

Steve Schell Interview

Wednesday, 6/24/15

INTERVIEWER: Good afternoon. My name is Jim Knight. I served for 29 years on the staff of the Department of Land Conservation and Development (DLCD). I retired in 2003. Today is Wednesday, June 24, 2015. It is my good fortune to speak with Steve Schell. Steve has agreed to be interviewed as part of Portland State University's Oral History Project of Oregon's statewide land use planning program. Steve is a recognized attorney with Black Helterline. Did I say that correctly Steve?

STEVE SCHELL: Yes.

INTERVIEWER: I hope so -- and was a member and vice chair of the first appointed state LCDC, Land Conservation and Development Commission, 1973 to 1976. Today's interview is taking place in Steve's law office in downtown Portland. Before starting the interview, I'd like to take this opportunity to offer several brief remarks. First, I want to express my sincere appreciation to Steve and the many other Oregonians, whose vision, leadership and involvement, did so much to make the enactment and implementation of SB 100 possible. Second, for those of you who may not know, you may ask, what is an Oral History Project? In terms of this project, the overall goals are to document and preserve a record of Oregon's Land Use Program, through the collecting and archiving of personal oral histories. To achieve this goal, the project's principal objectives are to generate new relevant primary source material and historical records for research projects, publications and articles on Oregon's land use planning. To identify and further understand the views, opinions and interest of the many organizations, agencies, officials and citizens who actively participated in the drafting, adoption and implantation of Oregon's land use statutes, statewide planning goals and administrative rules. To make available historical records and materials of

specific interest to various local state and federal agencies, tribal governments, public and private interest groups and organizations, academic institutions and the general public. Enable comparison of the current state of Oregon's land use program with the views, opinions, and recollections of various participants regarding their visions and intention behind the passage of SB 100 and its implementation. Third, we interviewers and the individuals being interviewed are referred to as narrators in this first group, and those others to follow in the months ahead are the projects most visible participants. However, much is owed to those behind the scene at PSU's College of Urban and Public Affairs, working in collaboration with the LCD, overseeing the project's many details of organization, management and funding. Four, we reserve our special thanks to Cy Adler and Kevin Pozzi at PSU and Jim Rue and Rob Hallyburton at the DLCD. Finally, in May 2013, the DLCD held a special gathering to mark the 40th anniversary of the enactment of SB 100 and the start of Oregon's Land Use Program. I was asked, along with others, to offer some remarks to commemorate this history occasion. No, don't worry, I'm not going to delay today's interview by repeating all of my May 2013 remarks. However, here are excerpts I quoted from two of the Land Use Program's most famous champion, whose words I feel are very relevant as we start this Oral History Project. First, here are Governor Tom McCall's stirring thoughts in 1973, speaking about the people, environment and livability of the state he loved and what I'm sure he believed is the continuing challenge of land use planning in Oregon. "We're talking about more than preserving the beauty of Oregon. We're talking about the growth of Oregon and how that growth can be accomplished in the same manner. We're talking about the economy and the environment. We are talking about balance. In short, we are talking about people and the land." And the other quote is from the person I feel is the Land Use Program's true patriarch. This of course is Hector McPherson. Here are his inspiring words expressed in 1992, about the birth of the Land Use

Program and its importance for Oregon's future. "No, I do not know what I was creating. I think the most remarkable thing is that we are here 20 years later, after the enactment of SB 100 in 1973 and that it has been enough of a success to last at least this long. I knew that land use was a tremendously divisive type of thing. When I got into this thing, none of the other legislators, except for Ted Hallock wanted to join me, because they didn't feel it was anything that would enhance their political stature. And of course we had a number of times since then when I wondered if it was going to last through the next election. So I guess the most delightful thing is that it really still is here and has gotten some national recognition and is recognized, at least by some people in the State of Oregon, as having been desirable. I just hope with all the uncertainty that I see out there in the future that we can progress at least as well in the future, as we have in the past. I really have some confidence that the voters are sensible to recognize the strength of a program like this." Thank you again Tom and Hector for your very moving comments. Now, let's get on with today's interview. We have a series of questions we're going to be asking you Steve and the first group is ones that are sort of standard that we've been asking, you know, of all the narrators so far, and then there's a second group of issues and topics that we also may get to if we have time today.

STEVE SCHELL: Great.

INTERVIEWER: So Steve was generous enough to offer me some thoughts about each of these questions and so he may be referring to those as he answers the questions. Okay, number one, why don't we begin by having you give us a brief background of you and your family's arrival, settlement and life in Oregon.

STEVE SCHELL: So my -- I have pretty deep roots in Oregon. My -- on my father's side, my grandmother came from Albany and settled in Portland in the late 1800's, but her family

basically came across the plains and she was the granddaughter of a guy named Layton Davis, and he was a captain who was in charge of the group that went after the Cayuse Indians from the Whitman Massacre. And so those roots are characters that I think -- I think Jim, and the -- the things I sent you, I was giving my Portland background. I was born in Portland. I can remember as a little kid going across the Hawthorne Bridge with my mother when the battleship at Oregon was still there, kind of just before it was towed out to use for target practicing in the second World War. So I have reasonably deep roots in Oregon from my family experience.

INTERVIEWER: Okay, great. As we begin this interview, I was hoping you would touch on your personal and professional relationships with Oregon's Land Use System and before you answer it, make sure you include your time on the commission --

STEVE SCHELL: Will do.

INTERVIEWER: -- which we've left off.

STEVE SCHELL: Will so. My -- it was an interesting set of opportunities that I had as, as a, as a college student really. First of all, I was asked by Bob Straub to serve as an intern, and so I was in my, I think junior year in majoring in political science at the University of Oregon. And --

INTERVIEWER: You might want to say who Bob Straub was for --

STEVE SCHELL: Oh, Bob --

INTERVIEWER: -- our audience.

STEVE SCHELL: Sure. He was after that period a governor. But at the time I was dealing with him, he was a State Senator.

INTERVIEWER: Right.

STEVE SCHELL: And so I got to sit on the floor of the State Senate with him and we chatted and ultimately I worked in his campaign. But while he was State Senate, he was also the

head of the democratic party of Oregon, and so he sent me on a mission. He and a guy named Blane Whipple, who was the executive director at that time, sent me on a mission during the summer of, I guess it was 1960, and they wanted me to go around the state and set up meetings and so I did that. But what it did is it gave me a perspective on the state that I would not otherwise have had. And then when he ran for governor in 1966, ultimately lost to Tom McCall, I did in essence the same thing, traveled the state in a wide slot and had a chance to meet people across the state. And then in '67, I worked for Wayne Morse, Senator at that time, and did basically the same thing, field work. Again, traveling the state, meeting people, seeing different parts of Oregon and hearing different political debates, as a result of all of that. So that was a real helpful kind of -- kind of situation for me and I would -- I spent -- I was student body president at the University of Oregon in '60 - '61 and then I went into the service and spent four years in the air force and spent some time in Vietnam, spent some time in Texas, spent some time in Denver, and all of that helped me to appreciate what we really had in Oregon for that and I looked forward to coming back after my service, finished law school and then I started private practice. And I had a mentor here at my firm at that time. I've been with the same firm for all of this time and his name was Borden Beck and he basically said, well, if you really want to do something -- he was a conservationist. That was before environmentalists. And he said if you really want to do something, it would be good to pay attention to estuaries, to what's happening in estuaries, and so I met a bunch of people and had them as acquaintances and we got together and we decided to draft a bill for the '69 session on estuaries and protection of estuaries. It didn't go anywhere, but you know how it goes. So by 1971, we had an organization kind of put together, called Oregon Shores Conservation Coalition and so we were active in participating and establishing citizen participation on the OC -- the Oregon Coastal Conservation Development Commission, and it passed the legislature in '71 with a

