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Tonkon Torp LLP

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November 29, 2018

Dear Chair Kafoury and Commissioners:

The Advisory Committee on Sustainability and Innovation (ACSI) commends the Multnomah County Board of County Commissioners (Board) on several notable achievements this year that will improve the welfare, prosperity, and resiliency of County residents and businesses: adopting a clean diesel contracting policy and a wood smoke curtailment ordinance; financing the first energy efficiency project under the PropertyFit Program, a model property-assessed clean energy program for Oregon; advocating for expanded transit service and clean energy buses; and passing an environmental justice resolution to provide guidance within the County's work and to engage and protect the County's environmental justice communities¹. ACSI respectfully submits the following policy recommendations to further the County's work programs and commitments.

Recommendation I – 2019 County State Legislative Agenda

In the next legislative session ACSI believes the County should advocate strongly for:

1. Legislative action to quickly and dramatically reduce greenhouse gas emissions (GHG) in Oregon – we have no time to waste as we fight to reduce the impacts of climate change globally and locally. While any climate policy passed at the state level must establish a substantial carbon price to be effective, ACSI believes a state policy should also preserve the strength of Oregon's other environmental protections and, in keeping with the recently passed environmental justice resolution, prioritize the needs of environmental justice communities. If the state continues to pursue a cap-and-trade program over a carbon tax or cap-and-fee program, the cap-and-trade legislation should:
 - a. Contain a policy commitment and dedication of revenues to support real, additional, permanent, and verifiable emissions reductions;
 - b. Provide a just transition for front line workers and communities that are disproportionately impacted or traditionally disenfranchised;
 - c. Commit new, constitutionally limited highway trust fund dollars solely to projects that will reduce emissions from the transportation sector;
 - d. Prohibit the issuance of free allowances to covered entities;
 - e. Constrain the lifespan of credits and/or constrain the banking of credits, so that future emissions caps are not undermined;

¹ Environmental justice communities include minority and low-income communities, tribal communities, and other communities traditionally underrepresented in public processes.

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- f. Expressly provide that credits are not property rights, or alternatively that the Legislature and/or DEQ may adjust the cap as necessary without having adjustments deemed to have impacts on property rights; and
 - g. Use cost containment measures other than offsets and/or limit the use of offsets – ideally to no more than two percent of the total available credits, but certainly no more than California allows.
2. Allocation of VW settlement proceeds that prioritize reduced exposure to diesel pollution, including funding for the clean diesel procurement program, pursuant to the settlement’s framework and the Court approved DEQ “VW Environmental Mitigation Plan for the State of Oregon,” which highlights the importance of using the funds for human health benefits.
 3. Comprehensive statewide diesel legislation that will phase out the use of dirty diesel engines and prevent the importation and use of equipment in Oregon that is prohibited in California.
 4. Establishment of a Clean Technology Sector Development Fund and grant program.

Recommendation II – County and Regional Policy

ACSI recommends the Board continue evaluating the use of a local air district, as well as partnerships with universities, governments, and others, to monitor and protect our air quality. ACSI also recommends the following specific actions to foster safe and healthy communities:

1. Implement final Clean Air Construction Standards and increase their impact by reducing the equipment horsepower thresholds from 100hp to 25hp, shortening the phase-in time line and tightening the exemption criteria. Consider extending the clean diesel mandate to County licensed waste haulers serving unincorporated Multnomah County.
2. Magnify the impact of the Clean Air Construction Standards by working with partners to encourage ODOT, other local jurisdictions, and private sector adoption.
3. Support the wood smoke ordinance through the use of one-time only funding for FY 2020 to develop a social marketing public education and neighborhood outreach campaign on “ambiance” burning. Over a longer term, develop, fund, and roll out a woodstove change out program. Finally, improve relevant data by expanding the County Environmental Health

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database system to request whether restaurant license applicants use wood smokers, grills, pizza ovens, or other wood devices.

