



600 NE Grand Ave.
Portland, OR 97232-2736

Council work session agenda

Tuesday, November 12, 2024 **10:30 AM** **Metro Regional Center, Council Chamber,**
<https://zoom.us/j/615079992> Webinar ID:
615 079 992 or 888-475-4499 (toll free)
<https://www.youtube.com/live/LwMlogEFIp8?feature=shared>

This meeting will be held electronically and in person at the Metro Regional Center Council Chamber.
You can join the meeting on your computer or other device by using this link:
<https://zoom.us/j/615079992> (Webinar ID: 615 079 992)

10:30 Call to Order and Roll Call

Work Session Topics:

10:30 Business Food Waste System Overview [24-6147](#)

Presenter(s): Holly Stirnkorb (she/her), Principle Planner, Metro
Marta McGuire, Director WPES
Dena Hastings, Program Manager

Attachments: [Staff Report](#)
[Attachment 1](#)

11:15 2025 State Legislative Agenda [24-6148](#)

Presenter(s): Anneliese Koehler, Legislative Affairs Manager, Metro

Attachments: [Staff Report](#)
[Attachment 1](#)
[Attachment 2](#)
[Attachment 3](#)
[Attachment 4](#)
[Attachment 5](#)
[Attachment 6](#)
[Attachment 7](#)

1:00 Chief Operating Officer Communication

1:05 Councilor Communication

1:15 Adjourn

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ការគោរពសិទ្ធិពលរដ្ឋរបស់ ១ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬដើម្បីទទួលបានការប្តឹងរើសអើងសូមចូលទស្សនាគេហទំព័រ www.oregonmetro.gov/civilrights។ បើលោកអ្នកត្រូវការអ្នកបកប្រែភាសានៅពេលអង្គប្រជុំសាធារណៈ សូមទូរស័ព្ទមកលេខ 503-797-1700 (ម៉ោង 8 ព្រឹកដល់ម៉ោង 5 ល្ងាច ថ្ងៃធ្វើការ) ប្រាំពីរថ្ងៃ ថ្ងៃធ្វើការ មុនថ្ងៃប្រជុំដើម្បីអាចឲ្យគេបកប្រែភាសាសំរាប់លោកអ្នក ។

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Business Food Waste System Overview
Work Session Topic

Metro Council Work Session
Tuesday, November 12, 2024

WORK SESSION: BUSINESS FOOD WASTE PROGRAM OVERVIEW

Date: October 24, 2024

Department: Waste Prevention and Environmental Services

Meeting Date: November 12, 2023

Prepared by: Holly Stirnkorb, holly.stirnkorb@oregonmetro.gov and Dena Hastings, dena.hastings@oregonmetro.gov

Presenters: Marta McGuire, Director WPES, Holly Stirnkorb, Principal Planner, and Dena Hastings, Program Manager

Length: 45 minutes

ISSUE STATEMENT

Food waste makes up the largest portion of greater Portland's garbage and is second only to vehicles as the largest contributors to local carbon pollution. Addressing this challenge remains a top priority, and Metro is making progress toward achieving the food waste goals outlined in the 2030 Regional Waste Plan. The purpose of this presentation is to provide an overview of the business food waste recovery program in the region to inform Council as it considers adopting the Regional System Facilities Plan and seek direction to extend the effective date for the development of the commercial food waste disposal prohibition.

ACTION REQUESTED

Staff seeks Council direction on extending the date to develop and implement Metro Code and administrative rule amendments to prohibit the landfill disposal of commercial food waste generated in the region to January 1, 2027.

IDENTIFIED POLICY OUTCOMES

In January 2020, Council adopted Resolution no. 20-5067 which directed staff to develop Metro Code and administrative rule language to prohibit the disposal of commercial food waste generated within the Metro region with an effective date of January 2025. As a result of the delayed implementation of the business food waste requirements caused by COVID-19, staff finds that extending the effective date of the landfill disposal prohibition to January 2027 allows time for continued business food waste requirement implementation and stakeholder engagement.

POLICY OPTIONS FOR COUNCIL TO CONSIDER

1. Direct staff to extend the effective date to January 1, 2027 to develop Metro Code and administrative rules to prohibit the landfill disposal of commercial food waste generated within the region.
2. Direct staff to maintain current direction to develop Metro Code and administrative rules to prohibit the landfill disposal of commercial food waste with an effective date of January 1, 2025.
3. Direct staff to take no action to develop a landfill disposal prohibition for commercial food waste.

STAFF RECOMMENDATION

Staff recommends that Metro Council extend the effective date of the proposed landfill disposal prohibition for commercial food waste to January 1, 2027.

STRATEGIC CONTEXT AND FRAMING COUNCIL DISCUSSION

Food is the largest component of the region's waste stream. Almost 18% of what we send to landfill is food that decays and creates methane, a potent greenhouse gas. Businesses such as restaurants

and grocery stores are responsible for more than half that amount. In 2016, the Metro Council found that the following key actions were needed to achieve a stable and effective regional food waste recovery system:

1. Require certain businesses to separate their food scraps for recovery and eventually prohibit the landfill disposal of food from businesses.
2. Determine how to efficiently transfer and deliver food scraps for processing.
3. Secure local and stable processing capacity.

Implementation of these initiatives is ongoing; however, progress has been delayed by the COVID-19 pandemic. Despite these delays, over 46,000 tons of food scraps have been recovered since the business food waste requirement went into effect in 2022. As a component of the business food waste requirement, Council adopted a disposal prohibition to become effective in 2025 to support recovery efforts.

The goal of prohibiting the disposal of commercial food waste in a landfill is to protect human health and the environment and to help educate generators about the proper management of solid waste. This is much like existing prohibitions for hazardous and electronic waste. In addition, a disposal prohibition provides a firm backstop to the business food waste requirement that local governments can incorporate into their efforts to assist businesses with implementation and compliance.

Stakeholder Engagement

Metro hosted the Business Food Scraps Recycling Roundtable at the Oregon Zoo on Monday, October 7, 2024. Local government and industry partners came together to discuss strategies for advancing business food scraps recovery goals, reducing contamination and addressing transfer gaps. A summary of input will be shared at the council work session.

BACKGROUND

In 2016, the Metro Council determined that the region should establish a stable food waste system that captures enough high-quality material to make processing facilities economically viable, has an adequate system for collecting and moving material, and has enough stable processing capacity to allow growth over time. Key actions needed to achieve this regional food recovery system include a requirement that certain businesses separate their food scraps for recovery and commercial food waste be prohibited from landfill disposal, efficient food waste transfer is developed, and local stable processing is secured. Attachment 1 provides a comprehensive update on the statuses of these key actions.

ATTACHMENTS

- Is legislation required for Council action? Yes No
- If yes, is draft legislation attached? Yes No
- What other materials are you presenting today?
 - Attachment 1: Business Food Waste System Update

ATTACHMENT 1: BUSINESS FOOD WASTE SYSTEM UPDATE

October 24, 2024

TOPIC: Business Food Waste Recovery System

PREPARED BY: HOLLY STIRNKORB

RELATED REGIONAL WASTE PLAN GOALS: Goal 6: Reduce product environmental impacts and waste through educational and behavioral practices related to prevention and better purchasing choices. Goal 8: Increase the reuse, repair and donation of materials and consumer products. Goal 10: Provide regionally consistent services for garbage, recyclables and other priority materials that meet the needs of all users.

PURPOSE OF UPDATE

The purpose of this update is to inform Council of current food waste recovery efforts in the region to prepare for upcoming engagements related to food waste.

BACKGROUND

Food is the largest component of the region's waste stream. Almost 18% of what we send to landfill is food that decays and creates methane, a potent greenhouse gas. Businesses such as restaurants and grocery stores are responsible for more than half that amount.

In 2016, the Metro Council determined that the region should establish a stable food waste system that captures enough high-quality material to make processing facilities economically viable, has an adequate system for collecting and moving material, and has enough stable processing capacity to allow growth over time. Council found that the following key actions were needed to achieve this regional food waste recovery system:

1. Require certain businesses to separate their food scraps for recovery and eventually prohibit the landfill disposal of food from businesses.
2. Determine how to efficiently transfer and deliver food scraps for processing.
3. Secure local and stable processing capacity.

Business Food Waste Requirement

In July 2018, Metro Council adopted the Business Food Waste Policy (Ordinance No. 18-1418). Pursuant to this policy, Metro works with city and county partners to support business food waste prevention, edible food donation, and food waste composting. To support the policy, Council also adopted Resolution 20-5067 directing staff to develop Metro Code and administrative rule language to prohibit the disposal of business food waste within the Metro region with an effective date of January 2025.

The Business Food Waste Policy requires city and county governments within the region to ensure that food waste collection services are provided to food-based businesses. Originally scheduled to begin in March 2020, the requirement was delayed until March 2022, due to the impacts of COVID-19. All businesses generating more than 250 pounds of food waste per week are required to participate by September 2024.

Progress to Date

- More than 46,000 tons of food waste have been recovered since the business food waste requirement went into effect in 2022. The waste was composted or converted into energy, avoiding 552 metric tons of methane emissions.
- Data from September 2024 indicates that 96 percent of large food generating businesses are in compliance with the business food waste requirement, followed by 64 percent of medium food generating businesses and 26 percent of small food generating businesses. The overall compliance rate is 44 percent.
- Cities and counties provide comprehensive support to businesses subject to the requirement by assisting with set up and staff training, supplying collection containers, and offering educational resources for food waste prevention and donation.
- [Food Waste Stops With Me](#)—an educational initiative launched in partnership with the Oregon Restaurant & Lodging Association, Oregon Food Bank, Oregon Department of Environmental Quality, and city and county governments—connects businesses with resources and local government technical assistance.
- Metro’s Innovation and Investment grant program provided \$1,358,000 in funding to 12 organizations since fiscal year 2018-19 to support food waste prevention and edible food for donation.