four year charge to do a study and report out in '75. So when the LCDC was created, the law said that OCC&DC was to report to LCDC basically, rather than just -- just to the legislature generally. The result of that of course was integration of the coastal program into -- into the commission. So I was asked to serve on the LCDC and I think it was in part because of the associations with Oregon Shores and I'd known several of the people as well who were appointed. Dr. Paul Rudy was the director of the Institute in Marine Biology in Charleston, Oregon for -- which was part of the University of Oregon process and he and I had worked together in the late '60's trying to get some water protection for Winchester Bay and what was going there, because what people were doing was just dumping all of the things directly into -- back into the water and it was really polluted and we'd done some sampling, you know, kind of citizen sampling and provided that to L.B .Day, who was the, at that time, the Executive Director of the Department of Environmental Quality or what -- what became the Department of Environmental Quality. So we'd hassled LB because he didn't do anything and we were after him for that reason and it turns out that Al Bullier who was also on the commission was my neighbor in my building at that time. He had a firm Bullier & Bullier, who's a realtor and our Black Helterline Group was the floor below them and so we'd met each other and had that experience. I also had some relationship with Dorothy Anderson, because she'd been active with the League of Women Voters in Eugene and they had advocated on the coastal situation. So out of that group I knew a chunk of people. There was also Dick Gervais who was the Mayor --

INTERVIEWER: Yes.

STEVE SCHELL: -- of --

INTERVIEWER: Bend.

STEVE SCHELL: -- of Bend at that time, and he was a little more laid back on some of these issues than the rest of us and I think he had a balance in his mind that basically was a city focus and we -- at least two or three of us had environmental -- a more environmental focus on that. And then Jim Smart ultimately came onto the commission and he served as our Agricultural Conscience. His effort was directed primarily to focusing on the needs -- he was a cherry farmer and --

INTERVIEWER: Polk County.

STEVE SCHELL: -- and he -- yeah, and he had interest in making sure that we paid attention to agriculture. And so he had some sense as we were listening to testimony about using the (unintelligible) Conservation Service structure for how the agricultural land should be protected. And then LB had gone from the executive director and he had been a State Senator, to the head of the cannery workers in the Willamette Valley. And so he had an advocacy piece built into what he was doing, because he wanted to make sure there was going to be agricultural produce that could be handled by the cannery workers. And it almost gave a certain flavor to the relationship on the commission. I don't know how far you want me to go into this Jim, but I'll just tell one story where --

INTERVIEWER: Please.

STEVE SCHELL: -- we're in the middle of arguing about whether or not Jim's group has produced an adequate set of goals and I looked at --

INTERVIEWER: Draft goals.

STEVE SCHELL: Draft goals. And I looked at them and they kind of looked like warmed over Senate Bill 10 goals that came up in '69, and I said, that's just not going to make any difference to anybody. We need stronger goals. And so we started to -- the staff presented and

then we started to talk about it on the commission and we talked for a long, long time. It seems to me it was maybe three or four hours. And halfway through this or part way through this, I leaned over to LB and I said, I'm listening to the discussion and it looks like you got the votes. Uh, even though I don't agree with this approach, maybe you just, maybe you want to call for a question and vote here. And he said, oh no, we'll talk about it a little bit more and ultimately what we decided to do is create the technical advisory committees. And out of that -- and there was a discussion at that -- and the way I broke the discussion out in my head at that time is, Dr. Paul Rudy and Dorothy Anderson and I were in one sort of camp, and everybody else was in sort of another camp, but there was a lot of back and forth. There wasn't, it wasn't like the democratic and republicans in congress now. It was much more collegial than that, but there was still a breakout. And so that was kind of the start of how the goals got to be in the detail. They were -- what finally happened out of that process was LB had decided that he and Arnold would go -- Arnold Cogan was the first executive director, would go find, in essence, state agency heads to come and chair the subject area committees, that the technical advisory committees. And I said you're going to get the same warmed over stuff if you do that. I don't like that. Well about that time, LB said, well if you're so, he didn't quite say it this way, but if you're so smart, you go set up these committees. And so I said, okay I will. And so we recruited not agency heads, but people who were kind of in the bowels of the organization or outside people to serve on these various technical committees that were created. And Jim you staffed several of those --

INTERVIEWER: Six.

STEVE SCHELL: -- I think.

INTERVIEWER: Six committees.

STEVE SCHELL: Yeah. And what did -- what did you think about the people who participated?

INTERVIEWER: They were sort of our equals or equivalents in the other agencies.

STEVE SCHELL: Yeah.

INTERVIEWER: They were mid-level people in many cases and they could represent their agencies, without having to worry about, you know, being the boss and saying something out of turn or something like that.

STEVE SCHELL: Right.

INTERVIEWER: So, plus we had, due to your efforts, other people, outsiders, outside of government frankly, who were also "experts" and so it was a good combination of government people and nongovernment people and all striving toward coming up with better language and better direction in the goals.

STEVE SCHELL: Right.

INTERVIEWER: Now I think that -- of course, ultimately the commission reviewed those and probably you penciled some things in and out and so --

STEVE SCHELL: Oh sure.

INTERVIEWER: I mean --

STEVE SCHELL: I mean we went to the --

INTERVIEWER: I mean it was a great exercise in terms of government and action --

STEVE SCHELL: Right.

INTERVIEWER: -- upfront. You know, they're --

STEVE SCHELL: I just -- I just remember so clearly our decision about how to do the Urban Growth Boundary.

INTERVIEWER: Right.

STEVE SCHELL: We're all sitting around in this --

INTERVIEWER: Right.

STEVE SCHELL: In this basement conference room in the capital.

INTERVIEWER: Room 50.

STEVE SCHELL: Yeah. And here we were, back and forth. You know there were -- there were chalkboards and we were trying to do through this -- talk this through, how did we really want to make a difference between urban areas and rural areas particularly, but also farmland in -- specifically. So we were talking about this urban and about growth and the things that Tom McCall had basically talked about in his people and the land statement that you read at the beginning. How do we do that? And ultimately I said, well what we need to do is, we need to put a ring around these urban areas and we'll call it urbanizable land and everybody groaned. What an awful name. But it turned out that it stuck and I'm sure somebody else probably would have come up with a better name, had we --

INTERVIEWER: Well we had two terms.

STEVE SCHELL: -- talked about it.

INTERVIEWER: We had urban, that was developed --

STEVE SCHELL: Yeah.

INTERVIEWER: -- in and around cities and then areas beyond that developed area --

STEVE SCHELL: Right.

INTERVIEWER: -- inside the boundary, which we called urbanizable.

STEVE SCHELL: Yes. And that's --

INTERVIEWER: So --

STEVE SCHELL: That's how it --

INTERVIEWER: -- it sort of -- it applies --

STEVE SCHELL: And it was kind of a -- it was a back and forth --

INTERVIEWER: Right.

STEVE SCHELL: -- between the commission and the staff as to how we were going to -
- to juggle that language as we work through that thing. And of course, that was pretty special. I
mean it was a unique concept at that time, and still it --

INTERVIEWER: It is.

