

## *OCWCOG Legislative Issue Areas*

**Oregon Cascades West Council of Governments**

Serving Benton, Lincoln, and Linn Counties Since 1975

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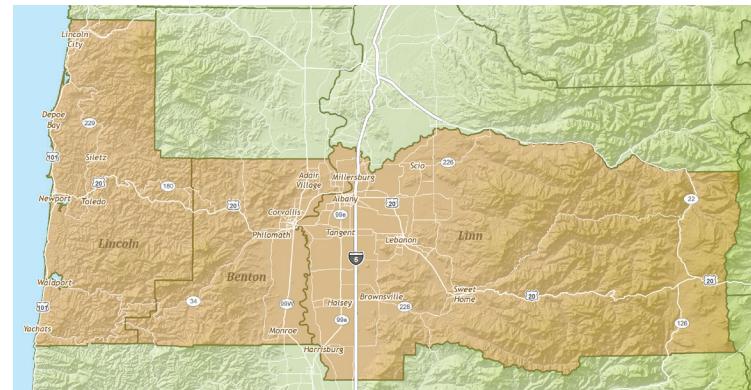
## **About OCWCOG**

Oregon Cascades West Council of Governments (OCWCOG), on behalf of the member governments, carries out a variety of local, State, and Federal programs. Most funding is provided by way of contracts to administer specific services. As an Oregon intergovernmental entity, OCWCOG can provide for, or on behalf of, its member governments any service that they are authorized to provide. Whether it is helping a business find appropriate capital, helping seniors and persons with disabilities plan for independent living, or coordinating local roads improvement priorities, OCWCOG offers these and many other innovative services to the local governments and residents of Linn, Benton, and Lincoln Counties. For more information, visit [www.OCWCOG.org](http://www.OCWCOG.org).

## **About The Region**

The OCWCOG service area, spanning the three Counties, serves five Senate, seven House districts, and two Federal Congressional districts.

Linn, Benton, and Lincoln Counties are home to a population of over 270,000 residents, Oregon State University, Linn-Benton Community College, Oregon Coast Community College, Hatfield Marine Science Center, the U.S. Environmental Protection



Agency's Western Ecology Division Laboratory, the U.S. Department of Energy's Albany Research Center, two major fishing and fleet repair ports, numerous docking ports, the National Oceanic and Atmospheric Administration Marine Operations Center - Pacific Research Fleet, and numerous international and national high tech, marine, science, and manufacturing and distribution businesses. Our Region has an expanding international aquaculture and agriculture presence worth hundreds of millions of dollars.

The three Counties are intersected by Interstate 5 and 101, and State Routes 34 and 20, all with increasing commuter and truck traffic, four commuter airports, and numerous rail lines.

## **About OCWCOG's Legislative Issue Areas**

The Board of Directors (Board) of the OCWCOG, representing 25 local, tribal, and port districts in Linn, Benton, and Lincoln Counties has developed the following policy issue areas for consideration for Legislative and Administrative action. These areas represent the coordinated efforts of local elected leaders and staff in developing solutions to problems facing our residents, businesses, and governments in our tri-Counties Region. These areas are inclusive and supportive of the League of Oregon Cities (LOC), the Association of Oregon Counties (AOC), and our industry and national associations, but may, in some cases, reflect priorities most relevant to our localities or affecting specific geographic or policy areas in detail. OCWCOG's Legislative Issue Areas are:

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# Local Control

The core tenet of OCWCOG programs is to support local control over State and Federal funding to the greatest extent possible. As such, OCWCOG supports increased local control, autonomy, and funding for local jurisdictions, tribes, and special districts in statutory and legislative decision-making. Local governments have diverse and varied needs, and need the ability to respond effectively with “home-grown” solutions to complex situations, as appropriate.

## Issue to Address

*Impacts of Legislation and State Agency Actions on Small Cities and Rural Counties.*

Policy, and the costs associated with implementation, may not be effective for small cities and rural counties.