Current Challenges

- The region has not met its benchmark of 100 percent compliance by September 2024 due to implementation delays from COVID-19.
- The effects of COVID-19 and the delayed implementation of the business food waste policy will likely continue to impact participation and compliance rates for several more years.

Efforts to Address Challenges

- In 2020, Metro Council adopted Resolution 20-5067, which announced its intent to adopt a food waste disposal prohibition by directing staff to develop Metro Code and administrative rule with an effective date of January 2025. In recognition of delays caused by COVID-19, Metro staff will return to Council this Fall for direction to set an effective date of January 2027.
- With funding from Metro, cities and counties will continue to provide businesses with comprehensive support to help them achieve compliance through fiscal year 2025-26.

Transfer and delivery of food scraps for processing.

There are access gaps in the regional transfer system for business food waste. Three facilities in the region currently accept business food waste from haulers: Metro Central transfer station, Willamette Resources and Pride Recycling Company. The food waste received at these facilities is sent on to other locations for composting. Additionally, many of the region’s grocery stores bypass the transfer system and send food waste to Divert in Albany, Oregon, and City of Roses Disposal and Recycling takes small quantities of food waste from a single generator directly to an on-farm composting facility in Mt. Angel, Oregon.

In 2023, Metro Central transfer station accepted 66 percent of the business food waste collected in the region, Willamette Resources accepted 14 percent, and 20 percent was delivered directly to processing facilities bypassing the transfer system.

Progress to date

- In 2023, pursuant to the business food waste requirement, Metro made \$49,000 in direct payments to haulers that must travel a longer distance to a facility that accepts commercial food waste than they would if this material were mixed with garbage. At full implementation of the business food waste requirement, direct payments to haulers are anticipated to be \$184,000

annually. The program is temporary and will expire as the program matures and/or more convenient transfer or processing services become available.

- Beginning in fiscal year 2017-18, Metro Council subsidized commercial organics fees charged at Metro Central transfer station to encourage participation in the program and mitigate the likely rate impacts on businesses subject to the requirement.
- Metro's Innovation and Investment grant program provided \$500,000 in funding to Pride Recycling Company in fiscal year 2018-19 to support and expand transfer capacity in the region.

Current challenges

- The average driving time to the nearest transfer station that accepts business food waste from commercial haulers is 25.5 minutes. Approximately 61 percent of the region is more than 20 minutes away by car from the nearest facility that accepts business food waste.
- Tipping fees, the cost for commercial haulers to drop off commercial organics at transfer stations, is inconsistent throughout the region. Fees range from \$82.41 per ton at Metro Central transfer station to \$103.90 per ton at Willamette Resources transfer station.

Efforts to Address Challenges

- Metro plans to continue funding direct payments to haulers through fiscal year 2025-26 by way of the Access to Services Payment Program.
- The Regional System Facilities Plan includes continued investments in Metro Central transfer station as the regional organics hub while exploring the development of additional hubs through public-private partnerships. Metro Central transfer station will continue to receive business food waste from haulers, remove contamination and transfer the waste to the best end markets.

Local and stable processing capacity

The stability of mandatory food waste programs is reliant on the strength and redundancy of processors and end markets. In 2023, 80 percent of food waste was processed at one of four composting facilities: Recology Organics in Aumsville, Ore. (66 percent), Pacific Region Compost in Corvallis, Ore. (14 percent), Dirt Huggers in Dallesport, Wash. (2 percent) and Annen Brothers in Mt. Angel, Ore. (1 percent). The remaining 17 percent is pre-processed at Divert in Albany, Ore. and then anaerobically digested at Stahlbush Island Farms in Corvallis, Ore.

Contamination, especially from film plastics, poses significant processing difficulties and increases operational costs. Removing and disposing of contamination can account for 10 to 25 percent of operating costs for composting facilities. It is critical to maintain a contamination-free system to produce high quality compost and avoid environmental and health risks from microplastics.

Progress to date

- Metro applied for a federal budget note and is exploring grant opportunities to fund a depackager and additional capital investments to remove contamination from business food waste delivered to Metro Central transfer station which processes 66 percent of regional business food waste.
- Metro's Innovation and Investment grant program provided \$1,467,000 in funding to three organizations since fiscal year 2019-20 to support and expand food waste processing capacity in the region.

Current challenges

- Contamination in food waste can cause environmental and health risks if it is not removed, which impacts the ability of end markets to utilize the material and poses a risk to the stability of the region's food waste recovery system.

- Most facilities processing food waste in the region cannot effectively remove contaminants. Despite Metro’s food-only collection standard, a recent food waste composition study indicates an 11 percent contamination rate by volume.

Efforts to address challenges

- Investments will be made to Metro Central transfer station for it to continue to act as a regional hub to receive business food waste from haulers, remove contamination and transfer the waste to the best end markets.
- The Regional System Facilities Plan includes continued investments in Metro Central transfer station as a regional organics hub and proposes the development of additional hubs through public-private partnerships.

2025 State Legislative Agenda
Work Session Topic

Metro Council Work Session
Tuesday, November 12, 2024

2025 STATE LEGISLATIVE AGENDA

Date: October 21, 2024
Department: GAPD
Meeting Date: November 12, 2024

Prepared by: Anneliese Koehler,
Legislative Affairs Manager
Length: 45 minutes

ISSUE STATEMENT

This work session is an opportunity to discuss Metro Council's objectives for the 2025 Oregon legislative session. The current political climate and possible legislative priorities will be discussed. This is the final work session prior to final adoption of the Council's Legislative Priorities and Principles in December 2024.

ACTION REQUESTED

The Council may wish to discuss specific legislative concepts or principles or direct staff to develop additional legislative concepts before adopting its 2025 legislative agenda.

IDENTIFIED POLICY OUTCOMES

Support Metro's policy goals through engagement with the Oregon State Legislature in 2025.

POLICY QUESTION(S)

- Does the Council wish to confirm or change existing policy direction under which staff is currently operating with respect to issues that are likely to surface in 2025?
- Are there additional topics for which the Council would like to adopt legislative positions?

POLICY OPTIONS FOR COUNCIL TO CONSIDER

See attached draft versions of the 2025 Legislative Priorities and 2025 Legislative Principles. These documents reflect Council discussion and feedback from the October work session. Additional issue sheets for potential 2025 Legislative Priorities are also attached.

STAFF RECOMMENDATIONS

N/A

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

2025 session

The 2025 session is a regular, long session. The Legislature is charged with passing a biannual budget and any necessary policy changes. Unlike short sessions, the long session often has more significant legislation under discussion and passage. Typically, a few key

large policy and program changes as well as many smaller pieces move successfully through the legislative process into law.

Elections

In the past two work sessions, staff discussed topics pertaining to the lead-up to the November election including impacts of the walkout, possible supermajorities, and statewide ballot measures. At this work session, staff anticipates sharing post-election themes and takeaways. The Granicus deadline is significantly before the election, and, as a result, staff will be sharing the post-election analysis verbally.

Legislature overview

The Legislature continues to see new leadership emerge on both sides of the aisle. Compared to more recent sessions, the Metro region is well represented in legislative leadership. Senate President Wagner, newly-elected Senate Majority Leader Taylor and newly-elected House Majority Leader Bowman all reside in our region. In addition, both Senate and House Minority Leaders have a portion, albeit small, of Metro in their districts. And both co-chairs of ways and means are also from our region.

Unlike prior sessions, this past session did not have a walkout. The 2022 ballot measure which barred legislators from running again if they had ten or more unexcused absences was effective at preventing a 2024 walkout. Many hope that walkouts will be a thing of the past.

The Oregon State Capital building is still under construction and is not slated for finish until 2027. While what portions of the building will be closed down for the 2025 session is still being determined, staff anticipates that it will be similar to prior sessions with cramped corridors, large parts of the building inaccessible and constant construction noise. This continues to make the legislative process challenging.

Legislative session priorities

Legislators start sessions with an agreed upon set of priorities. These pieces often dominate session conversations and indicate leaderships' strong commitment to passage. Similar to past sessions, staff anticipates that housing, homelessness and behavioral health will all be top priorities of the Legislature. In addition, the Governor, Senate President and Speaker have all indicted the need for a transportation package. Increased education funding will likely be a focus as well.

Budget

While the final budget decision will not be made until the May 2025 forecast, the latest revenue forecast shows stable revenue for 2025-2027 budget. Due to rising costs across many sectors and the approaching fiscal cliff of federal government pandemic era programs ending, staff anticipates that it will be a tight budget year.

Next Steps

Metro's legislative agenda setting process is iterative. Staff has met with Metro departmental leadership, jurisdictional partners, state partners and community-based

partners to share respective initial priorities and learn what partners are pursuing. As part of our commitment to racial equity, part of our outreach is to culturally-specific and Black, Indigenous, and People of Color organizations to ensure that we are incorporating, as appropriate, their legislative priorities. The drafts before you represent our conversations, and we will continue those conversations through the winter. Staff aims to have a finalized draft for your consideration in December.

