

Note: This transcript was substantially edited for accuracy, clarity, and legibility by Bill Blosser and Kevin Pozzi in August of 2015.

Bill Blosser Interview

Tuesday, 6/16/15

INTERVIEWER: All right. Today is June 16, 2015. It is my pleasure to be speaking this morning with Bill Blosser. Bill has held numerous roles in connection with Oregon's land use planning system, including Chair of the Land Conservation and Development Commission, the Water Resources Commission and the Environmental Quality Commission. Bill is often referred to as one of the pioneers of Oregon's wine industry, developing Sokol Blosser Vineyards, as well as playing a part in creating the Oregon Wine Growers' Association and the Oregon Wine Board. My name is Anthony Lavenda, I'm a Ph.D. candidate here in Urban Studies and Planning and I'll be speaking with Bill today. Bill, we are honored that you'd be willing to sit down with us today. We are hoping to gather as much information as we can from the people who are influential in forming and shaping Oregon's land use system. We are aiming to document the stories, anecdotes and experiences of people who were involved back then, as well as to get your thoughts on how the system has evolved and where you think it might be headed. We encourage you to share anything you feel is relevant to this effort. So, with that let's begin. As we begin the interview today, I was hoping that you could touch on your personal and professional relationship with Oregon's land use system.

BILL BLOSSER: Okay. You referred to it a little bit in your introduction but basically for me it started when I got my Master's Degree in Urban Planning and came back to Oregon in 1970. I taught for a year in the Urban Studies Program when it was at Harder House, with Denny West, Lynn Musolf, and others, and that was the period when the ideas of Senate Bill 100 were starting to be formulated. I only taught here for a year. Then I went to work for a consulting firm,

CH2M, in mid-1971, and very shortly after that Senate Bill 100 was passed, and so the whole process of creating land use programs in counties and cities started, as well as the development of plans. I worked on a number of the very first plans and actually got the one for Dundee (a small town in Yamhill County) through DLCD and LCDC. I think it was the second plan to be approved. Under Goal 1, the counties and cities were required to form public participation committees, or advisory committees. So, I got on the one in Yamhill County, together with several other vineyard people, because we saw that if there was any hope for preserving agricultural land for vineyards, we needed to influence what happened on that comp plan. Dave Adelsheim and I created a system of identifying prime vineyard lands in the Willamette Valley. Dave, I think, took the biggest hand in it and we actually created a map of prime vineyard lands, which we then distributed to planning departments all over the valley and most of them adopted it. So, it resulted in the preservation of tens of thousands of acres that were ideal for vineyards, even though at that time, which is 1972-73, there were very few acres of vineyards.

INTERVIEWER: Right.

BILL BLOSSER: But because of Goal 3, the Ag Goal, the counties couldn't just leave a lot of that land zoned residential because it was outside urban growth boundaries and it didn't meet any of the criteria for rural residential at that time. It was still in ag in 20, 40, 100 acre parcels.

INTERVIEWER: Um hmm.

BILL BLOSSER: So, that made it a relatively easy sell. So, that was my initial involvement. And then shortly after we got the comp plan adopted in Yamhill County, I went on the planning commission there and was chair of that commission for five or six years, and then there was a pause, and then I went on LCDC, appointed by Vic Atiyeh, and served there for -- no, I'm sorry, wrong -- my fault, I went on the Water Resources Commission.

INTERVIEWER: Umm.

BILL BLOSSER: And was on that for six years, under Atiyeh, and then Goldschmidt asked me to move over LCDC and I was there for nine years. Supposedly, you're only supposed to be on it eight years but I was on another year because they couldn't get another appointee through the legislature.

INTERVIEWER: Huh.

BILL BLOSSER: So, I had to stay on. So, a long story but that's my road.

INTERVIEWER: That's great. So, you referenced Senate Bill 100 in your discussion there and it created a framework for land use planning across the state, as you mentioned. Based on this legislation the statewide planning goals were drafted to express the state's policy interests in local land use planning. Do you believe the LCDC, the Land Conservation and Development Commission, that was created from this legislation, acted correctly to ensure these objectives have been carried out?

BILL BLOSSER: I found your choice of the words "acted correctly" --

INTERVIEWER: (Chuckling)

BILL BLOSSER: -- I don't want to quibble, but --

INTERVIEWER: Yes.

BILL BLOSSER: -- that almost asks whether we or other commissions acted legally or those kinds of things.

INTERVIEWER: (Chuckling)

BILL BLOSSER: The way I would answer is to say that everybody I ever served with took their obligation to implement the legislation very, very seriously and not everybody who was appointed to the commission necessarily believed in the idea of land use control in the state, but

everybody read the legislation, read the law, tried to faithfully carry it out. So, I guess my answer would be, yes, we acted correctly. There are a few instances where courts overturned things that the commission did, but not many, and there are numerous cases where the courts or LUBA overturned things that counties or cities did.