## Solution

OCWCOG supports procedural changes pertaining to Legislation and State agency actions, to improve research and information gathering practices regarding policy cost implications on small and/or rural communities.

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need  
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# Transportation - Equity, Mobility, Access, and Safety



OCWCOG supports comprehensive and robust State and Federal funding to maintain, build, and support a safe, balanced, multimodal, and intermodal transportation system in our tri-County Region. OCWCOG supports a fair, transparent, and equitable allocation of resources to local and tribal governments. Linn, Benton and Lincoln Counties are unique in their needs, including urban and rural connectivity; supporting Valley growth in population; the distribution of goods and services; the support of our maritime facilities; and the individuality of Valley and Coastal connectivity.

## Issue to Address

*Support the work of the Continuous Improvement Advisory Committee (CIAC) established under House Bill 2017.*

### Solution

Ensure the CIAC works with local governments to gather the information to support their work.

## Issue to Address

*Improve working relationships with Oregon Department of Transportation (ODOT).*

Local jurisdictions attempting to work with ODOT for capital improvements can face inefficiencies, creating additional costs, delays, and confusion around policy. OCWCOG supports improvements in procedures relating to ODOT, specifically regarding transparency; data sharing and accuracy; timeliness of processes; cost-effectiveness; and overall efficiencies.

### Solution

Continue to examine and support ODOT efficiency and timeliness of proposals and processes to shorten project approval and IGA drafting time.

## Issue to Address

*Address the timeliness of ODOT's work on IGAs.*

ODOT can take two-to-four years, for example, to process requests for projects and Intergovernmental Agreements (IGAs). During this timeframe, personnel transitions within ODOT create a breakdown in the flow of information, and a jurisdiction must start the same conversation over again with new people every year.

### Solution

Enable a panel under CIAC to work with ODOT on expediting IGA approval and work flow.

*Improving working relationships with ODOT.*

*Establishment of Rural Transportation Planning Organizations as an accepted form of local/state engagement over rural planning for transportation projects within a rural region.*

*MPOs to be the primary contract mechanisms for ODOT funded local projects.*

## **Issue to Address**

*Addresss ODOT's IGA Terms and Cost Controls.*

ODOT's boilerplate IGAs include a clause billing all project overages to a city. However, acting as project manager, ODOT is in control of the project costs and their own timely control of the process. For example, a jurisdiction within our Region prepared to pay a specific match for a project is not equipped to pick up an additional coverage of unexpected or unanticipated overages.

## **Solution**

Revising the ODOT IGA boilerplate language. ODOT should build in cost overrun contingencies that are reasonable though an accepted planning and engineering standard. If a project is overly complex or presents a higher risk of overruns, these contingencies should be established and agreed to before an IGA is signed. ODOT must also own the risk of cost overruns that are not within the control of, or legal ownership of, a jurisdiction.

## **Issue to Address**

*Lack of coordinated small city and rural county coordination pertaining to information exchange, opportunity finding, planning, project prioritization, regulation compliance, and communications.*

## **Solutions**

The establishment of Rural Transportation Planning Organizations (RTPOs). RTPOs are an accepted form of local/state engagement over rural planning for transportation projects within a rural region. They function much like Metropolitan Planning Organizations (MPOs) that serve regions over 50,000 population. RTPOs bring local elected and appointed officials together with department of transportation counterparts to plan for and execute a mobility, accessibility, safety, and multimodal and intermodal plan for a rural region. The establishment of RTPOs connects a whole region (urban and rural) into a multi-jurisdictional planning process. The inclusion of RTPOs across the State of Oregon would give small cities and rural counties access to information, opportunities, and advocates with elected officials and state officials sitting at a neutral table as equals. The planning process for RTPOs can be funded out of existing ODOT dollars without affecting the funding of other established agencies, like Area Commissions on Transportation (ACTs) or MPOs. RTPOs are often co-located with a multi-purpose, multi-jurisdictional planning agency, like a Council of Governments or Intergovernmental Council.

OCWCOG also encourages MPOs to be the primary contract mechanisms for ODOT funded local projects to support local planning processes and drive the work closer to local communities.