BACKGROUND

Council adopts State Legislative Priorities and State Legislative Principles annually. This is the third meeting to discuss Council’s 2025 legislative priorities and principles.

ATTACHMENTS

2025 Legislative Principles – DRAFT

2025 Legislative Priorities – DRAFT

Issue Sheets on the following topics:

- Transportation
- Annexation fix
- Recycling Modernization Act Protection
- Food Waste
- Recreational Immunity

[For work session:]

- Is legislation required for Council action? Yes X No
- If yes, is draft legislation attached? Yes XNo
- What other materials are you presenting today? [INSERT]

METRO COUNCIL 2025 LEGISLATIVE PRINCIPLES



GENERAL PRINCIPLES:

- 1. Successful Communities:** Metro supports policy and funding solutions that facilitate the achievement of the six desired outcomes for successful communities that have been agreed upon by the region: vibrant, walkable communities; economic competitiveness and prosperity; safe and reliable transportation choices; leadership in minimizing contributions to climate change; clean air, clean water and healthy ecosystems; and equitable distribution of the burdens and benefits of growth and change.
- 2. Racial Diversity, Equity and Inclusion:** Metro envisions a region and state where a person's race, ethnicity or zip code does not predict their future prospects and where all residents can enjoy economic opportunity and quality of life. Metro therefore supports legislation that acknowledges past discrimination, addresses current disparities and promotes inclusion in public programs, services, facilities and policies.
- 3. Tribal Sovereignty:** Metro seeks to support tribal sovereignty through government-to-government relations and coordination with Tribes, exploring opportunities to incorporate tribal interests and priorities into Metro's work and ensuring agency compliance with pertinent cultural, historic and natural resource protection laws. Metro will not supplant any Tribe or tribal organization's efforts on legislative priorities and will strive to coordinate with legislative and policy representatives of Tribes, Tribal organizations and Indigenous legislators to determine if Metro's involvement on any legislative priorities is appropriate.
- 4. Climate Justice:** Metro supports efforts to combat and adapt to climate change, to meet the state's goals for reducing greenhouse gas emissions, to avoid and mitigate climate impacts on our most vulnerable community members, and to promote climate resiliency. To this end, Metro supports state policy and funding solutions that can help to reduce emissions in all its main lines of business: land use and transportation planning and investment, housing and homeless services, consumption, waste management and solid waste management, parks and natural areas, and operation of visitor venues.
- 5. Vibrant Sustainable Workforce:** Metro supports a thriving and equitable regional economy that creates job and career opportunities for all people. To this end, Metro supports state policy and investments that create new career opportunities and remove barriers to career opportunities to meet the demand for a skilled and diverse workforce in Metro's lines of business and in the region. This includes initiatives that promote quality training, family sustaining wages, access to career ladders, the provision of workforce wraparound services, and incentives to promote economic adaptability and mobility.
- 6. Preemption:** With respect to issues related to matters of regional concern, Metro's policy and funding authority should not be preempted or eroded. Accordingly, the Legislature should

exercise caution in pre-empting the authority of the region's counties, cities and other service providers in a manner that could negatively impact their ability to carry out their duties.

- 7. Adequate Resources and Funding:** To ensure a prosperous economy, a clean and healthy environment, and a high quality of life for all of their citizens, Metro and the region's counties, cities, and other service providers must have the financial resources to provide sustainable, quality public services. Accordingly, the Legislature should remove relevant existing restrictions on local and regional revenue-raising authority and avoid enacting new limitations or pre-emptions, and all state mandates should be accompanied by funding. In addition, the Legislature should contemplate population size and diversity, need, and other appropriate factors in determining funding allocations.

SPECIFIC PRINCIPLES:

HOUSING:

- 8. Housing Choice:** Metro supports efforts to ensure that abundant housing choices are available to people of all incomes in every community in our region with particular emphasis on low-income and workforce housing. To achieve these outcomes, Metro supports legislative actions related to Oregon's land use laws that preserve and increase the supply of both regulated affordable housing and market-rate housing based on need. Metro also supports funding for needed housing development, infrastructure development to serve housing, and pathways to homeownership. Housing supply should be equitably distributed, ensuring that people of all incomes, races, and geographic locations have access to homes.
- 9. Housing Stability:** Metro supports efforts that offer permanent, affordable housing for individuals and families experiencing homelessness and provides supportive services and community-based support people need to keep their housing. Metro supports providing reasonable protections for renters against arbitrary and unfair actions. Additionally, Metro supports ways to stabilize and preserve the affordable housing stock.
- 10. Equitable Housing Access:** Metro aims to advance equity in housing access. For over 300 years, discriminatory housing and land exclusion policies like redlining, segregation, blockbusting, and racial steering practices have kept black, indigenous, and communities of color from opportunities to build generational wealth and access affordable and quality housing near good schools, grocery stores, jobs, transportation, and clean air and water. These harmful policies from the past are still deeply felt in communities today. Metro supports legislation that will affirmatively further fair housing, climate justice strategies, and advance more equitable outcomes for historically marginalized communities.
- 11. Cross System Alignment:** Homelessness is driven by system failures and inequities. Achieving housing stability for our most vulnerable neighbors relies on the collaboration of multiple interconnected sectors and governmental levels that historically operate in silos. Metro supports legislation and policy collaboration to better align housing and homelessness systems

at the local, regional, state and federal levels across sectors to ensure better outcomes for the community.

LAND USE AND URBAN GROWTH MANAGEMENT:

- 12. Oregon's Land Use System:** Oregon's land use planning system provides an important foundation for the prosperity, sustainability and livability of our region. The Legislature should exercise restraint and care when considering changes to Oregon's land use system to balance the various needs and goals that create a vibrant community. Accordingly, the urban growth boundary should not be expanded in absence of demonstrated need.
- 13. Local Land Use Decisions:** Management of the urban growth boundary is a complex undertaking that involves extensive analysis, public input, and a balancing of many factors. Urban growth management decisions have profound impacts not just on land at the boundary, but on communities within the boundary, and on farms and other rural lands outside the boundary. For these reasons, the Legislature should establish the process and policy framework for local land use decisions and should affirm the authority of local governments, including Metro, to make specific decisions on local land use matters.
- 14. Efficient Use of Existing Urban Land:** Land within the urban growth boundary should be used efficiently before the boundary is expanded. Metro supports policy and funding strategies to facilitate efficient use of existing urban land, including investments in brownfield cleanup and industrial site readiness, as well as policy and zoning reforms that authorize and/or encourage more efficient development in residential and commercial areas.
- 15. Annexation:** Cities are the preferred governing structure for providing public services to urban areas, and Metro supports reforms that will facilitate, or reduce barriers to, orderly annexation and incorporation.

SOLID WASTE:

- 16. Life Cycle Approach:** Metro supports efforts to minimize the health, safety, environmental, economic and social impacts associated with consumer products and packaging throughout all stages of a product's life cycle, beginning with resource extraction and continuing through design, manufacturing, consumption and disposal.
- 17. Product Stewardship/Producer Responsibility:** Metro supports legislation providing that whoever designs, produces, sells or uses a product bears responsibility for minimizing the product's environmental impact throughout all stages of the product's life cycle. Under this market-based approach, the life-cycle costs of a product are internalized into its price rather than being forced onto the general public. This approach also provides an incentive for manufacturers to design and produce their goods in a way that minimizes waste, environmental impact and management costs.
- 18. Quality, Responsible, and Responsive Solid Waste System for All:** The Regional Waste Plan aims to eliminate disparities experienced by people of color and historically marginalized

communities from the full life cycle of products and packaging used and disposed in the region. Metro supports legislation that achieves this by advancing: community restoration, community partnerships and community investment; access to recycling, waste and reuse services and information; jobs with improved worker health and safety, compensation and career pathways; business opportunities in the local economy; and community health through minimized impacts from system operations - locally and in end markets - and from toxic chemicals in products and packaging. Legislation should require the establishment of targets, standards and compliance processes, as appropriate, to ensure progress toward equity goals.

19. Waste Reduction and Reuse: Hundreds of organizations in the Portland region help residents, businesses, schools and others extend the life of their products by repairing or reusing them instead of throwing them away. For this reason, Metro supports legislation that encourages and incentivizes the innovation, investments and partnerships to support a thriving reuse and repair economy that benefits local communities across the state.

TRANSPORTATION:

20. Transportation Funding: Providing adequate funding for all transportation modes that move people and freight supports economic prosperity, community livability, public health and environmental quality. For these reasons, Metro supports an increase in overall transportation funding, investments in a safe and balanced multimodal transportation system that addresses the needs of all users, and flexibility in the system to provide for local solutions to transportation problems.

21. Safe and Equitable Transportation: Our region has adopted policies and developed programs to make it safer to walk and bike to school and other destinations, reduce serious traffic crashes and deaths, and reduce the disproportionate impact of traffic crashes and traffic enforcement in low income communities and communities of color. Metro supports legislation that advances safe and equitable transportation, including more effective and equitable enforcement of speed limits and other safety regulations, greater investment in infrastructure that improves safety (especially in disadvantaged communities), and greater authority for local governments to safely manage their transportation networks.

PARKS, NATURE AND CONSERVATION:

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acquisition, restoration and management of habitat connectivity for fish and wildlife, long-term protection of the ecological integrity of streams, wetlands, rivers and floodplains.