INTERVIEWER: Um hmm.

BILL BLOSSER: But, in any case, yes, I think we did operate correctly.

INTERVIEWER: Right. So, you don't -- you don't recall any instances where maybe the particular actions weren't aligned with any of the planning -- statewide planning goals or -- or where they were -- in a case where it was particularly -- was aligned you mentioned in some of your own work that it -- it passed through because of the Ag goal. Right?

BILL BLOSSER: Right. Well, the commission always had an assistant attorney general that was advising us and they basically would not let us do something that they thought was illegal --

INTERVIEWER: Right.

BILL BLOSSER: -- no matter what we might have had in our mind. I think we always got really good advice from the Justice Department. I see you're interviewing Anne Squire. She is a perfect one to interview because she was on the first commission and then became the Assistant AG. This kind of gets into the third question about the goals in general. The goals cover a huge swath of possible actions that the commission could take. I remember hearing an outside person a speaker from Wisconsin I think who was here talking about land use and he said that the amazing thing about the Oregon land use program is that LCDC could control everything in the state because a goal, one way or another, touches on everything. Now that's not going to happen but it does emphasize the fact that goals are extraordinarily broad. So, we were constantly having the

question of whether one goal was more important than another goal or if we adopt something under the ag goal does it conflict with Goal 9 or some other goal. People who are opposed to what we were doing would often raise that argument: yeah, okay, you can do this for Ag but you're violating the economic goal because it's defeating the ability of people to make a living or whatever it would be.

INTERVIEW: Um hmm.

BILL BLOSSER: Or the housing goal or something else. So, we were constantly having to balance whether you were violating a second goal by doing something under one goal. I'd just go back to whatever I said at the beginning: the Assistant AG wouldn't let us do anything that they thought would be illegal and, as you can see from the history, there's been virtually no reversals by courts on what the commission has done.

INTERVIEWER: Um hmm. You references some of the question three, which is relating to the broader set of goals, the statewide goals, which of these goals do you believe have been the most important to the accomplishments of the State land use program and which ones do you feel have been least important and -- and why do you think so?

INTERVIEW: I think when you look at the history of a program and what was the impetus for creating it in the first place, from McCall and that whole history, you see that there were really two or three goals that were really the impetus for trying to do it. Ag being one, housing, rural -- all the things to do with rural development, extension of the services into rural areas, and so forth, and -- and then the mere idea of having a comp plan and ordinances that actually meant something, and so those are the core of what was in Hector's (Macpherson) mind and the governor's mind when they went to legislature but then it was broadened to include everything that was involved in a comprehensive plan. So, all the other goals came in and then

later they realized they'd left out all the ones that have to do with estuaries on the coast, and so those were added on. None have been added really since then, although there have been discussions of doing that. So, that's some of the history of the program in terms of what it was originally thought was most important. That doesn't mean that that's where necessarily all the rulemaking is happened but if you were to just take the whole statute, and then take the OAR that was adopted pursuant to that statute, and just add up the pages under each goal, I think you would get a very good indication of what LCDC thought was most important to focus on because the thickest parts of it was where the commission and the department spent the most time and where the most questions arose that needed clarification. And the only way to clarify it was to adopt a rule. So, the Ag section early on became very thick because that had the most questions because it was the most land affected in the state. The whole issue about urban areas, urban growth boundaries in particular and public facilities, housing, all those got very great attention because there were big questions on "what do we do?" I think the most significant change the legislature made that had the biggest long-term impact was the creation of LUBA. LUBA didn't exist when the program was first created and so circuit courts were making all of the rulings on whether the law was being violated. Within a few years the legislature saw that there was chaos in the rulings because these local judges just had no experience in land use, nobody did, and so the rulings didn't make any sense, so everything was ending up at the Court of Appeals and the Supreme Court because there needed to be some decision. The Court of Appeals and the Supreme Court were already full and they didn't want all these little things about a mobile home park or whatever coming up to them. So, they created LUBA as a special court of specialists in land use and that just make a huge, huge difference in getting consistent rulings on what was legal and what wasn't.

INTERVIEW: Um hmm.

