



TO: House Committee on Energy and Environment
FROM: Brian Sjothun, City Manager
City of Medford
DATE: HB 2488 Concerns

Thank you for the opportunity to provide input on HB 2488. The City of Medford is enthusiastic about the legislature's shared commitment to our environment. The bill's focus on climate change adaptation and environmental justice for disadvantaged communities is incredibly important and displays a vision that Medford has already begun to realize. Nevertheless, we do have concerns about this legislation in relation to our own efforts. Our trepidations are with regard to timing and local resources.

Many communities throughout the state have adopted climate change adaptation and/or mitigation plans. Are those communities at risk of regulatory noncompliance if the LCDC modifies statewide planning goals in a way that is not consistent with those adopted plans? According to the current version of the bill, Section 2(2)(d) states that final "implementation standards and guidelines" will be adopted by 2026. Without any kind of assurance that pre-existing plans will be provided some degree of safe harbor, communities like Medford that have not completed climate planning will have a disincentive to act prior to adoption of final standards, guidelines, and administrative rules. This will only stall local action on climate change.

And once LCDC acts, how will local governments be able to comply with final guidelines, standards, and (presumably) administrative rules only 90 days after they are adopted by the LCDC sometime before 2026? One of the things that HB 2001 got right was a healthy time allowance for cities to reach compliance with its requirements. The implications of HB2488 are much more complicated and far-reaching, and yet cities like Medford would be afforded only 3 months to achieve compliance. That seems unrealistic and an unfair burden on local communities who are in fact doing the work for the state on this issue.

On the other end of the timing issue, we are concerned by the tighter timeline to adopt "Interim climate justice standards" described in Section 5 by July 1, 2021. This accelerated schedule will not allow for adequate local input.

Like HB 2001 and HB 2003, compliance with this legislation will require significant commitment of resources (particularly staff time). With that middle housing legislation, the state has made resources available to local communities to support efforts to reach compliance. This bill does not seem to acknowledge what will be a strain for many municipalities currently experiencing the fiscal effects of COVID-19. As written, the outcome of the bill could force communities to undertake systematic, comprehensive assessments of their comprehensive plans. This would be a lengthy and expensive process that most communities will not have anticipated and planned for. This was the demise of periodic review: state expectations were not backed with support for local jurisdictions that actually implement unfunded state mandates, and in that case the process has languished ever since.

Please note that the bill identifies tasks for LCDC to complete that appear to be consistent with local climate adaptation and mitigation planning efforts, including Medford's. Much of our work in planning already addresses social equity surrounding climate change and strives to engage various disadvantaged and historically marginalized and disempowered groups. Our Climate Change Adaptation and Resilience Plan is the first phase of Medford's attempt to describe anticipated local impacts of climate change (with special attention to vulnerable members of our community); assess the City's vulnerability to climate change; and propose strategies that will make Medford more resilient in the face of emerging climate-driven risk. It would be a shame, not to mention a waste of limited resources, if our efforts were deemed to be insufficient when in 2026 LCDC has adopted its rules.

We appreciate your public service.