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CULTURAL AND ECONOMIC VITALITY:

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METRO 2025 LEGISLATIVE ISSUE IDENTIFICATION

Person completing form/Department: Anneliese Koehler

Date: October 17, 2024

ISSUE: Metro Annexation

BACKGROUND:

For historical reasons, the Metro District Boundary and the Metro Urban Growth Boundary (UGB) are not entirely coterminous. In some locations, territory is inside the UGB but outside the District Boundary; in some other locations, territory is inside the District Boundary but outside the UGB. A property must be in the Metro District Boundary as well as in the UGB to be developed with urban land uses, including urban residential and industrial uses. Before urban development can occur, property that is already in the UGB – and perhaps even already in city limits and/or zoned for urban land uses -- must be annexed to the Metro District.

Annexation to the Metro District is its own process, separate from city annexation, and has its own requirements. The District annexation process requires:

- Applicants paying a \$3,000 application fee/deposit;
- Preparation of application materials, sometimes with the assistance of a costly private attorney, planner, and/or surveyor;
- Notices in the Oregonian;
- Mailing of printed public notices to sometimes hundreds of property owners;
- Printing of public notice signs, as well as driving across the region to post and collect signs;
- Multiple meetings of the Metro Council; and
- Hours of work by staff of Metro, the state's DOR, and county tax assessors and clerks.

The criteria considered in the District annexation application process are largely clear and objective, leaving the public with little opportunity to influence the decision on an application, despite the required invitations in public notices to submit comments and participate in a public hearing. Recently, there have been members of the public who have taken the time to testify on annexation applications at public hearings, but the concerns about prospective development, while potentially valid, did not relate to the approval criteria. Inviting the public to comment on technical criteria they may not understand or proposals they may not be able to influence can lead to confusion and frustration.

Cities have also reported frustration with the District annexation process, feeling like property already in the UGB and already planned for urban uses should be able to be annexed to their city and promptly developed, without another regulatory layer.

Furthermore, the District annexation process can have administrative redundancies. For example, the very same surveys that must be submitted to DOR for annexation of a territory a

city often must be submitted again for annexation to the District, because the two annexations are considered separate processes when they occur at different times. This redundancy requires additional staff time.

Critically, final approval of a separate Metro District annexation application takes several months and can delay residential and industrial development until completion.

In 2009, Metro remedied this issue for properties added to the UGB moving forward (see Legislative history for more detail). However, that legislation did not address properties that were already in the UGB but not yet in the Metro District.

Of the properties already in the UGB but still outside the Metro District and requiring annexation, there are:

1. Properties still outside city limits; and
2. Properties already annexed to cities (and, in some cases, already urbanized).

Currently, there are nearly 500 tax lots in category 1 and over 1,000 tax lots in category 2. In the last several years, Metro has processed six to ten Metro District annexation applications annually, with each application on average being for just a few tax lots. At the current rate, it could take 50 more years for Metro to fully annex in all properties already inside the UGB.

Staff is proposing legislation that would address category 1: properties that are inside the UGB but outside the Metro District and outside of city limits. The proposal would streamline Metro's annexation process for impacted properties by automatically annexing the property to Metro's service district when a city annexes the property to its city limits, without the need for a separate Metro District annexation application. Impacted properties are throughout the entire region with concentration near the cities of Happy Valley, Hillsboro, Oregon City, and Wilsonville.

RECOMMENDATION:

Support efforts to streamline Metro's annexation process.

LEGISLATIVE HISTORY:

In 2009, the Oregon Legislature passed HB 3043 which aligned Metro's UGB and service district boundary moving forward. Under the bill, as land comes into Metro's UGB, it also automatically comes into the Metro District Boundary as well. This applied only to future UGB expansions and did not impact land already inside the UGB but outside the Metro District Boundary.

OTHER INTERESTED PARTIES:

Metro region cities. Homebuilders and developers. Impacted property owners.

IMPACT IF PROPOSED ACTION OCCURS:

Passage of this legislation would streamline Metro's annexation process. It would reduce the cost and time burden on individual property owners, Metro Council and staff, DOR, county tax assessors and clerks. It would speed up urban development, including housing.

RACIAL EQUITY IMPACTS

N/A

CLIMATE IMPACTS

N/A

METRO 2025 LEGISLATIVE ISSUE IDENTIFICATION

Person completing form/Department: Jenna Jones, GAPD

Date: October 11, 2024

ISSUE: Food Waste Reduction

BACKGROUND:

Food is the largest component of the region's waste stream. Almost 18% of what we send to landfill is food that decays and creates methane, a potent greenhouse gas. Businesses such as restaurants and grocery stores are responsible for more than half that amount.

In July 2018, Metro Council adopted the Business Food Waste Policy (Ordinance No. 18-1418). Pursuant to this policy, Metro works with city and county partners to support business food waste prevention, edible food donation, and food waste composting. To support the policy, Council also directed staff to develop code and administrative rules to prohibit the disposal of business food waste effective January 2025.

The Business Food Waste Policy requires city and county governments within the region to ensure that food waste collection services are provided to food-based businesses. Originally scheduled to begin in March 2020, the requirement was delayed until March 2022 due to COVID-19. All businesses generating 250 pounds of food waste or more per week are required to participate. More than 41,000 tons of food scraps were recovered in the first two years of the program. The food scraps were composted, avoiding 493 metric tons of methane emissions.

Environment Oregon and state partners have indicated a high level of interest in two state food waste policies: large business food waste regulations and uniform date labeling for food.

Large Business Food Waste Regulations

There is interest in replicating Metro's Business Food Waste Policy statewide. The concept under consideration envisions requiring large producers of food waste to dispose of food waste separately. This would facilitate food waste going to its highest and best use rather than the landfill. DEQ would administer the program.

Uniform Date Labeling

Food packaging date labels such as "use by," "best before," "sell by," "enjoy by", and "expires on" are generally intended to communicate food quality, not food safety. Nevertheless, date labels exert a powerful influence on consumers and food vendors. Under federal law, date labels are almost entirely unregulated. States have filled the void with a wide variety of regulations that often fail to reflect the distinction between food safety and food quality. The extreme variations demonstrate how our current system creates confusion for consumers while not necessarily improving food safety. This ultimately results in a significant waste of wholesome food.

RECOMMENDATION:

Support legislation that reduces food waste and prioritizes pathways of food disposal for the highest and best use.

LEGISLATIVE HISTORY:

California Governor Gavin Newsom signed the nation's first mandatory food date labeling reform bill at the end of September 2024. Assembly Bill 660 standardizes confusing date labels that can lead to unnecessary wasted food. The new law requires manufacturers to use the same phrase for date labels across their product.

While Oregon has looked at other methods to address food waste reductions, neither of these concepts have been considered by the Oregon Legislature before.

OTHER INTERESTED PARTIES:

Key parties with a high level of interest include local governments both individually and through the League of Oregon Cities (LOC) and the Association of Oregon Counties (AOC); persons and companies in the solid waste and recycling field both individually and through the Oregon Refuse and Recycling Association (ORRA) and the Association of Oregon Recyclers (AOR); the Oregon Department of Environmental Quality; Environment Oregon; Businesses both individually and through NorthWest Grocery Retail Association and Oregon Restaurant and Lodging Association.

IMPACT IF PROPOSED ACTION OCCURS:

Supports the Regional Waste Plan's goals and reduce greenhouse gas emissions.

Could create broader markets and redundancies for a sustainable food waste system.

RACIAL EQUITY IMPACTS

N/A

CLIMATE IMPACTS

Today, an estimated one-third of all the food produced in the world goes to waste. That's equal to about 1.3 billion tons of fruits, vegetables, meat, dairy, seafood, and grains that never leave the farm, get lost or spoiled during distribution, or are thrown away in hotels, grocery stores, restaurants, schools, or home kitchens. It could be enough calories to feed every undernourished person on the planet.

Wasted food isn't just a social or humanitarian concern; it's an environmental one. When we waste food, we also waste the energy and water it takes to grow, harvest, transport, and package it. And if food goes to the landfill and rots, it produces methane—a greenhouse gas even more potent than carbon dioxide. About 6%-8% of all human-caused greenhouse gas emissions could be reduced if we stop wasting food. In the U.S. alone, the production of lost or wasted food generates the equivalent of 32.6 million cars' worth of greenhouse gas emissions.

METRO 2025 LEGISLATIVE ISSUE IDENTIFICATION

Person completing form/Department: Jenna Jones, GAPD

Date: October 11, 2024

ISSUE: Recreational Immunity

BACKGROUND:

All 50 states have enacted statutes that confer some degree of liability protection to landowners who allow the public to use their land for recreational purposes. This is referred to as recreational immunity.

In Oregon, the Oregon Public Use of Lands Act passed in 1995 with a goal of encouraging public and private owners of land to make their land available to the public for recreational purposes. The Act's purpose was to limit the liability of landowners that made their land available without charge if a person was injured while using the land for recreational purposes.

The Act increased the availability of land for free recreation by limiting liability for cities, counties, parks, schools and private owners, including farmers and timber companies, that allow hunters, anglers, hikers, mountain bikers and other members of the public to use or traverse their lands at no charge.

Fields v. Newport Changes

In 2023, the Oregon Court of Appeals issued an opinion in *Fields v. Newport* that changed immediately available relief for cities, counties, and owners of private property. The plaintiff was injured while walking her dog on a city-improved trail system that provided access to a non-city recreational area, i.e. a state beach. Although the court affirmed the notion of recreational immunity, it remanded the case to the trial court for the jury to determine the question of whether the plaintiff's primary purpose for using the improved trail was "recreational" in nature. If so, then state law confers immunity on the city. Conversely, if the plaintiff's purpose was not recreational – for example, only using the trail to access the beach – then the city may not be able to avail itself of immunity under state law because the trail was improved. State statute only confers immunity to unimproved trails leading to recreational areas.