BILL BLOSSER: So, I think that to me is one of the biggest changes that happened. You ask here down lower whether the public involvement of Goal 1 turn out to be that important and what was my experience with it. I mentioned to you I was on the citizen's advisory committee in Yamhill County. Goal 1 truly is a core of the program and it always has been. Today Goal 1 takes up less time of the commission or department because the whole process of involving the public in the land use process has become a core, native part of every land use program in every county and city in the state. So, some counties and cities are more rampant with public involvement, and some a lot less, but nonetheless the basic core statements in the goal that people shall have a right to be involved and they should get reasonable information or get notice on all those things that are listed, have come to pass. It makes the whole process very accessible to people and that's a major accomplishment because you don't see that pretty much any where else in the country, in terms of consistently across a whole state. Let me back up and make one other statement too: the whole Oregon land use program is unique in the country. There is no other place where the state is involved to the extent that Oregon is in local land use decisions. There are some -- Washington has a kind of a program and California has some for certain parts of the state, like the coast and ag areas (they have some very strict things) but Oregon is really the only state land use program in the country. So, lot of your questions about is it good or bad or what's the future, I guess, I would say we don't really know because there's no other place to compare it to. We've done a lot of the things where there was no body of knowledge to go on and or a book to read or an expert to ask "how did you do it in Kansas or Florida or whatever". There just wasn't any experience out there.

INTERVIEW: Right.

BILL BLOSSER: So, everything that's happened here has been created out of whole cloth. How will it be in the future? I don't know. It obviously has to keep adopting. But you can't look around the country and say, well, maybe the future is what Wisconsin is doing like you can with a lot of other things: justice and housing and education and so forth. You can look at places around the country and say, wow, New York is really doing well with health care and we ought to try and emulate that. We don't have those things with land use. And then the same with Europe and the rest of the world. We don't have places to look. I think there was a lot of hope, and 1000 Friends had this hope certainly, that similar programs could be created across the country but I think the Oregon program created so much terror around the country that it was impossible to even get it considered in any other state. And I guess I would say if the legislature today were asked to adopt it, it probably couldn't adopt it. At that time, the whole public was so outraged over things that were happening and the call was so persuasive in the legislature, I think, because, somewhat naively, they didn't realize what they were doing.

INTERVIEW: Um hmm.

BILL BLOSSER: Not unlike I don't think the congress fully understood what they were doing when they adopted EPA. Today it's dealing with climate change. I'm sure, Congress didn't think about that back then. I'm sure they didn't. So, I'm not sure that the program could have been adopted. I don't think the program could be adopted again if it was proposed and it's unique in the country so you can't look at other places. And so we've created a unique thing that fits Oregon and has evolved and been adapted over time to fit the needs and the personality and politics of Oregon. So, anyway, some other goals are really critical. Sorry to jump around but --

INTERVIEW: No. Please. Please do.

BILL BLOSSER: Some goals, I would call them, were sleeper goals, until some big problem came up. I think one of the best examples is Goal 12, transportation. The early plans had a transportation element, but they were -- I don't know -- probably three pages long or something, and they met the rules at that time.. And then some giant issues came up with ODOT being blocked in doing projects because of the land use program. They couldn't meet various issues under the urbanization goals. And so major projects, Western Bypass was the biggest one at that time, were going around in circles, spending tens of thousands of dollars, and they couldn't get anywhere. So, Washington County, as well as ODOT, and 1000 Friends, were all frustrated (I think 100 Friends thought ODOT was -- was this maniac that was a loose element going out there building freeways everywhere.) In the past they did built a lot of freeways but 1000 Friends wanted to put a stop to that because of the opening of rural areas to development and taking up of ag land for freeways and so forth. So, 1000 Friends, Washington County and ODOT came to LCDC and said "we need a rule that tells us what to do. We don't know what the transportation plan is and there is only a lot of vague stuff in the goal." So that created the transportation planning rule, plus all of the things that have happened in court cases and everything since then. It was an attempt to respond to a need, which was clarify "what do you mean by a transportation planning, so that we can do it?" The leadership at ODOT at that time was saying "just tell us what to do and we'll do it." Like with the ag goal, the early rules were very simple, and then over time the OAR got thicker and thicker and thicker, as more questions arose that needed to be answered. And so one general thing I would say about LCDC and the department: a lot of what you see in the OAR, the rules, was the result of specific problems arising that counties, cities, or state agencies, needed guidance on. Much of it had to do with development or land use or something that effected land use, like highways or extending public services out to subdivisions or how much housing was

needed in urban growth boundaries, how much land you needed and so forth. A lot of the rulemaking arose because we were trying to answer people's questions. So, often, if you look at the early goals there would be just a few nice sounding words that then became very controversial.

INTERVIEW: Um hmm.