STEVE SCHELL: -- remains a viable idea in planning, in the planning world.

INTERVIEWER: It's both technically sound obviously, but also politically I think for
local officials, that we worked, you know, just surround the (unintelligible).

STEVE SCHELL: Right.

INTERVIEWER: That, that -- to squeeze them too tight.

STEVE SCHELL: Sure.

INTERVIEWER: There was a 20 year area for growth that was required --

STEVE SCHELL: Right.

INTERVIEWER: -- frankly in the goal and that's one of the big issues today is
boundaries are being reached and have they made adjustments, and some have and many haven't. I
suspect -- I don't know, I've been out of the business for a while, but --

STEVE SCHELL: Right.

INTERVIEWER: -- you know, that was a huge step. And also, it got us around that
issue of coordination. Because you may remember early -- going backwards now in terms of
Senate Bill 100, coordination was not going to be performed by a local government, it was going to

be performed by a cog and there was a lot of suspicion and skepticism about Council of Government. No disrespect to Wes who was, you know, director of the Mid-Valley Council of Governments, but --

STEVE SCHELL: So that whole issue is a different issue than just the urban growth boundary problem.

INTERVIEWER: Right.

STEVE SCHELL: That issue really originated in Senate Bill 100 and I was part -- part and parcel of the start of how that came down. What happened was, the original legislation, based on what was at that time called the 8095 Planning Process, which was largely a highway planning process, had I think 16 separate areas. And if you think about Gilliam County or Sherman County or those areas, I mean they are not geographically or population-wise, very big places. So the idea was to kind of put those together and work on the planning for the whole area. Well, it turned out as a political matter. That first draft of the bill was almost dead on arrival, and so what happened is Ken Hallock was the chair of the commission and he got Gordon Fultz and Steve Bower. Gordon Fultz was representing the County, Steve Bower was representing the cities, the League of Oregon Cities, and some other Fred VanNatta from the home builders and Ward Armstrong from the timber industry and I forget who else. But that was basically the core group. And they said, cogs out the window --

INTERVIEWER: Oh.

STEVE SCHELL: -- we want to go with the traditional cities and counties.

INTERVIEWER: Elected officials.

STEVE SCHELL: And the elected officials as the final say so on that operation. And it was a pure political thing and as I'm sure you're aware and probably our viewers are aware, the vote

in the senate on the bill, as modified, was very close. And so the story is probably well known that Ted Hallock got it past, Vic Atiyeh voted for it and it went over to the House and Nancy Fadeley I think was the chair of the House side and Ted said, don't change this bill at all or we'll lose it in the senate. And so the House simply passed the same bill as the senate had and that's house Senate Bill 100 --

INTERVIEWER: Quite miraculous.

STEVE SCHELL: (Talking over). Yeah.

INTERVIEWER: Quite miraculous.

STEVE SCHELL: Yeah, it was a -- it was still, even in those times, which were different than these times. A lot different than these times, they're -- it was still a remarkable achievement, but it was also a political compromise. And in some ways we paid for that compromise. Although particularly in the Portland area with metro, it's worked a little bit better, but my understanding is that Eugene and Springfield are sort of splitting apart and Salem sort of split apart as well, in terms of what's on one side of the river and what's on the other side of the river. It has -- the cog idea or the Council of Governments, except for Portland, has not really been carried through effectively. But let me say this about coordination. There was a provision in Senate Bill 100 that said that state agencies has to follow the goals and that provision was stormy in terms of how it came down, because one of the problems that Oregon had was that it was stove piped. It was stove piped with the cities, with the counties, with the state agencies and everybody had his or her or their own jurisdictional activity and the result was there was no real coordination that went on among those bodies. So the way the goals were finally structured is that counties has responsibility for planning for all of the cities and signing off on the coordination and out of that came the UGMA process. UGMA. That word always bothers me, but Urban Growth Management

Area idea and out of that in that process also, or together with that I guess came the LUCS. The Land Use, what, Coordination Statement? Isn't that how it is and the UGMA's and the Land, uh, LUCS were spin-offs in an attempt to get the coordination to work effectively.

INTERVIEWER: He'll explain all of this in his mark up --

STEVE SCHELL: The consequence though of that coordination was that eventually we got to a point where things worked pretty well in the goal process. After I'd left the commission and I think the transportation rule, not the goal, but the rule is really the key to I think, just an excellent system of back and forth planning for transportation purposes. And it was an enlighteness on a part of the Department of Transportation and the Department of Land Use, the Department of Land Conversation Development to find ways to put their heads together to make an effective planning tool. Now, has it worked perfectly? No. There's no money sometimes and there's, what are you going to do in 20 years? Well, there's still real iffy kinds of things. But that was a great solution for the time and I think it served us well at this point. I think we're in a different place right now. I think the issues on coordination are much broader and the -- for instance, if you talk about climate change, I mean we just, you know, put our CO2 equivalent gasses out there and we're just a little tiny player in this whole situation. If you talk about the Columbia River Gorge, well the gorge is on two sides of the river. Two states with lots of forest service stuff.

INTERVIEWER: Right.

STEVE SCHELL: If you talk about the Columbia River Crossing, well guess what? We need Clark County and we need Vancouver to play and they don't like our transportation and transit ideas and we don't like their huge tie ups of the bridge during rush hours, both ways.

INTERVIEWER: This is a commercial I believe.

STEVE SCHELL: Maybe. Maybe, but it's pretty clear to me --

INTERVIEWER: Right.

STEVE SCHELL: -- that we're going to have to step over all of that and I'm not sure that the agency now is kind of routed in its own stove pipe I guess is the way I would phrase it.

INTERVIEWER: Let me just sort of cap off this -- I think we got to the first, end of the first question.

STEVE SCHELL: Oh, sorry about that.

INTERVIEWER: But, uh, what I remember, this is sort of a personal observation, but the last hearing we handled the goals and Steve was there for that. We had Governor McCall outgoing, incoming elect Governor Straub sitting side-by-side at the commission meeting, urging the adoption of the final draft and they spoke first of course and I just thought for me, you know, seeing that happen, and I'm sure others felt the same way, one republican, one democrat but, you know, outgoing/incoming and they basically were, you know, just saying do this, it's good for Oregon. I forgot the words they used, but it was such a moving moment I think --

STEVE SCHELL: Yeah, it was a moving moment.

INTERVIEWER: -- to have that hearing led off by that testimony from both men. So --

STEVE SCHELL: Yeah.

INTERVIEWER: -- it was just pretty neat.

STEVE SCHELL: I remember a meeting though in December, close to that time in Portland.

INTERVIEWER: Uh-huh.

STEVE SCHELL: Where we argued about the nature of the goals and whether or not our technical committees and our staff had had things together sufficiently. And you may

remember that too, because I didn't -- I had pushed hard for a Shoreland's Goal at that time and basically Brent Lake said, well we couldn't get it together to deliver on that. And part of it I think was, the people that we had on the group, probably could not come together. In addition to that, it was a secondary consideration if you wanted to look back at the basic terms, as people in the land that Tom McCall just started when we started with this -- if you want to look back at that, in terms of what we needed to do, Shoreland's were not a mentioned group, and so -- and it was not mentioned in the goals for Senate Bill 10 otherwise. But it did get short shrift I thought in the process, so I complained about that. And --

INTERVIEWER: He still does.

STEVE SCHELL: And LB of course chastised me for complaining on that, but that was all part of the --

INTERVIEWER: Question --

STEVE SCHELL: -- game.