# Health, Community, and Social Services



As a lead agency in Medicaid delivery, transportation options, services for seniors and people with disabilities, *Meals on Wheels*, and a myriad of other programs for our aging and susceptible populations, OCWCOG supports a State and Federal commitment to protecting our most vulnerable populations.

## Issue to Address

### *Continued and Sustainable Funding for Programs Serving Seniors and People with Disabilities.*

OCWCOG supports efficient and effective care for senior and disabled populations as a vital part of community health. Thus, OCWCOG supports continued and consistent funding for Medicaid programs, as well as other cost-saving programs such as *Oregon Project Independence (OPI)* and the *OPI Pilot*.

**Continued and sustainable funding for programs serving seniors and people with disabilities.**

## **Improvements in Home Care Worker Program.**

### **Improve Relationship with State's DHS APD Program.**

## Solutions

The Department of Human Services (DHS) leadership has prioritized funding of their Office of Aging and People with Disabilities' (APD) case management at 100% of the workload model in the biennial 2019-2021 Agency Request Budget. Previous funding has been at 97% of the workload model. OCWCOG agrees that increased funding for case managers should be a top priority.

Additionally, the factors above have increased the time a Case Manager spends on each consumer's case over the last two years, though this is not captured in the State's allocation model at this time. DHS should assess its allocation models, work with Medicaid agencies on an agreement to more consistently fund case management activities and work to capture accurate data.

## Issue to Address

### *Improvements in Home Care Worker (HCW) Programs.*

HCWs continue to be in high-demand. OCWCOG supports investments in systems and supports to improve the quality, safety, and satisfaction of HCWs, by providing improved administrative support, trainings, and timely background checks.

## Solution

OCWCOG supports an increased allocation to agencies who manage HCW programs to cover the increasing administrative cost of managing these programs.

## **Issue to Address**

*Improving Working Relationships with the State's DHS APD Program.*

Agencies working with APD can experience confusion regarding budgetary allocations, creating problems as individual Area Agencies on Aging attempt to anticipate impacts on their programs. OCWCOCG supports improved transparency and better quality of data regarding funding allocations.

## **Solution**

Empower a Blue-Ribbon panel of agencies and stakeholders to recommend to the Legislature ways to improve DHS transparency, data collection, funding allocations, pilot project initiatives, and communications.

# Economics, Development, and Environment



OCWCOG supports a comprehensive, but balanced approach to the economic future of our tri-County Region, and to ensuring its continued environmental qualities in water, land, and air. OCWCOG recognizes the unique nature of our three Counties, their role in innovation, education, manufacturing, maritime, and scientific industries, as well as the need to identify and support local businesses and growth opportunities.

OCWCOG supports creating access to opportunities in housing, job training and support, and other essential areas that allow the building and support of a well-trained and flexible workforce; access to capital to build business; and environmental policy that protects our natural resources, ensures our quality of life, and integrates with housing, transportation, and business needs.

## **Issues to Address**

### *Housing Affordability and Availability.*

Access to affordable, quality housing is a regional problem with broad impacts, including health and economic stability. OCWCOG supports increased State and Legislative focus in implementing and funding localized policies, to promote increases in affordable, quality housing, with emphasis on low-income and workforce populations.

### *Wetlands.*

Wetlands permeate the OCWCOG Region, creating confusion and challenges regarding land development. OCWCOG supports increased clarity, transparency, timeliness, and consistency regarding working with the US Army Corps of Engineers, and the Oregon Department of State Lands (DSL). OCWCOG supports improvements regarding analysis of wetlands locations, and policies and procedures for mitigation, while supporting our water, land, and environmental quality.

## **Solution**

### *Assume Administration of the CWA Section 404 Permit Program, Where Applicable.*

Section 404 of the Clean Water Act<sup>1</sup> (CWA) establishes a program to regulate the discharge of dredged<sup>2</sup> or fill<sup>3</sup> material into waters of the United States<sup>4</sup>, including wetlands. Activities in waters of the U.S. regulated under this program include fill for development, water resource projects (such as dams and levees), infrastructure development (such as highways and airports) and mining projects. Section 404 requires a permit before dredged or fill material may be discharged into waters of the U.S., unless the activity is exempt from Section 404 regulation<sup>5</sup> (e.g., certain farming and forestry activities).