The Court of Appeals' decision brought into question the application of recreational immunity for public and private landowners. Namely, whether immunity applies when the recreational user was not primarily "recreating" as defined by statute, but instead, using the trail or area to access another location for recreation. It also raised a common and related question of whether immunity should extend to an "improved" trail system.

The court's interpretation of "recreational immunity" exposed public and private landowners to new risks, allowing for public users to argue that they were not "recreating" and therefore not prohibited from bringing a lawsuit in the event of injury.

RECOMMENDATION: Support legislation that addresses recreational immunity for local governments, including lifting the sunset on recent fixes.

LEGISLATIVE HISTORY:

The *Newport* decision garnered severe criticism from local governments, land trusts, and other landowners of recreational spaces. CIS Oregon, an insurance company for local governments, also expressed deep concern of the Court’s opinion and recommended that local governments consider closing trails until the Oregon Legislature implemented a fix.

In response, due in part to local governments’ collective efforts, the Oregon Legislature passed Senate Bill 1576 (2024). The legislation sought to bolster and affirm recreational immunity. The bill modified Oregon’s recreational immunity law in three important ways:

1. The bill adds to the definition of “recreational purposes,” which now extends to “walking, running, and bicycling,” in addition to other recreational activities listed in ORS 105.672. Ideally, these new activities would capture a scenario like the one in *Newport*, where a public user is “walking” to access another recreational area. Walking should now be treated as being undertaken with a “recreational purpose,” which is subject to immunity under ORS 105.682-.688.
2. The bill extended recreational immunity to “improved” right of way that is designed or maintained to provide access for recreational purposes, subject to certain limitations. This captures trails and areas where a local government has improved the land; however, the purpose of the improvements and right of way must still be for recreational purposes.
3. The bill replaced “city” with “local government,” as specifically defined under ORS 174.116. That latter statute defines “local government” as inclusive of cities, counties, and local service districts. Importantly, then, the bill expressly affords recreational immunity under ORS 105.668 to special districts.

The bill sunsets January 2, 2026. After that date, the language under ORS 105.668, .672, and .688 will revert to its original form. This temporary fix to recreational immunity provides time for the Legislature – and interested groups – to figure out a long-term solution. A workgroup on recreational immunity met during the interim. However, no agreement was reached for long term fixes to recreational immunity.

OTHER INTERESTED PARTIES:

Key parties with a high level of interest include local governments both individually and through the League of Oregon Cities (LOC) and the Association of Oregon Counties (AOC); persons and companies in the parks and recreation field both individually and through the Oregon Parks and Recreation Association (OPRA); the Oregon Trails Coalition and many other nature organizations.

IMPACT IF PROPOSED ACTION OCCURS:

Encourage land managers to keep trails open to the public.

Provide landowners with the clarity necessary to keep planned trail improvement and development projects on track for the benefit of the public and for the preservation of sensitive habitats.

Ensure that access to recreation areas is equitable by providing land managers basic protections for trail improvements that increase access for a broad range of physical abilities.

Support local outdoor recreation and tourism economies.

Ensure that the limited public resources and taxpayer dollars are not spent on fighting lawsuits and/or on measures that shield landowners from liability. Instead, dollars can be spent on park and trail maintenance, management, and development that directly benefits the public.

RACIAL EQUITY IMPACTS

N/A

CLIMATE IMPACTS

N/A

METRO 2025 LEGISLATIVE ISSUE IDENTIFICATION

Person completing form/Department: Jenna Jones, GAPD

Date: October 11, 2024

ISSUE: Recycling Modernization Act Protection

BACKGROUND:

Over the last decade, Oregon's recycling system has been under strain. Several factors are behind that:

- **Materials:** Changes in what producers are putting on the market and therefore what ends in the recycling bin has created problems. This includes less newsprint and new packaging types that are often difficult or not possible to recycle.
- **Contamination:** Increased contamination in the recycling bin due to several factors: fragmented collection and processing systems lacking economic incentives to ensure clean material; arrival of new types of plastic packaging causing consumer confusion, and lack of producer communication to the public about what's recyclable.
- **Recycling markets:** A long-term reliance on foreign markets was upended. First, in 2006, by the Chinese "Green Fence" policy. And more recently, the 2017 "Chinese Sword" effort by China's government to reduce waste imports and severely restrict recyclable material flowing into China from the west.
- **Material recovery facilities:** Recycling material recovery facilities (MRFs) in the region have struggled to keep pace with the evolving technologies and require significant investments to modernize their processing equipment.

In response to these issues, governments have taken steps. Local governments raised rates to cover the increased costs to operate recycling programs. Metro has been leading and/or participating in efforts to reduce contamination (e.g. Recycle or Not Website). DEQ established a statewide Recycling Steering Committee, leading to the passage of SB 582 (2021), the Recycling Modernization Act (RMA).

The RMA is set to be implemented by DEQ and the Producer Responsibility Organization (PRO) July 1, 2025. DEQ has worked over the last 3 years to administratively prepare for RMA implementation. They undertook multiple rulemakings (which Metro participated in), established the Recycling Council, and reviewed PRO plans for implementation. Full RMA implementation is critical to realizing the benefits from this historic modernization of the state's recycling system. Unfortunately, staff anticipates multiple legislative attempts this session to delay or repeal RMA.

RECOMMENDATION:

Support legislation that protects the Recycling Modernization Act's core tenants and its start date of July 1, 2025.

LEGISLATIVE HISTORY:

SB 582 (2021): the Recycling Modernization Act will modernize recycling in Oregon and create the first ever plastic, paper and packaging extended producer responsibility program in the U.S. It is set to go into effect on July 1, 2025.

HB 4013 (2024): Wine bottle recycling will be covered by the RMA on July 1, 2025. HB 4013 would have provided a 1-year extension to wine bottles being covered by the RMA or the Bottle Bill. It did not pass.

OTHER INTERESTED PARTIES:

Key parties with a high level of interest include local governments both individually and through the League of Oregon Cities (LOC) and the Association of Oregon Counties (AOC); persons and companies in the solid waste and recycling field both individually and through the Oregon Refuse and Recycling Association (ORRA) and the Association of Oregon Recyclers (AOR); the Oregon Department of Environmental Quality; Environment Oregon; Businesses individually and through Circular Action Alliance, Oregon Business and Industry, and Food Northwest.

IMPACT IF PROPOSED ACTION OCCURS:

If the RMA is untouched, the region and the state will see the following impacts in 2025 and beyond:

- An EPR for PPP program will provide for a more sustainably managed and financially sound state and regional recycling system.
- Supports the Metro Council's legislative principles and the Regional Waste Plan's promotion of producer responsibility, including reducing the lifecycle impacts of products and their packaging.
- Assists Metro in preserving natural resources and protecting the environment.
- Provides an opportunity to promote greater equity in the provision of recycling services across the region and state.

RACIAL EQUITY IMPACTS

The RMA includes multiple provisions intended to result in more equitable outcomes for Oregon's recycling system. If the RMA remains untouched and implemented, it will expand access to recycling services and improve worker conditions across the state. In areas of the state that do not currently have recycling services (rural, eastern Oregon) the RMA will help fund and support needed access improvements. Access to recycling drop-off facilities will also

greatly expand across the state, providing more access to households that do not traditionally have access to curbside recycling or have to transport recyclable materials to more distant locations. The RMA also requires groundbreaking consideration of living wages for material recovery facility workers – ensuring that the workforce often most disadvantaged in the recycling system is being adequately compensated.

CLIMATE IMPACTS

In Oregon, we recycle more than 1.4 million tons of material, which yields a reduction of 2.9 million metric tons of CO2 equivalent emissions. These reductions would be comparable to taking 690,000 car and their tailpipe emissions off the road each year. We know recycling works. However, our system is currently in need of the modernization that will be delivered by the RMA. Responsible end markets for recyclable materials are essential to maintaining and ensuring that we realize the benefits of recycling, for both the climate and human health.

METRO 2025 LEGISLATIVE ISSUE IDENTIFICATION

Person completing form/Department: Anneliese Koehler, GAPD

Date: October 18, 2024

ISSUE: 2025 Transportation Package

BACKGROUND:

Oregon's transportation system is experiencing significant funding challenges. Oregon relies on three main revenue sources to fund the State Highway Fund: gas tax, vehicle fees and heavy truck fees. Historically, these sources have provided adequate funding for the state and local transportation system. Today, those funding sources are not keeping pace with need. The state and local governments are facing a steep fiscal cliff and are unable to support the maintenance, operation and safety of their transportation systems. Declining gas revenue, high inflation and restricted funding are all contributing factors to the current transportation funding crisis. Failure to act in the upcoming session will result in significant transportation budget cuts immediately and into the future.

In response, the Governor and Legislative leadership have indicated their commitment to a transportation package in 2025. Initial framing is back to basics: solving for state and local transportation agencies' fiscal cliffs, addressing operations and maintenance, finding an ongoing source of sustainable revenue, and finishing unfinished projects from HB 2017.

In the summer of 2024, the Joint Committee on Transportation embarked on a Transportation Roadshow, traveling the state to learn about transportation needs in different communities. The Committee made 13 stops, including three in the Metro region. In addition, starting in October, the Committee is facilitating three workgroups on relevant transportation package topics: Back-to-Basics Maintenance and Preservation, Public and Active Transit, and Finishing 2017 Priority Commitments. These workgroups are anticipated to last until the start of session and provide initial framing for the package.