INTERVIEWER: Question two.

STEVE SCHELL: Oh, okay. Moving smartly along.

INTERVIEWER: Senate Bill 100 created a framework for land use planning across the state. Based on this legislation, the state wide planning rules were drafted to express the state's policy interest in local land use planning. Do you believe LCDC, what that was created from this legislation, (unintelligible) correctly to ensure that these objectives have been carried out? And your short answer Steve was, yes. But you had some other comments.

STEVE SCHELL: I do believe that initially things went pretty well in terms of implementing the basic intent of the drafters and of the legislature, as well as the governors. I think things went reasonably well in terms of (unintelligible). Now Senate Bill 100 had some other

factors. One is activities of statewide significance and the other was areas of statewide significance and those did not go well and part of it was that we didn't have the funding or the time to really put those into operation at the time. And the truth is, I don't think we have the skill to put those in because of the stove pipes. The transportation money was, we were getting 90%, 90-92% for freeway building. We were getting 50% I think for roads coming out of the federal system, so we had to play in that arena in order to LCDC started. LB Day stole money from an intergovernmental relations --

INTERVIEWER: Operation.

STEVE SCHELL: -- operation that Tom McCall had head and Bob Logan ran and he just, you know, killed that, took it to the LCDC and gave it to Arnold to properly spend at that time. There was no money when Senate Bill 100 was passed and you were on the initial staff or pretty close to the initial staff on that Jim and that money had to come from somewhere to pay for these things and Logan had been a great supporter of this operation. I mean he provided effort and money to Hector to staff both the Senate Bill 100 effort and the Senate Bill 101 efforts, which dealt with agricultural lands and both of those passed the legislature in the session, but LB had to get the money from somewhere --

INTERVIEWER: Right.

STEVE SCHELL: -- and that's where it came from.

INTERVIEWER: The other part about the critical areas and activities, was that it was -- it would represent state planning.

STEVE SCHELL: Oh, yes.

INTERVIEWER: And I think that's one of the underlying themes that even goes on today or debates about whether or not the state should be doing more direct planning and we do have one critical area now designated --

STEVE SCHELL: Yeah. Right.

INTERVIEWER: -- over there in --

STEVE SCHELL: At the Metolius.

INTERVIEWER: -- Metolius. But that was another reason why I think that there wasn't the support in the beginning for areas in activities, because it would have represented the state directing it, you know, the designation of these areas, as opposed to having all the planning coming up from below, which is what LB wanted to have happen, is that not planning from the top down, I remember that phrase --

STEVE SCHELL: Right.

INTERVIEWER: -- but planning from the bottom up, which is a euphemism for, you know, local control. Well it was local control, but meeting the state requirements, the state standards. But it wasn't direct planning by the state. And people can argue about that, but basically, we weren't out there with the pens and the -- and so forth drawing lines and stuff, it was local government that was going to do that work.

STEVE SCHELL: The key follow-ups though from that, turned out to be evolutionary.

INTERVIEWER: Right.

STEVE SCHELL: One of the ideas was the idea of the acknowledgement and what that meant is there would be a review and that sign-off because a pretty important tool for a number of years. In addition to that, there was this effort at a periodic review. The idea was eventually you would take whatever was originally done and redo it or do the parts that were needed and that was

also I think a pretty good contribution to the initial planning. The third thing that happened was the creation of the Land Use Board of Appeals in 1979. I served on that technical committee that planned what to do with that. We had one idea. It turned out that Lee Johnson and Herb Schwab, and Lee was the Attorney General at the time and Herb Schwab was the -- was the Chief Judge on the court, on the new, relatively new Court of Appeals. They said, I don't think we're going to do it that way, we're going to do it another way. And so -- but the -- LUBA was structured and LUBA then served as a review channel, so that somebody actually looked technically at the goals and at the plans and said, do these match one way or the other. And those tools have been reasonably effective. My sense right now is that we have in essence failed to fund and failed to insist and compromised politically on the question of periodic review. And I think it's a -- it's a major mistake one way or the other. One example or one consequence of this mistake has to do with goal seven and what's required for hazard's planning. In essence, the feds have taken that over through the FEMA process in providing money into the system and the Hazard's Goal is very weak. This bill that's being considered now, 2633 may help in moving that forward. But I'm disappointed at that, particularly when it comes to dealing with things like climate change.

INTERVIEWER: You might say too that the investment that the State of Oregon, the people of Oregon made in getting plans acknowledged was a huge one. Millions of --

STEVE SCHELL: It was.

INTERVIEWER: Millions of dollars in grant funds and so forth.

STEVE SCHELL: Yeah.

INTERVIEWER: And not having a sound or a very adequate or effective follow-up review process, periodic review, you know, in time has I think jeopardized that investment.

Though some might argue about that, but I think the principal is that we ought to maintain what we put in and --

STEVE SCHELL: Right.

INTERVIEWER: -- adjust plans, not directly by the state, but by through local government to reflect subsequent goal and rule requirements, but also changing conditions --

STEVE SCHELL: Right.

INTERVIEWER: -- on the ground and then having that reviewed by us and approved, I think would maintain that investment that we made originally.

STEVE SCHELL: I agree.

INTERVIEWER: So --

STEVE SCHELL: And I think one thing -- one other thing needs to be said about the money situation. So, when Senate Bill 100 was being considered, there were two activities at the federal level that were very significant. One is an effort by Scoop Jackson, Senator Henry Jackson to pass a National Land Use Legislation. And we thought when Senate Bill 100 was approved, that that was going to go forward and Jackson had gotten it through the senate twice or three times --

INTERVIEWER: Something --

STEVE SCHELL: -- or something --

INTERVIEWER: -- like that.

STEVE SCHELL: -- like that. But, they never could get it through the House --

INTERVIEWER: No, right.

STEVE SCHELL: -- and so it never went anywhere. But that was all after the fact. On the other hand, his peer, the other senator from Washington, Senator Warren Magnuson said, we need to do something about the coast. And there was a big movement in Washington that created a

Shoreland's Management Act and that was in that same period. Well, Magnuson took some of those ideas and national -- put it on a national scale and created the Coastal Zone Management Act. The Coastal Zone Management Act generated dollars out of the federal system and through legerdemain, whatever happened, the LCDC captured that from the OCC&DC and got those funds passing through the LCDC and it has served as an anchor for the Coastal Zone Program for Oregon all of these years. And there's been money flowing on a regular basis, at least to coastal counties and to the agency to make sure that we got it. So, the people of Oregon did invest, there's no doubt about that. But we also had some good investment from the federal government.

INTERVIEWER: Yes, right. Because Oregon Coast is also a national treasure.

STEVE SCHELL: Yes.

INTERVIEWER: Not just one of Oregon's (unintelligible). We were the number two in the nation I guess to have an approved Coastal Zone Plan after California.

STEVE SCHELL: Right.

INTERVIEWER: So it just shows the results we got from that effort.

STEVE SCHELL: And I think it's worth remembering. When I first started to practice, the Marine Science Center was a fairly small operation. One of my mentors was Joel Hedgepeth, who was the director down there, and there was a guy named Bill Wick who was talking about estuaries and what was going on, but it was a relatively small operation. The Institute of Marine Biology had actually going on longer down in Charleston, but what happened was, the seeds were planted for both of those operations, and the result is, Oregon State has had John Byrne who directed NOAA, who's had Jane Lubchenco who directed NOAA and they are all very closely associated with Oregon over lots of years and then my friend Paul Rudy ran that operation down

there in Charleston and he's had successors and they got an estuarine sanctuary out of that South Slough area and that would not have happened, but for this energy that went in --

INTERVIEWER: Right.