4. Explore the legal viability of expanding Portland's Home Energy Score program to all of Multnomah County, which would profile the County's weatherization program achievements and incentivize new projects. An Office of Sustainability study demonstrated substantial benefits – over \$250 utility savings and 11,000 pounds of carbon dioxide reductions per household – from implementing, monitoring, and enforcing the expanded program.
5. Improve coordination of state, County, and city residential energy and health performance, lead abatement, critical home repair, and aging-in-place programs, similar to the national Green and Healthy Homes Initiative model, to increase households served and administrative efficiencies by aligning funding streams, program goals, and eligibility requirements. Identify one-time only funding in the 2019 budget for a pilot project to achieve combined energy, safety, and health goals through a single, coordinated home intervention.
6. Engage with the Portland Clean Energy Community Benefits Fund Committee, City of Portland, programming nonprofits, and other stakeholders on potential clean energy projects and job training initiatives resulting from the Portland Clean Energy Initiative.

Recommendation III – Shape an Active, Clean Transportation System and Infrastructure

In order to meet the County's CAP and "100 by 50" commitments, ACSI believes the County must work with stakeholders to integrate those goals in the region's transportation planning and projects. Transportation of goods and people accounts for 40% of GHG in the County. The average County resident drove 17 miles per day in 2015; the same 17 miles per day measured in 1990. Forty percent of Portlanders do not have safe and convenient access to transit, commercial services, jobs, or, in many areas, even sidewalks. This is especially true in East Portland and East County, areas historically underserved by infrastructure and services and home to many low-income households and a large youth population. Courageous leadership is needed to transition to a clean energy transportation system, reduce and shift single occupant vehicle trips to other modes such as transit, walking, or bicycling, and to prioritize the transportation needs of those with the fewest options. ACSI recommends the County:

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1. Engage in regional and state conversations to prioritize transportation revenue spending that will meet the County's CAP and "100 by 50" commitments, including its emissions-reductions, clean energy, service enhancement, transit equity, and mode-shifting goals. In a resource-constrained environment, new and distinct resources and investment approaches are also needed to pursue these climate, health, and service equity goals simultaneously and with equal importance. In 2019, the County has two significant opportunities to prioritize investment that meets these goals: the use of Clean Energy Jobs funding related to transportation and 2020 Metro regional transportation financing discussions.
2. Advocate to improve transit service while reducing emissions with new or underutilized approaches. Transit service levels were brought closer to pre-recession levels by funding from HB2017, but many service needs remain unfunded. In addition to direct service expansion, planning integration and investments in the Enhanced Transit Corridor concept, priority bus lanes, and signal prioritization can improve transit/transportation speed and efficiency. Programs that reduce vehicle trips, increase transit access and help grow ridership, such as Youth Pass, should be equitably expanded countywide and fully funded.
3. Continue to support the decarbonization of personal, fleet, and transit vehicles while promoting the health and climate benefits of reducing private vehicle use. Despite significant population and economic growth, our overall transportation emissions have remained in line with 1990 levels – not as a result of changing behaviors, but as a result of cleaner internal combustion engines. While personal electric vehicles represent a substantial opportunity to continue leveraging technological improvements for GHG reductions, they will not address congestion, decrease vehicle trips, are not accessible to all in the community, and are not necessarily operating on clean or renewable sources of power. TriMet's commitment to transition to diesel-free buses is promising; the County's advocacy is essential and should also ensure those buses operate on energy from clean and renewable sources. Where the County has the opportunity to weigh in on regional transportation discussions related to TriMet's transition, such as JPACT or R1 ACT, the County should ensure that transition costs do not supplant needed service enhancements and additions that benefit the community. As bus electrification comes on line, it must be prioritized for deployment in areas with the worst air quality. Long-term planning and increased and innovative funding strategies will be necessary to transition to clean and renewable vehicles quickly and equitably.

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The next five years will be critical in determining whether our transportation system will be on track to support the County's climate, health, and service equity goals, and achieve those goals in ways that are just and equitable. Whether congestion pricing, carbon pricing, regional transportation financing or road investments, it is imperative that the Board use all their individual and collective authorities and influence to ensure a just and sustainable foundation is laid.

Thank you for the opportunity to advise the County on these issues and we look forward to working with the Board and County on these and additional policy areas as needed.

Sincerely,

Your 2018 ACSI Members