BILL BLOSSER: What's a farm home? What's a legitimate farm home? And so all those questions eventually came to the commission for answering and the commission is still trying to answer questions about "What does this nice goal mean?" Now, there hasn't been much rulemaking around many of the goals because they haven't really caused those kinds of questions. There hasn't been much around natural hazards or energy. Not much on the greenway. Not much on estuaries. Shorelines. There's not a lot of rulemaking because there hasn't been a lot of questions. There's a little bit but not a lot. There's been a lot of questions on Goal 5, what's a comp plan, et cetera.. The commission and department looked a lot at court cases. If there were a bunch of court cases around a certain issue, then that would give an impetus to the department that maybe we better adopt a rule so that everybody doesn't spend time in court. I think one of the biggest accomplishments in the program is that, as much as people complain about state control and LCDC and all that, I think there have been a number of studies across the country that have showed that the certainty of approval of an application for a home or a development in Oregon is much higher than in any other state in the country because there are comp plans that mean something. So, if a plan says this is commercial then it's almost impossible for a city to deny commercial on that piece of property, which is not true in a lot of other states, particularly in states that have the layer on top of their land use program of NEPA or the state environmental policy acts, which put you through a whole EIS process, and open a whole different avenue for people to bring in a lot of issues that tie you up forever and often defeat people even going ahead with a project if

they think they're going to have to do an EIS. In California it is that situation. In Washington it is that situation. So Oregon's got a lot of benefit from having predictability, near certainty, that if it's zoned for multi-family housing you can build multi-family housing, and by the same token, the process of changing the plan is much more open and much more subject to review because of the public involvement segment of it. YSome commissioners can't just can't just quickly change something because a friend wants it, which you see around the rest of the country. Our process can be slow but there's a high degree of certainty. So it means that if there's an urban growth boundary and it says that you can build housing inside there, you can build housing, and that's not true in the rest of the country. So, that's a major accomplishment, I think.

INTERVIEWER: Uh hmm.

BILL BLOSSER: And it's also one of the reasons that we never adopted a NEPA type process in the state. It was proposed a number of times, because everybody else seemed to be doing it (not everybody but many other states,)and the argument was always, well, we basically already have that. The land use program basically requires the comp plan to think of all these issues before they designate something for, say, housing.

INTERVIEW: Um hmm.

BILL BLOSSER: They have to think of wetlands. They have to think of this, and that, and the other thing. So, it never got impetus in the legislature to adopt it.

INTERVIEW: Great. No, it's great. I had one question from an earlier comment you made about LUBA, our Land Use Board of Appeals, saying that it was kind of a really great way to not bring cases to the Supreme Court, and I was wondering if you remember any particular cases that really incited or were like leading to the establishment of LUBA or was it -- you said there was a lot of contestation there and --

BILL BLOSSER: I don't --

INTERVIEWER: No?

BILL BLOSSER: That -- you'd have to -- Anne Squire or somebody that -- somebody in the Justice Department would have to -- I don't recall any specifics. I do -- I'm trying to remember which one. I mean, uh -- are you interviewing -- who is the -- he was the director of 1000 Friends for a number of years and I think he lives out of state now.

INTERVIEWER: Henry Richmond?

BILL BLOSSER: No. Not Henry. Uh -- well, anyway, he used to come to the commission meeting almost every year and give us a -- a little present wrapped up in paper and the present would be about "you've succeeded one more year of not answering the question...."

INTERVIEWER: (Chuckling)

BILL BLOSSER: -- and it came out of case in -- in Coos County, and I can't even remember the name of the case anymore, it's gone fuzzy, but it was a LUBA case that was so complicated in terms of deciding what was a legitimate rural development. We picked away at it with a number of little rules, but we never answered the question. Even to this day it hasn't been fully answered I think.

INTERVIEWER: Um hmm.

BILL BLOSSER: But, the issues raised in that case have never been answered, I think.. So, whether that was one that -- I think that was -- I'm pretty sure that was a LUBA case. So, I -- I can't answer your question.

INTERVIEWER: Oh, no. It's okay. Totally fine. I was just wondering if there was like a particular moment you really remembered where it was like, oh, we really need to establish another court to deal with this issue. That's all I was thinking.

BILL BLOSSER: No, I -- I just think that -- my recollection is it just became messy so quickly.

INTERVIEW: Yeah.

BILL BLOSSER: But -- and I think the local judges around the state were happy to have it handled because they didn't know what to do with these things.

INTERVIEW: Um hmm.

BILL BLOSSER: They were used to handling domestic issues and traffic issues and civil cases.

INTERVIEW: Um hmm.

BILL BLOSSER: The garden variety civil cases.

INTERVIEW: Right.

BILL BLOSSER: The land use stuff was crazy and there was no precedent at that time either. So, they were creating the precedent and so no wonder it was kind of an all over the place.

INTERVIEW: Yeah. Okay. So, are there any land use policies, subjects or topics that you think are missing that the LCDC should have addressed in the -- in the goals?

BILL BLOSSER: When you go through the goals, you'll find that just about every subject you can think of is covered, although I don't know that in the energy goal or any natural resources goal, or any of them, the words "climate change" appears. I'm pretty sure it doesn't because nobody would have thought of it back then but I would bet that you could construe it in the words that are in several goals if the department wanted to get into climate change. But other than that every goal touches on basically every topic that's out there in terms of the life of people around the state. Now, like I said at the very beginning, a number of the goals are not developed. I mean, the department hasn't done very much with them. So, like the energy goal, they haven't done

much at all. They have kind of left it to the energy department to do whatever they're going to do or another department: building codes or whatever. And natural hazards, there are some, but not a whole lot. They kind of left that to DOGAMI to do. So, there are a number of goals that as issues became even bigger the department could get into because the goal is sitting there and if there's room to develop something, they could do it. The short answer to your thing is, no, I think there are there really big gapping holes.