Facilitated through JPACT, Metro staff worked with jurisdictional partners over the last year to develop transportation priorities and coordinate advocacy efforts. Metro staff planned a similar effort for Metro Council. In the winter and early spring, JPACT received educational presentations to prepare them for priority discussions. Metro Council received similar educational presentations in the summer. JPACT discussed draft priorities in the summer and early fall with final adoption of the priorities in October. Metro Council discussed the same draft priorities in the summer and early fall. Metro Council's adoption of transportation priorities will be a part of its state legislative agenda adoption.

RECOMMENDATION:

Support the passage of a transportation package that advances the JPACT priorities: addressing short-term funding solutions, long-term sustainable funding, finishing what we started, safe urban arterials and streets, transit investments, and resiliency. (full JPACT priorities are below)

LEGISLATIVE HISTORY:

Historically, the Oregon Legislature passes a large transportation package every decade. These packages focus on solving issues of that decade. In 2009, coming out of the Great Recession, the package focused on jobs and growing the economy. In 2017, among other issues, the package focused on solving critical statewide congestion and investing in transit operations for the first time.

OTHER INTERESTED PARTIES:

State and local government partners, freight interests, business interests, transportation advocates and environmental advocates.

IMPACT IF PROPOSED ACTION OCCURS:

State and local governments avoid fiscal cliff and provide transportation system improvements for their constituents. Oregonians will likely experience the transportation system as they have over the past decade and will not see a decline in the system.

RACIAL EQUITY IMPACTS

The racial equity impacts of the transportation package will depend on the package components, how programs are implemented, and which projects are chosen. BIPOC members are disproportionately impacted by transportation disinvestment and safety issues. On our roadways, BIPOC members are more likely to be killed in a traffic crash and experience other types of violence. 76 percent of pedestrian deaths occur in the communities in our region where more BIPOC, people with lower incomes and people with limited English proficiency live. This is especially true for Black people: in 2020, Black people accounted for 18.5 percent of traffic deaths in Portland, three times higher than residents' share of Portland's population. A transportation package that focuses on basic maintenance and safety projects like sidewalks, better lighting, and crosswalk and intersection improvements are critical to protecting BIPOC community members and reducing disparities. Ensuring that those investments are located in BIPOC communities, that additional projects are located BIPOC communities, and increased investments in transit are also critical to advancing racial equity.

CLIMATE IMPACTS

The climate impacts of the transportation package will depend on the package components, how programs are implemented, and which projects are chosen. Shifting people out of cars and into walking, biking and transit is one of the strongest transportation strategies we have for combatting climate change and reducing GHG. A package that prioritizes increased investments in transit, walking, and biking will be critical to meet our state and region's climate goals. Statewide Transportation Improvement Fund, Safe Routes to School, Great Streets, and Oregon Community Pathways are all crucial programs that improve safety and improve climate outcomes. Additionally, even with increased mode shift, people will still drive cars. Increased investments in electrification infrastructure and incentives for electric vehicles are needed to help meet climate goals.



600 NE Grand Ave.
Portland, OR 97232-2736

Memo

Date: October 17, 2024

Subject: JPACT Priorities for the State 2025 Transportation Package

Purpose: A shared position statement that describes the Joint Policy Advisory Committee on Transportation's (JPACT) transportation values and priorities. This statement will be the foundation for our comments and engagement in processes leading up to a 2025 transportation funding package.

Background: JPACT's 2025 State Transportation Package values and priorities are rooted in conversations to date with regional partners and the 2023 update to the Regional Transportation Plan, which is a blueprint to guide investments for all forms of travel – motor vehicle, transit, bicycle and walking – and the movement of goods and freight throughout the Portland metropolitan region. The plan identifies current and future transportation needs and investments, and outlines what funds the region expects to have available over the next 25 years. The plan is updated every five years with input from community members, business and community leaders and governments as an opportunity to work together towards a future with safe, reliable and affordable travel options for all.

JPACT Priorities for a State 2025 Transportation Package:

The Portland metro area wants a safe, reliable, equitable, healthy and stable transportation system that is environmentally responsible, efficiently moves people and products to their destinations, and ensures all people can connect to the education and work opportunities they need to experience and contribute to our region's and state's economic prosperity and quality of life.

The Portland metro region accounts for more than 40 percent of the state's population. Our region continues to evolve -- working, shopping, and traveling in new ways that require expanded transportation options and solutions. Technological changes in transportation, communication and other areas are radically altering our daily lives. We are also facing urgent global and regional challenges: climate change is happening faster than predicted, and the transportation system is not fully prepared for the expected Cascadia Subduction Zone earthquake. Economic vitality and recovery depend very much on the efficiency and reliability of our transportation system, and we lack the funding at the state and local level to respond to these opportunities and challenges. For an export dependent state like Oregon, a resilient intermodal transportation system is especially critical to ensure local businesses can get their products to market. Intermodal transportation and marine highways offer a sustainable alternative for moving goods and improving overall freight mobility.

We are at a pivotal moment. As the region continues to emerge from the disruptions of the pandemic and respond to other urgent trends and challenges, the 2025 transportation package provides an opportunity for all levels of government and community to work together to deliver a better transportation future.

Our communities need:

- Short-Term Funding Solutions. Stabilize our existing state and local transportation system funding sources so we can prioritize the operations and maintenance of our existing facilities. Retain the existing 50/30/20 State Highway Fund revenue split.
- Long-Term Sustainable Funding. Invest in developing long-term, sustainable revenue solutions to provide much needed state and local operations and maintenance dollars for multi-modal investments into the future. Ensure that local agencies continue to receive a proportional local share (50/30/20) of all state collected transportation revenues. Ensure local agencies maintain and expand taxing authority for new types of funding.
- To Finish What We Started. Build government trust and accountability by ensuring the successful completion of the major bottleneck projects in the Portland metro region as promised by HB 2017.
- Safe Urban Arterials and Streets. Continue to invest in state programs that reduce fatal and serious injuries on our roadways and improve conditions on our most dangerous urban arterials. These investments should prioritize critical infrastructure improvements for all roadway users, and in major travel corridors with developing housing and job opportunities.
- Transit. Fund transit capital and operations, providing necessary solutions for expanding transit access statewide to make transit an easily accessible, attractive and equitable travel option.
- Resiliency. Ensure that our critical transportation infrastructure like airports and bridges are able to withstand large scale, known and unknown, climate and natural disasters. Plan, adapt and build climate resilient infrastructure responsive to the evolving needs of future generations.

JPACT members agreed to these priorities during the October 17, 2024 JPACT meeting. We are all committed to advancing robust and meaningful programs. Together we can create legislation that responds to the evolving economic and environmental needs across the state.

Materials following this page were distributed at the meeting.



**Waste Prevention and Environmental Services
Business Food Policy Program**

November 12, 2024

Today's discussion

- Food system overview
- Provide update on food policy implementation
- Request Council guidance on extended deadline for landfill disposal prohibition





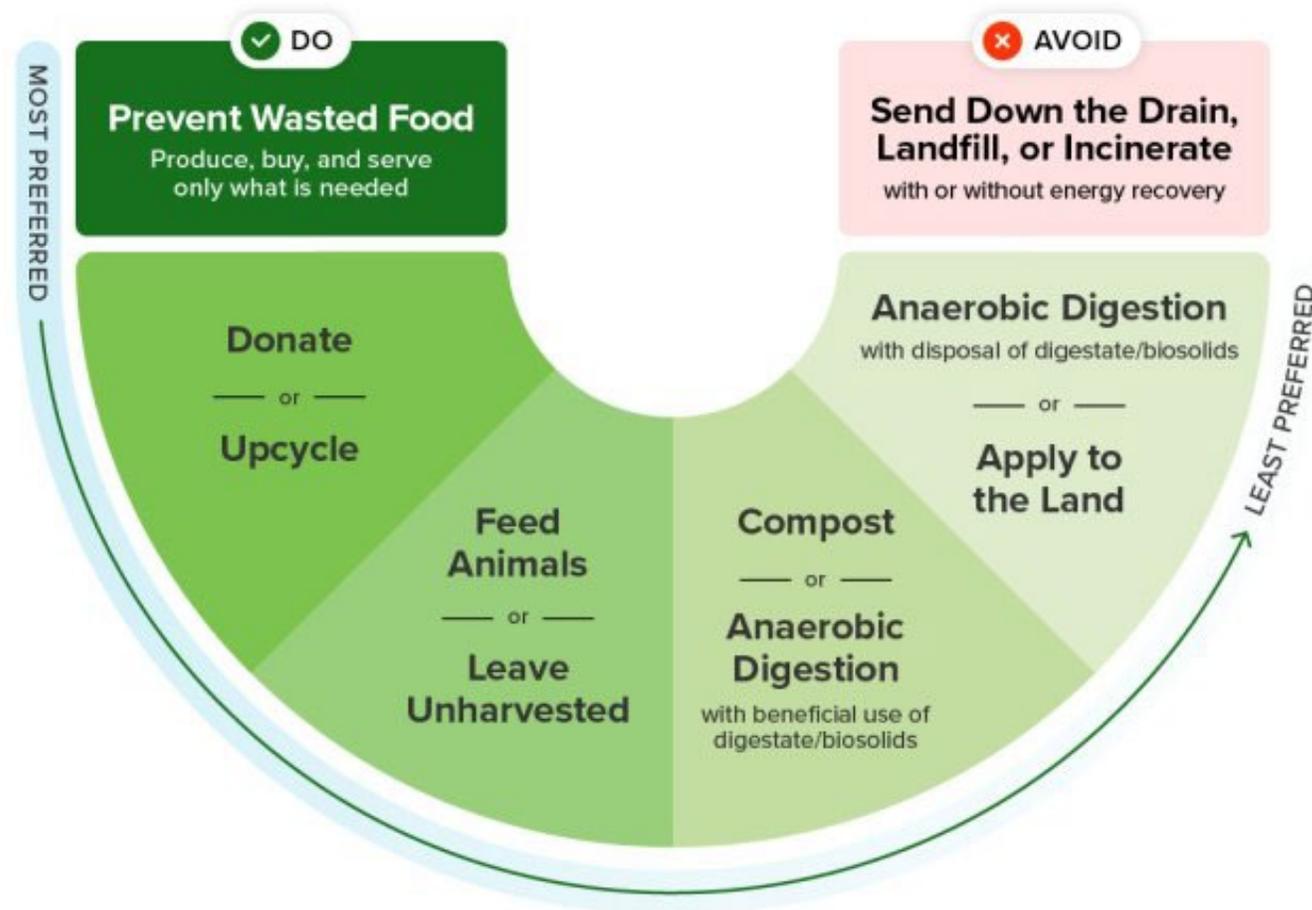
Food is one of the largest recoverable portions of the region's waste stream and is second only to vehicles for greenhouse gas emissions generated by people in Oregon. ³