STEVE SCHELL: -- both from Oregon and from the feds.

INTERVIEWER: I think that the plan that was done by OCC&DC that Jim Ross headed up, which more or less was integrated into our --

STEVE SCHELL: Right.

INTERVIEWER: -- program.

STEVE SCHELL: Through the four goals.

INTERVIEWER: Which was a huge contribution there.

STEVE SCHELL: Yeah, I do too.

INTERVIEWER: And I think --

STEVE SCHELL: I think so too.

INTERVIEWER: -- that often gets overlooked and if Jim were here we would -- we'd say thanks Jim --

STEVE SCHELL: Yeah.

INTERVIEWER: -- for the work and your commissioners -- that was a very awkward commission. I remember it was like 30 members.

STEVE SCHELL: Yeah. Well, and there were six county, six city and six port folks.

INTERVIEWER: Okay. That's each --

STEVE SCHELL: And then we came along, Oregon Shores came along and said, we need 12 citizens. Well, they didn't want to give us 12 citizens, but they did compromise on six.

INTERVIEWER: Yeah.

STEVE SCHELL: And the result was, people like Jack Broom served, and they served as a balance to people like Wilbur Ternyik, who was a Port of Siuslaw head and he became the chair of that operation. And he had good intentions, but he was obviously a development oriented guy at the expense sometimes of the natural resources.

INTERVIEWER: Yeah. Question three, and I've been passed a note here that tells us that our time is moving on. LCDC adopted 19 statewide goals. Which goals do you believe have been the most important to the accomplishments of the State Land Use Program? Which ones do you feel have been the least important and why? We have a list here of --

STEVE SCHELL: Yeah. So you gave me that question, I don't know, a couple three weeks ago just to look at and --

INTERVIEWER: Yeah.

STEVE SCHELL: -- and so I've reflected several times on that question, Jim, and I would say goal three was still very important. The Agricultural Land's Goal. I think our business of going through classes one through four in the -- on the west in the valley and classes one through six of the old SCS system was an important distinction and I --

INTERVIEWER: An objective definition wouldn't you say soil --

STEVE SCHELL: Yeah.

INTERVIEWER: -- soil quality?

STEVE SCHELL: Right, right.

INTERVIEWER: Right.

STEVE SCHELL: Yeah, soil quality and also some irrigation stuff and there's lots of things that go into that. I think that's had a profound effect on how planning has been accomplished, particularly in rural areas, but throughout the state. So I think that's very important.

I think our goal 14 was very important. In terms of arguing about this urban rural split and what we're going to do with urbanizable land and how the 20 year growth stuff was going to be affected and ultimately that came 20 years of industrial supply and 20 years of residential thing, in order to provide some balance in the market over -- between cost and supply in that process. So I think those two were very important. I think goal 12 became more important in later years because of the rule. And that transportation rule I think was the real key to that. I had charity committee for the City of Portland --

INTERVIEWER: Right.

STEVE SCHELL: -- on the mouth of a freeway and so I had some familiarity with the fight about freeways and how to use those freeways. And I think we had good people on that, but they didn't finish the job. The rule needed to happen in order to make that work. So those three I think are very important. I think implementation of the Willamette Greenway was also a significant activity and then of course you guys, after I left the commission, managed to get a Shoreland's Goal in essence for the coast in goal 17 and then the Estuary Protection Goal in goal 16. I don't like the way -- quite the way Beeches and Dunes came out all in all. I think that the Beach Bill was really significant and when we saw what happened with the capes that worked all in all. If they built, and they shouldn't have --

INTERVIEWER: Right.

STEVE SCHELL: -- they didn't get fixed structures like (unintelligible) in place --

INTERVIEWER: Right.

STEVE SCHELL: -- after that. But there are other problems with protecting the beaches now, and some of which stem out of the beach bill itself, rather than the goal.

MALE: Can you talk about that more?

STEVE SCHELL: You want a little --

MALE: Just curious.

STEVE SCHELL: Well, the fundamental problem is that when the Beach Bill was passed in 1967, there was a big fight about, well how far up is it, is it 16 feet? Is it 13 feet and where's the -- what's the start? Is it the low water, medium water, lower low water, whatever. And then there was the question about well (unintelligible) where's 16 feet? Let's survey it. Low and behold, the legislature orders the state to survey the line and so there's, I don't know how many pages, scores of pages of just survey lines down there. Now the legislation itself says basically, look the 16 foot line may vary depending on what happens. But, if you got a surveyed line, it is very hard to say there should be variance. And in fact, there's been very little change of that line. Well what happens when climate change comes along and we get three to six feet of additional water on there? Are we going to move the line or are we going to be bound by this surveyed line; and the answer is, I don't think we know and I'm not sure we have the courage to go in and fix it at this point. Is that enough?

INTERVIEWER: More than you wanted to hear probably. Read his paper. That's what he's trying to tell you. What about goals you feel or believe fell below the line of acceptability? That may be too strong, but you had 13 and goal two and goal four.

STEVE SCHELL: You know -- yeah. So let me go over a couple of those. So I served on the energy facility side in council after --

INTERVIEWER: Leaving --

STEVE SCHELL: Several years after serving on the LCDC for three years. And I guess I had a hand in pushing forward goal 13 and there were some guys like (unintelligible) Topaz around and the Governor McCall had turned off the lights for Christmas, and there were all kinds

of things that were going on at that time because there were problems. And on top of that, there were big efforts to try to get rid of Trojan and to figure out what was going on at that point. And what happened was, we tried to do a goal that would recognize the -- kind of the land use aspect of that. But I don't think we got it and part of the reason is we didn't understand what was going on in other silos. The role of the PUC and at that time it was the Nuclear and Thermal Energy Counsel.

INTERVIEWER: NTEC or something like that.

STEVE SCHELL: Yeah, something like that. And it was a predecessor of the EFSEC (unintelligible) --

INTERVIEWER: EFSEC.

STEVE SCHELL: -- in that. They had different roles and they had statutory authority and there was some attempt to reconcile that in ORS, what became ORS 197.180, the coordination deal. But it was not well done when it got right down to it and it's turned out to be really ineffective I think. And it should be more effective. And the problem now I think is moving from central power stations to distributed generation and it requires a whole mindset that's different than what is in goal 13 and where we are with the Northwest Power Planning process and the PUC and EFSEC through that. So that needs to be re-examined and reintegrated, but nobody is willing to take that on that I know of.

INTERVIEWER: Yeah.

STEVE SCHELL: The other thing that I think that was weak was the Hazard's Goal. I mean it's pretty clear to me that it's not adjustable and there hasn't been any money going into it and fortunately over the last six, eight years, something like that, money has been coming through the FEMA process --

INTERVIEWER: Uh-huh.

STEVE SCHELL: -- to help the coastal counties plan better, because in fact, FEMA through its mapping process has raised the level of concern with what are called velocity heights from storm surge and at Newport in several places, it's now 35 feet above sea level, rather than or 16 feet, rather than the, the smaller area. Thirty-five feet is a long way up when you do it and I'm still not sure we got it right, one way or the other. But that's all now controlled not by Oregon; it's controlled basically by the feds.

INTERVIEWER: He called out in his comments to me, Steve did, goal two, because it's been, you know, superseded by a statutory provision.