INTERVIEW: So, in 1974, as you know, the LCDC and DLCD undertook an unprecedented public outreach and involvement effort, as you mentioned earlier, in adopting the first 14 goals. Was this worth doing? How, if at all, did it affect your thinking and views at the time?

BILL BLOSSER: Okay. Well, I think I answered that one already --

INTERVIEW: Yeah. Sure.

BILL BLOSSER: -- so I'm not going to just repeat it but it was critical and it was important for my own experience in Yamhill County. I was on the side of being in one of those citizen committees and then becoming a planning commissioner and watching it from the other side. We had a huge amount of testimony on issues and we'd have packed rooms on some issues. Everybody who wanted to talk had a chance to talk and that's still the case and it's important.

INTERVIEW: Um hmm. Definitely. I was wondering also if you could sort of reflect on your experience at -- in the Yamhill County Planning Commission and also maybe your thoughts about LCDC outside, and then inside LCDC, and reflect on some of the experiences with LCDC being both in Yamhill County and then actually after you left there, on the inside, especially in relation to maybe Goal 1 or some of the other goals.

BILL BLOSSER: Well, one of the ironies is that that at the time that the first comp plans were adopted, Yamhill County was regarded as one of the leaders or visionaries in terms of planning in the state. Then somewhere in the early to mid-80's, the politics in the county completely switched and the county commissioners were some of the most anti-land use in the state, as well as some of the local legislators that were elected. And so Yamhill County, when I got onto LCDC, was one of the counties that we had the most lawsuits against from a state level because they were, from our point-of-view, rampantly violating the law. And I believe we won every case against Yamhill County. 1000 Friends brought a lot of those actions. And there were a couple other counties that were were fighting the land use program and Yamhill County became one of them. So, I had the experience of being on the other side, of seeing them trying to systematically undermine what had originally been adopted at the county. So, that was sad but it was what it was. I think you are talking to Art Schlack, and to some county people. Look at their perspective. I'm not sure I should use word "battles", but the places that the department and the commission had the most arguments with local government was, (I would say, 80 percent of them) were with the counties. I think it was because counties saw their mission as being completely contrary to what the goals were trying to do, particularly around preservation of ag land and the spreading of urbanization out into the counties. Virtually all the battles were over that issue. It wasn't over housing or transportation or any of the other things, it was over rural development and how much rural residential should be allowed outside of incorporated cities.

INTERVIEW: Um hmm.

BILL BLOSSER: And the counties saw their mission as letting anybody build a house where they wanted to and the -- the program, particularly with the constant litigation from 1000 Friends, was contrary to that. So, that's where -- if you look at all the court cases or particularly in

the first 20 years, I'll betcha, I don't know, I'm just guessing, 90 percent of them had to do with rural land issues. The amount of issues from the cities was pretty minimal. Cities saw themselves as trying to accommodate housing and do all these things . However, there were issues with cities over Goal 5: how much land needed to be set aside for natural areas. There were issues over housing because there were exclusionary zoning issues came up and there were a number of lawsuits against cities who wanted to ban mobile home parks or multi-family dwellings that we had to tell them, no, you have to allow all kinds of housing. But, still, the amount of argument with cities was minimal compared to arguments with counties. While I understood the perspective of counties like Yamhill County on ag lands, it seems like I spent nine years fighting with the counties and Yamhill County was one of them.

INTERVIEW: Um hmm. So, this sort of leads into the next question, I think. Have the statewide planning goals struck a balance between state and local control that LCDC intended in 1974?

BILL BLOSSER: Well, the word "balance" is an interesting word. The legislature in adopting Senate Bill 100 intended to shift the balance, which was 100 percent local at that time, to the State having a say in what happened at the local level. So, once the legislature made that decision that radically shifted the balance question right from day one because the balance was 100 percent one way before and now it was where? 50/50?

INTERVIEW: Um hmm.

BILL BLOSSER: 40/60? I mean that -- that's been the question ever since --

INTERVIEW: Okay.

BILL BLOSSER: , "where is the balance" -- the correct balance point? When you look at the original legislation, it is clear that a huge motivation of the legislature was over rural land

preservation, preventing rampant subdivisions out on rural land and preserving ag, particularly in the Willamette Valley. So, the balance shifted radically with that legislation and so my short answer is, yeah, I think LCDC has struck the right balance, but it has been a battle ever since. There have been four or five statewide ballot measures trying to either modifying what LCDC can or trying to wipe it out entirely --

INTERVIEW: Um hmm.