Waste Reduction Approach

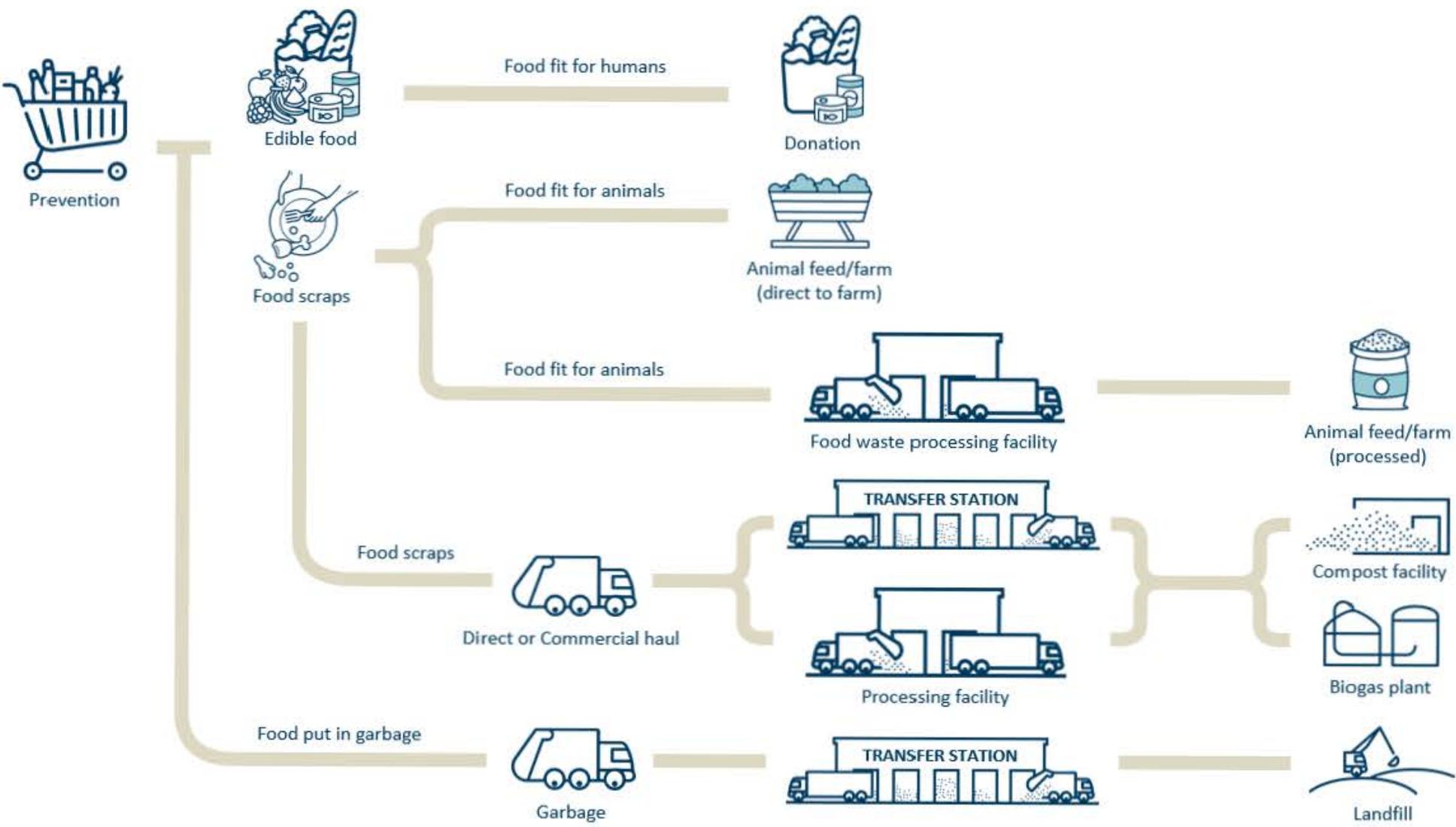


Wasted Food Scale

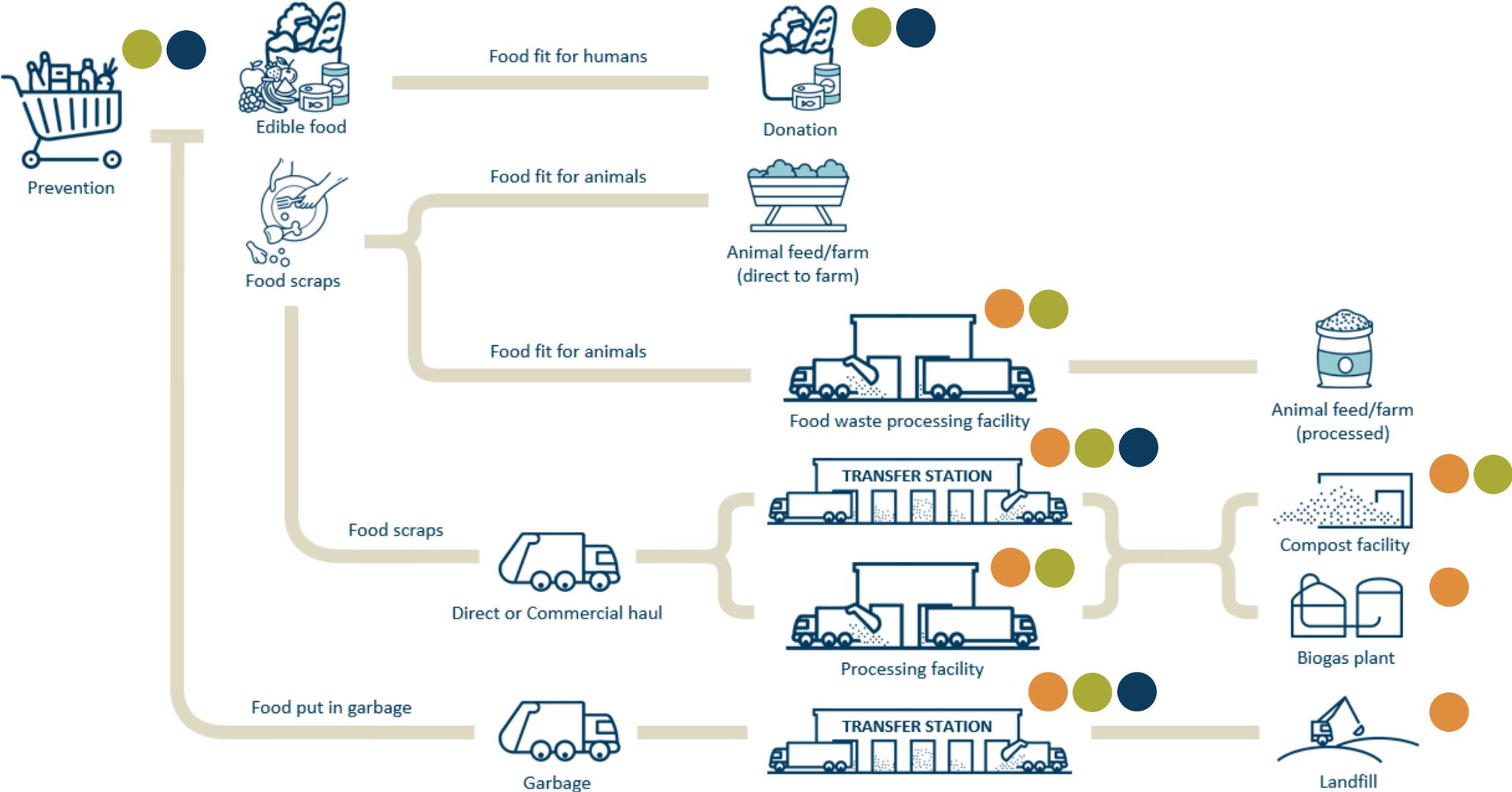
How to reduce the environmental impacts of wasted food



Food Waste System



Food Waste System



● - Authority
 ● - Investment
 ● - Direct service

Regional Outcomes and Goals

Reduce the impacts of climate change by maximizing food waste recovery.