STEVE SCHELL: Right.

INTERVIEWER: But during acknowledgement, before we had the language I think you were referring to --

STEVE SCHELL: Right.

INTERVIEWER: -- we relied extensively on goal two to direct local governments to connect factual base with policies of implementing measures.

STEVE SCHELL: Yeah.

INTERVIEWER: And also the exceptions process was in there too.

STEVE SCHELL: Right.

INTERVIEWER: So those were key provisions that --

STEVE SCHELL: And particularly the exceptions process I think was a kind of unique situation.

INTERVIEWER: It was an unusual thing --

STEVE SCHELL: Yeah.

INTERVIEWER: -- but it was basically a way to vent off some of the worry and anxiety that people would have saying we could never -- you know, here's something, a piece of ground out there, maybe a pre-existing subdivision out there, you mean, that's going to be farm land? No.

STEVE SCHELL: What was the name -- the wonderful name? RUPA.

INTERVIEWER: RUPA.

STEVE SCHELL: RUPA. What did that stand -- Rural Urban Planning --

INTERVIEWER: Rural --

STEVE SCHELL: -- Area or something?

INTERVIEWER: Yeah, anyway. Any way so --

STEVE SCHELL: That was a Clackamas County deal I think through that. So that set a processes, or as 197.763 is the chunk that really took a portion of goal two and laid out a plan for -- and what it did is, it kind of created a standard. But there was also material in both the city planning statute and the county planning statute. Jim mentioned that you ought to have -- you know, what's the standard, what are the facts and how do the facts connect with the standard?

INTERVIEWER: Consistency.

STEVE SCHELL: As a standard --

INTERVIEWER: Consistency.

STEVE SCHELL: Standard mechanism. And that actually is found in a chunk of the county's planning code in that. But it was important to get people to think that through and it really helped when LUBA came along, because they knew how to look at that as a matter of professional judgement in that. So goal two was initially important, but I think it's lost some of its vitality and

the other thing and somewhere you got in your notes Jim, that you were going to ask me about, citizen involvement.

INTERVIEWER: That's coming up if we have time.

STEVE SCHELL: You want me to talk about that now or --

INTERVIEWER: Well yeah, I guess we're going to get to that just in a second here.

About the public involvement process --

STEVE SCHELL: Yeah.

INTERVIEWER: -- to adopt the goals and --

STEVE SCHELL: So I really think we need to revisit this. What's the woman's name down in Lane County, Gail --

INTERVIEWER: Ackerman?

STEVE SCHELL: No, no. No, no, no, no, no. Anyway, there were strong advocates for citizen involvement, and there was an argument that we should make this a special goal and ultimately our compromise on that was to make it number one among equals of the goals. And I think for a while it worked very well. But for me, the key element of the whole process was the 11 hearings that were required by statute for adoption of the goals, the original goals. What that did, is it revitalized the state in participating in the process and so we had opponents, as well as advocates across the state because of all the visitations. And I can tell you stories about Klamath Falls, about Baker City, about Pendleton, about Florence. They are just wonderful stories that came out of all of this activity. And what's happened is, increasingly over time, we've had the Citizen Involvement Advisory Committee requirement. And then we've had the local government officials, what, LOAC? What is that? Local Government Officials Active --

INTERVIEWER: Advisory Committee.

STEVE SCHELL: Advisory Committee.

INTERVIEWER: LOAC.

STEVE SCHELL: LOAC, right. And so we had the CIAC and the LOAC and pretty soon, the citizen involvement process has become routinized and sort of coopted into the process. And because it's standard, I think the department thinks, if it goes through the standard processes, that's all it's done. It doesn't work and the support for the agency has drifted back significantly I think at this point. And I thought at one point, the way to revitalize this was to do a new goal on climate change and do it in the process that's set out in the statute as a new alternate. Well there wasn't energy, money or support from the legislature to do that at the time that a group of us tried to move that forward, and the consequence had sort of died a dribbling ignominious death after that, with a lot of lip service and not a great deal of action. But something needs to happen to revitalize the program. If you don't revitalize it, then it's going to turn into its own stove pipe and not dealing with these broader questions.

INTERVIEWER: Big questions there, and who's going to lead that process, that's another thing we take for granted, Governor McCall back in the beginning. Not for granted, but we just -- we acknowledge what he did --

STEVE SCHELL: Right.

INTERVIEWER: -- but his plate wasn't as full as maybe some -- a place of subsequent (unintelligible) --

STEVE SCHELL: No doubt.

INTERVIEWER: -- but we need to have leadership and to galvanize this interest and these rethinking and bringing forward some of these ideas that need to be addressed and that's -- we don't have that right now.

STEVE SCHELL: Right.

INTERVIEWER: I'm not sure the agency or the commission alone can do that now.

What the alternative is, I'm not sure, but you're raising important questions about the future.

STEVE SCHELL: Yeah, absolutely.

INTERVIEWER: Not just the past or the current time, but what lies ahead and do we look ahead to the population expansion where -- and --

STEVE SCHELL: Right.

INTERVIEWER: -- expecting, and a lot of other things and -- what's the process going to be for that and there's no inclination, other than maybe the strategic plan that the agency has put out, which is a broad brush attempt to identify needed issues and approaches, which is commendable.

STEVE SCHELL: Sure.

INTERVIEWER: But is that going to take off?

STEVE SCHELL: But I don't see it --

INTERVIEWER: Yeah.

STEVE SCHELL: -- as really changing the kind of -- the DNA of the process.

INTERVIEWER: Well and that's a good discussion and we're not going to get to the answer to that today. Maybe you'll come up with it shortly, but --

STEVE SCHELL: Just out of --

INTERVIEWER: Okay. Let me -- we have -- our time is going down isn't here. About a half hour, okay. Let me see where we are. I guess question seven is --

STEVE SCHELL: So --

INTERVIEWER: Yeah --

STEVE SCHELL: So --

INTERVIEWER: Oh --

STEVE SCHELL: Before we go on to question seven, you might like to -- since this is an oral history and since I'm not quite the last dog standing, but I -- you know, from a commission point of view, it might be worth it to just recount a couple, three of these stories. Some of them are reasonably well known. The most famous --

INTERVIEWER: We don't have a campfire here do we?

STEVE SCHELL: It's that kind of deal. So we had these hearings all over the state and there was one in Florence and Jerry Rudy, was it Paul Rudy, Dr. Paul Rudy was there. I think Dorothy Anderson was there. I was not there. I don't think LB was there at that meeting, but anyway it happened and so what happened is, they met at some place and there was a -- as they were going in in the evening, there was a log truck with the trailer put out on it and there was an effigy hanging --

INTERVIEWER: Yeah, right.

STEVE SCHELL: -- from the log truck and it was labeled L.B. Day. And so they went into the meeting and as they started the meeting or as they started to sign in, here came a bunch of guys in (unintelligible) shirts.

INTERVIEWER: Yeah, right. Right.

STEVE SCHELL: In -- with shalalie's, with big clubs and things and it was kind of worrisome initially, but they all signed in. And it turns out that those were the vine maple salvages.

INTERVIEWER: Salvages.

STEVE SCHELL: And Mapleton is, you know, about ten miles up the Siuslaw from --

INTERVIEWER: Florence.