## ***Housing affordability and availability.***

## ***Assume Administration of the CWA Section 404 Permit Program, Where Applicable.***

## ***Disaster Resiliency and Planning.***

The CWA provides states and tribes the option of assuming administration of the CWA section 404 permit program in certain waters within state or tribal jurisdiction. This fact sheet describes reasons why states and tribes might assume administration of the section 404 program from the Federal government, which waters could be administered by states or tribes under this program, and the process for assuming administration of these waters.

Ensure DSL personnel are adequately trained on wetlands assessment, mapping, and mitigation rules, statutes and procedures; and, that they apply these same rules and statutes reasonably, equally, and equitably across the Region and State.

Ensure Oregon wetland, endangered species, and water runoff, and collection laws and statutes are no more prescriptive than Federal law.

Consider the proposal outlined within Harrisburg City Administrator Brian Latta's paper, "How to Reduce Wetlands as a Barrier on Development," as a possible solution to Oregon growth issues. The solution as framed is to "add wetlands to the list of constrained lands in the inventory of buildable lands within the Urban Growth Boundary (UGB) when considering an UGB expansion."<sup>6</sup>

### **Issue to Address**

#### *Disaster resiliency and planning.*

OCWCOG's Region is an economic hub with diverse industries and access needs. Planning for disaster recovery and resiliency is essential to ensuring the wellbeing of residents, and the ability of our Region to recover quickly in a post-disaster environment. OCWCOG supports increased initiatives regarding disaster resiliency and planning, including localized disbursements of funding for improved effectiveness.

### **Solution**

#### *Regionalize and Fund Disaster Preparedness and Planning.*

The State of Oregon should regionalize disaster preparedness and planning, and fund multi-purpose, multi-jurisdictional planning organizations to coordinate disaster response and recovery planning in coordination with local jurisdictions and with State and Federal agencies. It is not uncommon for states to regionalize disaster preparedness and response planning as a cost effective and efficient way to manage and coordinate a complex process across multiple jurisdictions in the event of a catastrophic manmade or natural event.

#### *Land Use Planning.*

In our geographically diverse State, land use issues vary greatly, as do urban growth needs and annexation issues. OCWCOG supports greater local control pertaining to land use issues, including annexation processes, and development of urban growth boundaries.

# Acronym List

ACT	Area Commission on Transportation
AOC	Association of Oregon Counties
APD	Oregon's Department of Human Services Aging and People with Disabilities
Board	Board of Directors
CIAC	Continuous Improvement Advisory Committee
CWA	Clean Water Act
DHS	Oregon Department of Human Services
DSL	Oregon Department of State Lands
HCW	Home Care Worker
IGA	Intergovernment Agreement
LOC	League of Oregon Cities
MPO	Metropolitan Planning Organization
OCWCOG	Oregon Cascades West Council of Governments
ODOT	Oregon Department of Transportation
OPI	Oregon Project Independence
RTPO	Rural Transportation Planning Organization
UGB	Urban Growth Boundary

# References

1. <https://www.epa.gov/cwa-404/clean-water-act-section-404>
2. <https://www.epa.gov/cwa-404/further-revisions-clean-water-act-regulatory-definition-discharge-dredged-material>
3. <https://www.epa.gov/cwa-404/further-revisions-clean-water-act-regulatory-definition-discharge-dredged-material>
4. <https://www.epa.gov/cwa-404/definition-waters-united-states-under-clean-water-act>
5. <https://www.epa.gov/cwa-404/exemptions-permit-requirements>
6. Brian Latta, City Administrator, Harrisburg, Oregon, [blatta@ciofharrisburg.or.us](mailto:blatta@ciofharrisburg.or.us), 541.995.6655.