Create a geographically balanced transfer system



Ensure marketable, plastic-free material for highest and best use



Utilize public investments and public-private partnerships to support stable processing capacity

Draft System Facilities Plan: Future System Investment

- Invest in maintaining Metro Central as a regional organic hub
- Develop additional hubs through public-private partnerships



Senator Merkley touring Metro Central in support of investment for new equipment to remove contaminants from food waste.

Historical Context

- 2000s** Many research and policy efforts explored, many public and private facility investment efforts failed.
- 2016** Council direction to create a stable and sustainable system for food waste
- 2018** Council adopts Business Food Waste Requirement and directs development of landfill prohibition
- 2019** Council approves publicly owned depackager at Metro Central Transfer Station
- 2020** COVID-19 pandemic delays implementation but work continues
- 2022** Implementation of the Business Food Waste Requirement
- 2024** Investments in Metro Central Transfer Station as the regional organics hub and development of additional hubs through public-private partnerships





Building a Regional Food Waste Management System

Food Waste Policy

+Transfer System

+Processing Capacity

Stable and Sustainable System



Grand Central Bakery successfully manages food waste throughout its network of Cafes.

Policy Efforts

- Business food waste requirement
 - Requires local governments in the region to adopt mandatory commercial food waste collection program by July 2019.
- Commercial food waste disposal prohibition
 - Established the effective date for a commercial food waste disposal prohibition of January 2025

Policy Implementation

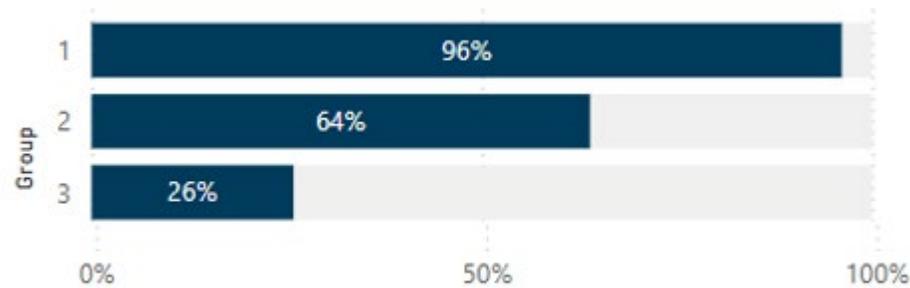
- Food Waste Stops with Me campaign
- Commercial Food Work Group
- Community and Partners

**Food Waste
Stops With Me**
FoodWasteStopsWithMe.org

Amelia Ramirez, Executive Chef and Founder of Amelia's Mexican Restaurant shares food waste reduction success stories.

Policy Implementation: Progress to Date

Total percentage of businesses in compliance



Outcomes in first two years of the program (March 2022 – Oct 2024)

Tons of food scraps recovered
54,457

Metric tons methane emissions avoided
653

Group 1:

≥1000 lbs. per week
632 total businesses

96%
have adequate service

Group 2:

≥500 lbs. per week
862 total businesses

64%
have adequate service

Group 3:

≥250 lbs. per week
2827 total businesses

26%
have adequate service

Total All Groups:

4321 total businesses

44%
have adequate service



Transfer System

- Pride Recycling Company transfer station improvements
- Access to Services Payment Program
- Investments in Metro Central Transfer Station
- Explore the development of additional hubs through public-private partnerships



Processing Capacity

- Investments in Metro Central Transfer Station
- Metro's Investment and Innovation grant program funding for private businesses



Metro hosted the Business Food Scraps Roundtable at the Oregon Zoo on October 7, 2024.

Partner Feedback

Improve feedback loop between transfer station, hauler, and business.

Increase the geographical distribution of transfer and provide rate subsidies at both public and private transfer stations.

Continue funding to local government to keep up high quality technical assistance and education programs.

Increase intervention at the point of generation including container inspections and fines for contamination.





Commercial Food Waste Disposal Prohibition

- COVID-19 delayed implementation
- Extension to 2027 effective date allows:
 - Continued implementation of business food waste requirement
 - Stakeholder engagement and regional coordination on implementation of the prohibition



Policy Options

1. Direct staff to continue with landfill disposal prohibition on January 1, 2025.
2. Direct staff to extend deadline for landfill disposal prohibition to January 1, 2027.



Staff Recommendation

Staff recommends that Metro Council extend the effective date of landfill disposal prohibition for commercial food waste to January 1, 2027.



Questions

Does Council support extending the deadline for the landfill disposal ban prohibition for commercial food waste to January 2027?

Thank you & Questions

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Metro

Metro Council Legislative Agenda Setting

Anneliese Koehler, Legislative Affairs Manager

November 12, 2024



Agenda

- 2024 Election Recap
- Updated Legislative Principles
- Updated Legislative Priorities



2024 Election Results



Statewide races

- Democrats maintain their hold on statewide seats
- Oregon's first female Treasurer: Elizabeth Steiner
- Four of the five statewide offices are held by Portland Metro area individuals



Legislative Races

- Democrats win supermajority in Senate
- Democrats maintain majority in House
- Only one seat flipped



Ballot measures

Oregon voters approve two ballot measures and reject three ballot measures

 **Measure 115** would allow for the impeachment of statewide elected officials by a two-thirds vote of both chambers.

 **Measure 116** would create a compensation commission to determine that salaries of various state elected officials.

 **Measure 117** would allow rank choice voting for federal seats and statewide seats (not for Oregon Senate or House members).

 **Measure 118** would establish a 3% tax on corporation sales above \$25 million and distribute that money equally among Oregonians.

 **Measure 119** would require cannabis businesses to submit to the Oregon Liquor and Cannabis Commission a signed labor peace agreement between the business and a labor organization with its licensure or renewal application.

2024 election impact on legislative session

More of the same



What's the Metro Council Legislative Agenda?

Legislative Principles

- Division into two sections: general or over-arching principles and issue-specific principles
- Meant to be evergreen guiding principles for legislative affairs staff to rely on for bills not specifically identified in priorities

Legislative Priorities

- Meant to be session specific around bill concepts that legislative affairs staff anticipate coming.

Legislative Principles

Substantial update for 2025 includes:

- Tweaks and fixes
- Streamlining
- Additional principles on housing, natural and cultural resource protection, and waste reduction and reuse



Legislative Priorities

Priorities discussed in October include:

- Industrial Site Readiness
- Brownfield Cleanup and Redevelopment
- Regulating Firearms on Metro Properties
- Urban Growth Management
- Housing and Homelessness Systems Alignment
- Equitable Housing and Stability
- Housing Production and Preservation
- Battery EPR

Metro Annexation

Support efforts to streamline
Metro's annexation process



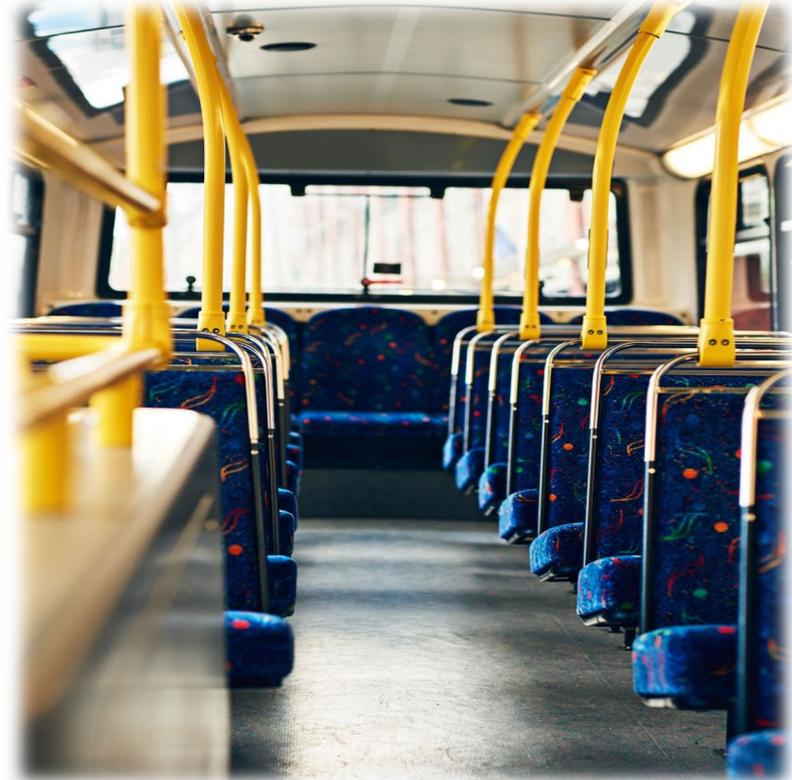
Recreational Immunity

Support legislation that addresses recreational immunity for local governments, including lifting the sunset on recent fixes.



Transportation Package

Support the passage of a transportation package that advances the JPACT priorities: addressing short-term funding solutions, long-term sustainable funding, finishing what we started, safe urban arterials and streets, transit investments, and resiliency.



Food Waste

Support legislation that reduces food waste and prioritizes pathways of food disposal for the highest and best use.



Recycling Modernization Act

Support legislation that protects the Recycling Modernization Act's core tenants and its start date of July 1, 2025.



SAVE THE DATE: LEGISLATIVE BREAKFAST

January 7th
8:30-10am
at the Oregon Zoo



Questions



oregonmetro.gov