STEVE SCHELL: -- Florence. And -- so anyway the vine maple salvages danced around the room and carried on and about that time, Jerry Rudy jumps up out of his chair and jumps on the stage and rips open his shirt and here's LC&DC moving the goal posts down the pack with stripes, you know, flags and other Oregon symbols all of this tee-shirt that LB had made for all of us a few weeks before through that. So it was great fun in terms of being relatively serious, because these people were pretty concerned about whether or not they were being taken over. And then there was another situation in K-Falls, that --

INTERVIEWER: K-Falls, right.

STEVE SCHELL: That my --

INTERVIEWER: That's more --

STEVE SCHELL: My friend John --

INTERVIEWER: That's more serious.

STEVE SCHELL: -- Gustafson -- were you there?

INTERVIEWER: I don't think so, but --

STEVE SCHELL: But the story was that there was some real opposition --

INTERVIEWER: Right.

STEVE SCHELL: -- in the back and ultimately, whoever was running the meeting said, we need state police here and they called in state police to --

INTERVIEWER: Well there was a worry about safety.

STEVE SCHELL: Yeah. About whether or not folks were going to get shot in the --

INTERVIEWER: Yeah.

STEVE SCHELL: -- in the process. So they also took it pretty seriously that -- in Kay Falls. In Baker City, I can remember sitting and listening to these ranchers come in and saying,

you know, you folks are out there in the valley talking about these farms and ranches. Well let me tell you, it takes 100 acres to staff one cow out in some of this acre -- acreage. And you know you can't make a living if you don't have 300 a head, so figure it out. You can't talk about 140 acres or whatever you want to talk about in that area. And so that was sort of a new concept to me in the process. But they were real serious and I can remember sitting with Al Bullier after -- after that meeting we, I don't know, went into the bar or something and had a drink and were talking about this, because he was from Portland and so was I and it's just a different kind of perspective that we needed. I can remember in Pendleton where we had this meeting in this kind of cafeteria in -- I'm not sure whether it was Blue Mountain College or whether it was the high school and here was everybody working at tables and it was just a kind of wonderful experience of people talking about. And then the other vivid memory is, we were pretty close to adopting the goals. We were starting in the third phase of reviewing the drafts and we were in Portland and we had this whole room in the Multnomah County commission -- down at the courthouse and it may be held -- you probably had seats for 150, well there were 500 people there.

INTERVIEWER: Right.

STEVE SCHELL: And in the front of that where these hippies I guess they were, drumming for us before the meeting started and it -- and everybody was sort of decked out in their various attire and it was an interesting, interesting experience.

INTERVIEWER: Or lack thereof.

STEVE SCHELL: But people were paying attention. I guess it's kind of the message of that. Those were significant times.

INTERVIEWER: Were memorable times.

STEVE SCHELL: Memorable.

INTERVIEWER: Or forgettable times.

STEVE SCHELL: Maybe both.

INTERVIEWER: Do you think Oregon's latest program in 2015 compares with what was envisioned four decades ago?

STEVE SCHELL: General yes. I think we're pretty -- we've been pretty successful in the evolution of the program. I think we've done reasonably well in farmlands. I was with somebody Monday night I guess it was and she was telling me that Bend originally proposed an 8,000 acre addition to the city and I think they went to LCDC and LCDC said no. The staff said no, that doesn't make any sense and finally they sent it back to the drawing board and they came up with a kind of reasonable growth pattern --

INTERVIEWER: That was recent, by the way.

STEVE SCHELL: Yeah, that's fairly recent.

INTERVIEWER: When I was over in Bend to talk to Jim Ross --

STEVE SCHELL: Uh-huh.

INTERVIEWER: -- I picked up from Brent who lives in Bend also, he said exactly what you said, is --

STEVE SCHELL: Yeah.

INTERVIEWER: -- the agency rejected this initial proposal from the city and county.

STEVE SCHELL: Right.

INTERVIEWER: Of course it's a mutual hopefully decision by the Deschutes County and Bend.

STEVE SCHELL: And you --

INTERVIEWER: Yeah.

STEVE SCHELL: You know you take that 8,000 acre proposal and you compare it to what Portland has done with Metro, I mean Portland is basically expanding the urban growth boundary, but only by 2,000 acres or 1,800 acres or whatever, every five, ten years, whatever. So yeah, I think if I were going to do the agricultural lands thing differently, I would start off with what has come to be rural reserves. I would have started that as an initial thing, saying okay; forever and ever this is off limits. Or at least for 50 years this is off limits, and I think that would have stabilized some of the good land, rather than just this creeping line that we've had. But we now have urban reserves and we have rural reserves, so we're making some kind of decisions, assuming we get the courts to finally agree that we've got a dual deal here.

INTERVIEWER: Steve, do you have any ideas about how in nineteen or 2015 rather, can communicate to citizens, both lay people, as well as officials and so forth, about the program? I mean that's the thing I think is one of the biggest challenges we face, is how do we get people informed about the program and --

STEVE SCHELL: Right.

INTERVIEWER: -- yes, subliminally I guess, to support it, but at least to tell them what it has done and the challenges that we face in the future. I mean those are big questions that aren't easily answered, but we need to get on it and that's I think what the strategic plan is at least in part, attempting to say. But what else can we add to that?

STEVE SCHELL: Well, first of all I think the means of communication -- the times have changed and the means of communication have changed and in terms of the times changing, in the 70's, many of us had been away to college or in the service or whatever, and we came back and said, we have a jewel and we need to protect that jewel. It's in the words of Lewis Mumford, are you able to take charge of this area, this country that you possess one way or another and do an

adequate planning job for. And I think we felt that down in our boots at that time and I'm not sure that there's that same kind of commitment. I think people still as a whole love Oregon and they love it as a place and they do want to save the place all in all. And they also recognize that we have kind of a unique community. But as the state grows bigger population wise, the difficulty is communicating, particularly with new people, but also everybody -- saying -- and generational people. Here's the -- here's what happened. And you know the (unintelligible) stuff. You know, those who don't know history are doomed to repeat it and we see a lot of that going on even now. So I would say we've got to get away from 140 word communications on Twitter. We got to get away from just looking at somebody's Facebook and making a decision, and you know if it doesn't come up on Google on your first search you're out of here, one way or the other. That's never going to do the job one way or the other. Somebody's got to be able to articulate the process and say here's where it is. Now, is that the schools? Well yeah. Is it the politicians? Well yeah. Uh, but we need to have more effort directed at kind of what the history was, what we're trying to solve and what our failures are one way or the other through that. And one of the hopes that I've had and that a few of us who are still in the process of thinking about this and writing papers and so forth, is that we can kind of say, well here's what the history is and here's what the needs are and maybe we can go forward, based on what we had. But I'm not sure that's enough. There has to be some revitalization. That's why I thought climate change would provide that revitalization with a new goal process that would be -- that you're required to go out to talk to, you know, Lakeview and Nyssa and Dale and, you know, all of those places that frequently you only get to once every whatever it is, years. And that's what I think would enliven and bring us -- enliven the process and bring us more together as a community, one way or the other. The other thing I think is important, which is sometimes ignored is, the LCDC was a totally voluntary effort. Everybody -- nobody was

paid on the LCDC. It was all free service to the state. Now, the state benefits from that. In addition to that, the people who participate benefit from that. And the way they benefit is, guess what, they get a vested interest. The vested interest is in the public interest for survival and prospering of the organization. We need to recognize opportunities and make available opportunities for greater and more participation. Meaningful participation, not just talking heads somewhere talking at one another, but that you have some kind of -- maybe just a small chunk of the decision making process. But you need to spread that as widely as possible and across jurisdictional lines, age lines, community lines, in order to enhance the capability of understanding from the nuts and bolts of it, how government works and what happened that puts you at this point right now, whatever you're doing with your little involvement.