BILL BLOSSER: -- and just -- there were -- by the time I got on the commission there had already been, I think, two statewide ballot measures to get rid of it entirely that failed but not by a huge amount. I mean they failed but it wasn't like 60/40. It was like 53 or 54 to 47 or something like that. I mean it wasn't by a whole lot. It didn't get just wiped out. The baby didn't get killed in the cradle. So, my answer is, yeah, I think we struck the right balance but it's an evolutionary thing. The legislature didn't say "here is the balance point". It just created this piece of legislation, which isn't very long, and then the department and commission created these goals, which also don't dictate a balance point. They don't say that ag is any more important than urban. There's nowhere in there that says this goal is more important than another goal.

INTERVIEW: Um hmm.

BILL BLOSSER: So, there's this constant balancing question that comes up all the time. I'm biased, obviously, but I think, yeah, we did strike a good balance and you see a lot of evidence of really good things having happened because of it but that'll be a debate forever. Evidence of this debate is the statewide referendum on lot of record . I can't remember the measure number any more? 49? Can't remember what it was. It passed and for five or six years it required the department to rule on whether somebody had a pre-existing right to be able to put houses out on their rural land. There were a number of those approved, but then there was another legislation and

initiative that rolled back a lot of it, and so you can see that the state in its own mind is not 100 percent in favor of everything LCDC does.

INTERVIEW: Um hmm.

BILL BLOSSER: I mean it's a touch and go thing in terms of the votes but in the end the key votes have been keep it. So --

INTERVIEW: Okay. Thank you. So, in what ways have prominent state and local elected officials, ballot measures, actions by the Oregon legislature and key court rulings, advanced or undercut the original purchases of Senate Bill 100 and the drafting and implementation of the state planning goals?

BILL BLOSSER: Well, I think we touched on quite a bit of that already. As I said, there's been contention between the counties and LCDC from day one, and so that has been an ongoing contentious issue. Not so much with cities. So that would answer that part of the question. Ballot measures? We already talked about those -- a couple that were trying to wipe out the program entirely and others that were trying to handle this problem of people's rights to have homes on rural lands. So, those have been big -- big issues -- or, I mean, big impacts. The legislature. I don't think you could find one legislative session since 1972, where there hasn't been an amendment to the statute. Every session the legislature often has myriad proposals. In the years that I was on the commission, one of the key pieces of legislation that always came up was the budget and the way that the anti-land use people saw their lever on the program was to defund the department as much as they could, and so every session there was a battle. Often, the DLCD budget was one of the last ones to get adopted because it was a sort of bargaining chip that was held to the end. So, it was always a battle, we always knew it was going to be a battle. But the other aspect of it is that virtually every session the legislature made some change. One big change

that happened while I was on the commission was related to “secondary lands” (or you could translate that as “less important ag lands”). The legislature was trying to relieve the pressure from the counties to allow some development in rural lands on less valuable land. So, that’s where the word “high value Ag land” was created and definitions of that and so forth. And so if you look at the amendments that have actually been passed in the legislature, I would say 70 to 80 percent effect the Ag Goal.

INTERVIEW: Um hmm.

BILL BLOSSER: They’re all around what’s permitted in ag lands and there is a huge list of things of things that are permitted. They put in something for dog kennels and there’s all kinds of little amendments, tweaks, where somebody wanted to do something, and it came to the legislature and they got it approved. So, the a list of what’s permitted in ag is really quite long. It hasn’t totally undermined the Ag Goal by any means, because most of them are small tweaks. In the last two or three sessions there have been a bunch of changes for wineries around the issue of tasting rooms. It wasn’t an issue early on, and so wineries were just permitted, but then the traffic created by tasting rooms and then wineries wanting to have events and weddings and suddenly it became a question, “was it really a winery and what’s going on?” So, the legislature's dealt with that in the last two or three sessions, trying to clarify. So, there’s been a lot of legislative action. Courts? Now there’s a huge body of court decisions and I’m not a lawyer, I can’t really comment on that, but --

INTERVIEW: Um hmm.

BILL BLOSSER: -- there’s a lot of other people you’re interviewing that can tell you but there’s a ton of things that the courts have done to clarify things .

INTERVIEW: Um hmm.

BILL BLOSSER: The purposes of Senate Bill 100 were pretty broad. So, did they undercut them? I don't know. I think the legislators, if you asked the legislators, they would say, no, we're not undercutting, we're just improving. We're just molding. I think as a commissioner and I would say the same thing: we were trying to implement it. Advance it? Yes. We're trying to advance what we thought was its intent but sometimes the court said our intent were wrong and sometimes the legislature said, "no, you guys got that wrong, we don't want you to do that," and so the legislature would change it. When I was on the commission, whenever a legislator would come and testify that "you guys are violating the law", I would say, we're just implementing the law as we see it written, unless the attorney general tells us we're wrong just. You're the legislator, just change it in the legislature. Just change it. You have the ultimate power. We're just here as administrators." And sometimes that's what they would change the law. That's their job.

