

Bills would rewrite state's land use law

Tracy Loew
Salem Statesman Journal
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Oregon's 50-year-old land use law should be revised to include environmental justice goals, a group of legislators, environmental groups and local chapters of the NAACP said Thursday.

The groups are backing legislation that would require the state to address environmental justice for disadvantaged communities, as well as climate change adaptation and mitigation, in land use planning.

"This is an actual catastrophe for the Black community and for communities of color," said Eric Richardson, president of the Eugene/Springfield NAACP. "For generations we have been made invisible. Those things that are unsavory for the general community have been put on our doorstep."

Historically, underserved communities are often those most impacted by climate change and by pollution.

One of the most visible examples is the Flint, Michigan water crisis. Twelve people died and more than 80 became ill after public officials ignored problems with lead in the public water supply.

House Bill 2488, which backers are calling the "Equity and Climate in Land Use" bill, asks the state Department of Land Conservation and Development to update statewide land-use planning goals to make equitable planning decisions for vulnerable and disadvantaged communities, and to establish measurable climate targets associated with land use.

Oregon has not adopted climate mitigation criteria in its land-use policy. The bill's passage would establish carbon dioxide and climate equity interim standards in land use decisions by 2023.

The new goals will also apply to local governments' land-use decisions.

Local governments also would be required to map environmental justice communities and quantify the cumulative health risks and other inequities those communities have experienced, the bill's backers said.

For example, in Marion County, critics of the Covanta garbage incinerator have noted that its particulate matter emissions impact a disadvantaged community, and have called for testing of soil and people.

Covanta officials say the plant's emissions meet all state and federal standards.

"Our communities have been ignored for far too long," Sen. James Manning Jr., D-Eugene, said in a news conference about the proposed legislation. "We have an opportunity right now to do something for not this generation, not

the next generation, for five generations yet to come."

Lawmakers also will introduce identical joint resolutions in the House and Senate calling on the Legislature to adopt a vision and set of principles for achieving environmental justice in Oregon, including the right of all people to clean air and water.

"Oregon needs a holistic reimagining of who deserves to have a say in the future of our communities. This legislation will put our state on the path to achieve this," Rep. Karin Power, D-Milwaukie, said. "It's time for us to really reshape and chart a new, more inclusive path to local land use decision making and government decision making."

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Relief money to Oregon colleges won't cure budget woes

State estimates \$224M coming from fund

Jordyn Brown
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USA TODAY NETWORK

Oregon's colleges and universities will get a needed boost from the newest federal COVID-19 relief and omnibus bill signed Dec. 27 by President Donald Trump.

The funds from the Consolidated Appropriations Act's \$22.7 billion dedicated to higher education across the U.S. comes at a time when low enrollment and other budget problems are cause for concern for Oregon's higher education institutions.

Oregon's Higher Education Coordinating Commission estimates \$224 million will come to the state from the Higher Education Emergency Relief Fund, anticipating \$102 million to public universities, \$97 million for community colleges and \$28 million for private institutions.

But it's not enough to fix the looming budget concerns of many colleges and universities, HECC Executive Director Ben Cannon, HECC said.

Nearly all of the state's colleges and universities have seen declines in enrollment, which poses problems as many still rely on tuition for the bulk of revenue. The institutions also have lost revenue from areas such as housing and dining, athletic and parking revenues, he said.

Public universities alone are projecting \$327 million in lost revenues since March and through June 2021, Cannon said. This is on top of the approximately \$82 million in direct costs public universities estimate to have incurred related to the pandemic.

"So it certainly helps to fill those gaps. It doesn't fully come close to fulfilling them, but it is a very important investment by Congress in colleges and universities at a really critical time," he said.

The distribution of the relief will be a bit different than that of the \$2.2 trillion CARES act signed by Trump in March.

The formula for these latest relief funds has been "modified to equally weight full-time equivalent student counts and student headcounts," according to Kyle Thomas, HECC director of Legislative and Policy Affairs.

The change will mean more resources for community colleges than before, because more of their students are enrolled part-time, he stated. Fall enrollment fell at every community col-



The Lane Community College campus is closed to the general public for now with most students taking classes online.

