuant to ORS 197.090(2) and (3), and OAR 660-001-0201 to -0230.** State law requires commission approval of the director's decision to seek review of a local government land use decision, expedited land division, or limited land use

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- decision. Only the director (or department staff on the director's behalf), the applicant, and the affected local government may submit written or oral testimony concerning commission approval of a director's recommendation to file or pursue an appeal, or an intervention in an appeal, of a land use decision, expedited land division, or limited land use decision.
6. **Citizen-Initiated Petition for an Enforcement Order.** The commission will adopt a final order formalizing its decision to dismiss a citizen initiated petition for enforcement action against the City of Grants Pass. For additional information, contact John Renz at (541) 858-3189 or by e-mail at john.renz@state.or.us.
 7. **Final Report on 2009 Land Use Legislation.** For additional information, contact either Bob Rindy at (503) 373-0050 ext. 229 or by e-mail at bob.rindy@state.or.us; or Michael Morrissey at (503) 373-0050 ext. 320 or by e-mail at michael.morrissey@state.or.us.
 - *8. **Public Hearing and Possible Adoption of Proposed LCDC 2009-11 Policy and Rulemaking Agenda.** The commission will receive public comment on the department's draft 2009-11 Policy and Rulemaking agenda. Following public comment, the commission may approve the policy and rulemaking agenda for the 2009-11 biennium. This action continues the commission's practice of approving a policy agenda at the beginning of each biennium. This item appeared on the commission's May and June meeting agendas, and public testimony was accepted at the June meeting. For additional information, contact either Michael Morrissey at (503) 373-0050 ext. 320 or by e-mail at michael.morrissey@state.or.us; or Bob Rindy at (503) 373-0050 ext. 229 or by e-mail at bob.rindy@state.or.us.
 - *9. **Grants Allocation Plan.** Department staff will present a summary of discussions with the commission's Grants Advisory Committee and will present the committee's recommended priorities for grant funding during the 2009-11 biennium. The commission will then establish priorities for general fund grant fund expenditures during the remainder of the biennium. For additional information, contact Darren Nichols at (503) 373-0050 ext. 255 or by e-mail at darren.nichols@state.or.us.
 - *10. **Periodic Review Schedule.** Department staff will report to the commission on potential approaches to periodic review work programs and periodic review grants following a brief suspension of the initiation of any additional periodic review work programs. The commission will provide specific direction to the department for initiating and funding periodic review work programs. For additional information, contact Darren Nichols at (503) 373-0050 ext. 255 or by e-mail at darren.nichols@state.or.us.
 11. **Update on Measure 49.** Department staff will report to the commission regarding the status of the Measure 49 Services Division process, including recent trends on the department's issuance of preliminary evaluations and final orders. For additional information, contact Judith Moore at (503) 373-0050 ext. 373 or by e-mail at judith.moore@state.or.us.

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- *12. Public Hearing and Possible Adoption of Proposed Temporary Administrative Rules to Implement House Bill 3225 – Relating to Ballot Measure 49 Claims.** The proposed rules specify action required related to approximately 400 specified claimants under Ballot Measure 49, who may become eligible for relief, and who were previously deemed not to be eligible for relief. These rules clarify notice, timeline and other requirements for the department and claimants, including requirements for a fee of \$175 to process claims, only for these specified claimants. For additional information, contact either Michael Morrissey at (503) 373-0050 ext. 320 or by e-mail at michael.morrissey@state.or.us; or Judith Moore at (503) 373-0050 ext. 373 or by e-mail at judith.moore@state.or.us.
- 13. Director’s Report.** The director will report to the commission regarding the recent operations of the department, including participation in appeals and recent court opinions; program activities and initiatives; organizational and management information; and legislative and policy issues. For additional information, contact Lisa Howard at (503) 373-0050 ext. 271 or by e-mail at lisa.howard@state.or.us.
- 14. Best Practices Criteria Worksheet.** The commission will deliberate on the required boards and commissions governance oversight key performance measure. Certain boards or commissions are required to use a state assessment scorecard and report its information in a “Best Practices” Key Performance Measure. For LCDC, this information is reported in Key Performance Measure #20 for the 2009 Annual Performance Progress Report. Each commissioner will review and complete a scorecard. A summary score from the individual scorecards will provide the commission’s annual response to the Best Practices Key Performance Measure #20. For additional information, contact Teddy Leland at (503) 373-0050 ext. 237 or by e-mail at teddy.leland@state.or.us.

8:30 a.m. Friday, July 31, 2009

- 15. Citizen Involvement Advisory Committee (CIAC) Update.** The CIAC will update the commission on its recent work, including a draft of its 2009-11 work plan. For additional information, contact Cliff Voliva at (503) 373-0050 ext. 268 or by e-mail at cliff.voliva@state.or.us.
- *16. Oregon's Statewide Land Use Program and Climate Change.** The commission will conclude its discussion on how to integrate climate change considerations into the statewide land use planning program. In June, the department provided the commission with a draft strategy and a range of options (from use of existing programs to adoption of a new statewide planning goal) for integrating climate change considerations into the agency’s work program for 2009-11. The department will present refinements of its June strategy and options, along with an additional option for integrating climate change into the agency’s work for 2009-11. For additional information, contact either Jeff Weber at (971) 673-0964 or by e-mail at jeff.weber@state.or.us; or Bob Cortright at (503) 373-0050 ext. 241 or by e-mail at bob.cortright@state.or.us.

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- *17. Public Hearing on Petition for New Statewide Planning Goal on Sea Level Rise.** The commission will conclude its consideration of the petition to adopt a Goal 20 for sea level rise, first considered by the commission in its January 2009 meeting. For additional information, contact Paul Klarin at (503) 373-0050 ext. 249 or by e-mail at paul.klarin@state.or.us.
- 18. Appointment of Local Officials Advisory Committee.** The commission is required to appoint members to the Local Officials Advisory Committee to advise the commission and the department and to promote mutual understanding and cooperation between the commission, the department and local governments. For additional information, contact Lisa Howard at (503) 373-0050 ext. 271 or by e-mail at lisa.howard@state.or.us.
- 19. Commission Business and Reports.** The Budget and Management Subcommittee will report to the commission. For additional information, contact Teddy Leland at (503) 373-0050 ext. 237 or by e-mail at teddy.leland@state.or.us.
- Discuss 2010 meeting schedule.
- 20. Other.** The commission reserves this time, if needed, for other business or for further consideration of any item on the agenda.

Oregon's seven-member Land Conservation and Development Commission, assisted by the Department of Land Conservation and Development, adopts state land use goals, assures local plan compliance with the goals, coordinates state and local planning, and manages the coastal zone program. Commissioners are unpaid citizen volunteers appointed by the Governor and confirmed by the Senate. Commissioners are appointed to four-year terms and may not serve for more than two consecutive terms. The statute establishing the commission, ORS chapter 197, also directs that members be representative of the state. The commission meets approximately every six weeks to direct the work of the department.

Dennis Derby (Portland)
 Hanley Jenkins (Union)
 Tim Josi (Tillamook)
 Greg Macpherson (Lake Oswego)
 Christine Pellett (Central Point)
 John H. VanLandingham, Chair (Eugene)
 Marilyn Worrix, Vice-Chair (McMinnville)

Meeting dates for 2009 are:

September 30–October 2, 2009	Hillsboro
November 4–6, 2009	Springfield

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