INTERVIEW: You mentioned a little bit about the decisions in the most recent sessions of the legislature around wineries.

BILL BLOSSER: Um hmm.

INTERVIEW: I was wondering if you could reflect on your own involvement in Oregon's wine industry and its relations with land use planning and just some of your own personal experiences.

BILL BLOSSER: Well, going back to that map that Dave Adelsheim and I did, back in '73 or somewhere around there, we created a formula, which was basically land above a certain elevation in the valley and no higher than a certain elevation where it got -- we thought it too cold, and slopes that were no steeper than a certain amount, and exposures from east to west, no north exposures. So, we created kind of a formula and I don't remember the number of acres total that we came up with but I remember we thought at that time that if we could preserve 10,000 acres it

would be the most that could ever possibly be planted for vineyards in the Willamette Valley. That was at that point where there were probably 150 or 200 acres in grapes. The last statistics I saw there was over 12,000 acres in grapes in the Willamette Valley.

INTERVIEW: Um hmm.

BILL BLOSSER: Which doesn't even touch the amount of acres that have -- that are potential. And so from a vineyard point-of-view the biggest single thing that had happened was that decision -- propelled by the ag rule the counties rezoned 10's of thousands of acres in the Willamette Valley from rural residential to ag. It made it possible for the industry to exist because if we had been fighting with subdivisions out in these hills it wouldn't have happened because they would undoubtedly pay more than we could pay, but also because of the conflicts with people who have their house there and don't want the dust or the spraying or the noise. When we were applying for our license to have a winery, we had a good citizen involvement thing was going on, a huge number of neighbors came out to protest us having a winery. When you parse the testimony, most of it was around the vineyards. They didn't like the noise of the cannons that we used to scare birds. They didn't like the migrant workers because they were going to rape and pillage and their kids weren't safe to be outside playing. And so it was really related to the vineyards that they were protesting the winery. It got approved but if that initial preservation hadn't occurred, we wouldn't have even had a chance to apply for a winery. But there's a lot of fear around it and so if we had a lot more houses out dotted around, you're would see even more of that. And Ag, in general, there's been surveys done of that around the valley over the years and the biggest single problem that farmers have is people living out close to them that are not really farmers and that don't like the noise or whatever with their kids. You know, one problem we had for a number of years was kids vandalizing irrigation systems or pumps or -- you know, we had some issues with

kids that weren't farm kids running their motor scooters through the vineyard and breaking vines and stuff. So, there is a conflict between rural residential and any kind of ag and -- so it would have really hurt our industry as it would have the rest of ag. So, I'm extraordinarily proud of what's happened with the industry. Whoever thought that this would happen?. Recently, I was pushing Yamhill County their road planning committee, they have a citizen committee, about designating a new, we're calling it "The Wine Trail" - a little rural road that would wind through the Dundee Hills.

INTERVIEW: Um hmm.

BILL BLOSSER: And a lot of people could get access to a lot more vineyards and wineries if you were to pave it and we can sign it and so forth. The basic answer was "you wineries have got everything you need already: we've taken care of you: now we've got to take care of other people." That wasn't literally what they said, but the gist of it was "if you guys want it, you pay for it. You guys have lots of money so you can just pave your own road." That says a lot about our accomplishment; they think that we're doing so well we don't need any more help. (Chuckling) So -- I guess it's helped put Oregon on the map in a lot of ways, as the high tech industry and Nike have (timber always has, of course, which is in the mountains,) but the winery industry has added a whole new aspect of tourism, and a significant industry, well over a billion dollars now.

INTERVIEW: Great. Thank you. So, switching gears a little bit, how do you think Oregon's land use program in 2015, today, compares to what it was envisioned four decades ago?

BILL BLOSSER: I would give the same answer as I did in terms of the wine industry. We had no idea that a wine industry would develop. Not even in our wildest dreams did we envision it would be like this today. I think the same with the land use program. I don't think

anybody had a clear vision of how central it would be to everything that happens in the state. It was just an idea that was adopted in a very short piece of legislation and then once the goals were adopted, people said, oh, this is a little more than we thought, and then each step, as new goals have been amended or new rules have been adopted, it's gotten richer and more complete. I don't think anybody envisioned where it would go. It was a very incremental thing and it's still incremental and who knows what it'll be 20 or 30 years from now but it certainly seems to be pretty well locked into a fabric of law and society and everything in the state and so I don't think it's going to go away. Something would have to replace it obviously but even those who are most opposed to the land use program -- I think there are parts of it that they would fight to keep. Some of the natural resources things the ag thing, the transportation rule -- people would want there to be some coherence to the transportation system. So, I think there'll be incremental evolution. I hate to even try to envision 15 years from now what it would look like.