INTERVIEWER: That's not a job for government alone though, is it?

STEVE SCHELL: Absolutely not.

INTERVIEWER: In fact, maybe they should be --

STEVE SCHELL: It's a societal job.

INTERVIEWER: Societal job. Maybe academic institutions, such as Oregon State's project --

STEVE SCHELL: Uh-huh.

INTERVIEWER: -- planning forum idea of enlisting a whole range of interests and bringing them together. And I think if I were a local official and I was to get a message like, we're going to think about adopting something on climate change, I would be initially worried that we don't know anything about it and two, what you may require us to do is beyond our ability.

STEVE SCHELL: Absolutely.

INTERVIEWER: And so there's a lot of nervousness I think about, you know, big grandiose plans without some --

STEVE SCHELL: Yeah.

INTERVIEWER: -- stepping back and saying, slow down, you know, we'll take time here and -- but we are going to share it together. We're going to bear (unintelligible).

STEVE SCHELL: What's his name, Terry Thompson down in Lincoln County?

INTERVIEWER: I think so, yeah.

STEVE SCHELL: So I'm -- we're chatting one day and -- at some event or other and I say, well you know, climate change is you know is going to happen and we ought to be thinking about what's going on. And he says, not on my watch. And that's a real scary idea. Not on my watch. If it doesn't affect me directly and whether or not I'm going to be re-elected and what the consequences are, let's just put that aside. That isn't how the Oregon planning process works. So there's a recent case in France where a big tidal wave came in and killed a bunch of people in a small valley and the people sued the government, because they could have done things, but didn't want to spend the money or the time and there was local opposition. So they built in the flats, they allowed this kind of thing to -- the houses to be inappropriate and they killed, I don't know, 29 people or something like that through that. At some point, you have to say, what's malfeasance, what's misfeasance, what's nonfeasance. And if government refuses to do that, then government should be held accountable. That's what Mary Christina Wood and Michael Blumm are talking about with the Public Trust Doctrine.

INTERVIEWER: I've got to jump ahead a little bit because I think our time is closing down here, at least for today. A couple more questions. But Governor McCall talked about

livability and then you gave us some thoughts about what it means to you. Could you just sort of expand on that, Steve?

STEVE SCHELL: Sure. I mentioned several things about being a native and having pretty good access, particularly in my younger years to the process. To the political process. The thing that's really important to me is the huge -- what do they call it, the people in the land. The land is something very special, and part of it was that I'd done these tours and camped and fished and all that kind of stuff and it's all right here. And I've sort of regarded living in Oregon is not living in southeast Portland or northwest Portland or whatever, but living in the state. I live in the whole state, I don't just live in my little portion of that, and so I'm concerned about what happens in Powder River or what happens in John Day or Canyon City. Those things are important to me and I have -- I guess I have some vested interest in them in a way that I pay attention to that. So being a part of the community and being a part of the place are integral to what I regard as livability. I like being able to go to the beach in an hour. I like being able to go up and ski when I'm able to if there's enough snow to do that, and it's all within a day's activity for me. I mean, I floated the Rogue River, I don't know, eight times, ten times, something like that. It's a special place. It means a lot to me. I fished the Williamson, it's a wonderful, wonderful place, and so different. So different from where I live. If I were only paying attention to the digital world, if all I saw was the screen and what I could get up on Google to talk about whatever it is, I don't think I would have the sense of place that I think is really integral to our livability in that. So in a modern sense Jim, I think that's what livability means, at least to me. It means both an appreciation for the special place that we have and a community that shares that interest.

INTERVIEWER: I know what we were doing, the people and the land workshops, going backwards now in terms of the original 14 goals, we would go out to communities and we

would ask them what's important about your backyard, your area, but we would also ask the question -- say we're over at Baker, what about the coast, what about the other places that are not nearby but are a part of Oregon? You know, I think people, I think generally, came forward in a very positive way. I mean we were --

STEVE SCHELL: Oh yeah.

INTERVIEWER: -- talk about the techniques to protect and some of the details, but just what's important to you about Oregon and, you know, that it's not just in your neighborhood, but elsewhere around the --

STEVE SCHELL: Absolutely.

INTERVIEWER: -- this 96,000 square miles, and we need to sort of reignite that interest in that what you're just saying now is --

STEVE SCHELL: Right.

INTERVIEWER: -- that Oregon is more than where I live.

STEVE SCHELL: Yeah.

INTERVIEWER: Yes, it's a place where I spend or our family spends most of their time, but there's a lot more out there and we ought to somehow find ways with -- maybe with modern communication abilities and so forth or whatever to convey that to folks, around the state.

STEVE SCHELL: Right.

INTERVIEWER: And that takes education, yes, and schools and maybe there's a force of graduate students out there that could help us out and who knows. Maybe volunteers like old people.

STEVE SCHELL: Yeah, me.

INTERVIEWER: I mean --

STEVE SCHELL: So I have a friend, my wife was in the Peace Corp in the 60's and she had one of her Peace Corp peoples who was originally from Oregon. She now lives in Atlanta, but they have a place on a lake that's right near the New River, and so she's invited me down to --

INTERVIEWER: Oh, wow.

STEVE SCHELL: Invited us down to her cabin on that, and I'm eager to go because I know the fight over the New River and the change on the -- how it is and what happened down there and I want to take a canoe and take a look at that and see how that's worked and where that line is and that kind of thing. Yeah, so those are things that you have to live a little bit to have those kinds of involvements and experiences, but they're at least important to me.

INTERVIEWER: A few more things. One last question and two, I hope Kevin, you and Cy would agree to maybe have another interview with this gentleman here because it's been very, very enjoyable today. Really appreciate it.

STEVE SCHELL: Thank you.

INTERVIEWER: Here's the last question, based on the last 40 years, your views about the future of Oregon's Land Use Program in terms of it being achieved. Are you optimistic or are you thinking that we are not going to get to where you were just describing?

STEVE SCHELL: I think, unless it figures out how to get out of the stove pipe that it's currently in, it will continue. I don't think it will be repealed, it will continue. But probably, it will be relatively starved for money over time and therefore it will -- its options will be limited. There will be money flowing in from the federal government and there will be some state money, but it's really -- it's not encompassing like it should be, and I think it needs to be revitalized, because I think the program -- if we really care about this place, the program has to continue and I think be updated to meet the times, both from the standpoint of recognizing that intergovernmental

cooperation is necessary. We're no longer just little Oregon, we're part of California, Oregon and Washington, as is being discussed with the Western, what is it, Western State's Initiative, and that we should see ourselves in a broader context and see ourselves as part of the whole, rather than trying to just defend out small turf. Until we do that, I think the program will be relatively limited.

INTERVIEWER: Here's what you said in your notes, I think Oregon's Land Use Program will survive, but it may never regain the vitality it once had because of its depend upon -- dependence upon the general fund, legislatures limit its mandate. Unless it reconnects with Oregon citizens, it will grind out functions coordinate and reports of the legislature, but may have not achieved much of what motivates our state. Pretty good words. I think we should stop here for today now.

STEVE SCHELL: Thanks very much.

INTERVIEWER: Yes, thanks very much, it's been great and I hope we can get another one, another interview. He may interview us next time.

(Concluded)