CHRIS PIETSCH/THE REGISTER-GUARD

lege in the state over the previous year, a HECC report showed.

Chemeketa Community College — which has campuses in Salem, McMinnville, Brooks, Dallas and Woodburn, and serves more than 10,000 full-time students — is expected to receive about \$12.4 million in new federal relief funds.

Marie Hulett, executive director of institutional advancement for the college, said allocation figures are based on calculations from the Association of Public & Land-Grant Universities, not the U.S. Department of Education.

Of the money headed to Chemeketa, a minimum of \$2.8 million is allocated for student aid, and the remainder, or about \$9.5 million, is allocated to institutional aid. The U.S. Department of Education will soon define how the latter can be used, but they are one-time grants.

In October, Chemeketa's enrollment was down about 13% compared to the same time in 2019, only partially im-

pacted by COVID-19.

"These funds will not be able to address the impact of lower enrollment in prior terms," Hulett said, "though we are hopeful this money will allow us to engage more students and returning students in future terms."

No budget increase will feel like a cut

Institutions will be required to use at least as many dollars for direct emergency student aid as they were before under the CARES Act, Thomas stated, "however, because institutional allocations are larger in this funding round, less than 50% of total funds are required to be spent in such a manner."

The new relief funds also include \$4 billion for a Governor's Emergency Fund, which will distribute money to governors to use as they see fit for their state's needs.

Oregon Gov. Kate Brown did not include a funding increase for higher education in her proposed budget for 2021-2023, though she did provide increases for K-12 schools.

It's important to still think of the emergency fund and Gov. Brown's proposed budget separately, Cannon said, because the relief funds are to be used for emergency grants to students and shoring up budgets primarily this year, whereas Brown's budget impacts the following year, too.

However, both play into colleges' financial outlooks for the 2021-2022 school year.

If Brown's proposed budget is approved, it will keep the funding levels for higher education the same as they were this biennium. However, colleges will feel this more as a decrease in funding the first year of the new biennium, according to Jamie Moffitt, University of Oregon's vice president for finance and administration and chief financial officer.

At the last UO Board of Trustees meeting Dec. 3, Moffitt explained that just 49% of state funding is given the first year of the biennium, and 51% is given the following year.

"What that means that if the biennial budget stays steady, we actually see a cut, because you end up going from the year — which is this year — where we got 51% of the funding, to the first year of the biennium when you're back to 49% of the funding," Moffitt said.

"The bottom line is if the governor's (proposed budget) goes through, then

the legislatively approved budget for the UO represents about a \$3 million cut for next year."

This is on top of ongoing costs the UO expects to see because of COVID-19 impacts on operations.

"The University of Oregon greatly appreciates the Oregon delegation that worked to secure funds, which will provide support for immediate basic and critical needs as our students, faculty and staff — and the university — face ongoing hardships," UO spokesperson Kay Jarvis said in a statement.

Groups representing higher education across the country requested \$120 billion, she said, so this is far less than the \$22.7 billion granted.

"The relief funds are a fraction of what is needed to help the university and students manage the current crisis and begin to recover," she said.

"We have experienced increased expenses associated with providing the technology and infrastructure necessary for remote and online instruction, and made significant investments in COVID-19 testing, health care, risk reduction strategies, and on-campus programs," Jarvis said.

"At the same time that costs are increasing, we have experienced significant reductions in tuition, housing and dining, and other auxiliary revenue due to the pandemic."

The UO does not yet know how much of the relief funds it will receive.

Cannon believes public education institutions will see budget struggles if the state funding levels stay the same. "State support will be vital for helping secure those budgets for the upcoming two years without major cuts to programs, faculty staffing, etc.," he said.

Those in the HECC are going to work with the governor's office to come up with a plan for spending Oregon's portion of the Governor's Emergency Fund, just like they did with the CARES Act last year, and if any will go to higher education.

"That's an additional part that could help to support higher ed. It could also help to support the needs within K-12, and it will be ultimately at the discretion of the governor," Cannon said.

Statesman Journal reporter Natalie Pate contributed to this story.

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