INTERVIEW: Um hmm. So, how about your own like personal thought -- like how you felt about it when you first interacted with the land use planning system, what -- maybe some of your first feelings or --

BILL BLOSSER: Well I was an urban planner, so --

INTERVIEW: Yes. I was --

BILL BLOSSER: -- I thought it was marvelous. It was the cutting edge of anything that had been done in the United States. No one else was trying it. When I was in planning school we were talking about it, but it had never been done. So, here I end up on Oregon and it happens. And so I was in hog heaven from a planner's point-of-view. If you ask Art Schlack he'd probably say it's been his nightmare his whole life. (Chuckling)

INTERVIEW: (Chuckling) Was there anything in particular that made it feel like hog heaven? As a planner, I mean, it seems like, yeah, it's a really unique system but was it -- it's just like the -- the feeling that you got as a planner. It felt like you were able to do more because of the statewide system or what was it?

BILL BLOSSER: Well, yeah. You got to actually debate the issues that were just theoretical ones at planning school -- how do you balance these issues between rural and urban? How do you look at the issue from a statewide point-of-view and not just a pure local issue where every little town and village and county is doing their own thing that may be when you add it all up harmful to the state as a whole? It was just a wonderful opportunity to try to rationally look at these bigger issues and ask the question "what's good for the state" and then "what is legitimate local stuff that we don't need to worry about?" Let them take care of it. And by and large if you look at the planning requirements for cities, the cities can kind of do what they want. There are clearly guidelines but cities have huge freedom. The ones that have the least freedom are the counties, and they're the ones, as I said, that have had the most trouble with the program. But, from a planning point-of-view, it was wonderful to be able to help set some reasonable, broad guidelines, so that one city wasn't screwing all the poor people by saying we don't want any -- we're not going to have any low income housing, period. We have been sort of enforcing a social value of the state: we've all got to accept some low income people and things like that. I felt good because we were trying to create an ethic that applied to everybody and didn't just apply to me because I'm wealthier. It was very easy to be short-sighted about transportation. There was a lot of impetus in communities to put all the traffic on the state highway because "it's their highway and they'll maintain it with their money and we won't build any local roads". So, you have all these towns where their main drag is the state highway and the first few years that may have been pretty

nice but after a short while it completely choked the town and killed the town. So, Dundee -- like Yamhill County, Dundee, Newberg, have been just killed by state highway right through the middle of town. Well, the transportation rule helped try to rebalance that and force cities to build some of your own roads and create a town center and be a town. Don't just be a stop on a highway. Most of the rest of the country there's no push back from the state to keep everybody from being strip commercial on a highway. We certainly haven't done everything perfectly. As a planner it was wonderful to be able to be in those arguments and to have a potential of adopting something that would be statewide.

INTERVIEW: Okay. So, are there any changes or additions you'd like to see in our planning laws and in the statewide goals to enable Oregon's land use program to face challenges of the future?

BILL BLOSSER: I've thought about that a lot but I didn't even write a note down. I can't really think of something at this point. I think, as I said, it's a very evolutionary thing. If you were to talk to the current chair of the commission you'd get a much better perspective on what the issues are they see coming up that they need to deal with. I've been away from it for awhile. I know that within the goals there is the incubus to tackle any issue that might come up, with the possible exception of global warming, but I think that even that could be handled. So, do I have specific things? I don't have any specific things I think they need to deal with, but I'm sure 1000 Friends or the current chair would. John Vanlandingham, who was the chair for quite a while, is a very thoughtful guy, and he's way more recent than I am; he would be worth asking that question of. And you do have Henry Richmond on there.

INTERVIEW: We've already done him.

BILL BLOSSER: And Robert Liberty. That's the guy I was trying to think of.

INTERVIEW: Yes.

BILL BLOSSER: Robert is the one who would bring us the package. Okay.

INTERVIEW: Um hmm.

BILL BLOSSER: No?

INTERVIEW: He's here's at PSU.

BILL BLOSSER: Yeah. Right. But is he -- are you going to interview him?

INTERVIEW: Yes.

BILL BLOSSER: Or is he --

INTERVIEW: Yes, we will. Um hmm.

BILL BLOSSER: Yeah. Okay. Robert will tell you stories about how he used to bring us a gift and we'd unwrap them and he's like, "congratulations, you've delayed one more year of dealing with this problem."

INTERVIEW: (Chuckling). Okay. So, do you have any other thoughts, anecdotes or experiences you'd like to share with us while we have you?

BILL BLOSSER: I remember over the years many appointees to the commission. Some were pretty anti-land use when they came on and over their terms they evolved. Everybody evolved more to a centrist thing, and saw the problems of being extreme either way and some of our people who were toughest in the end -- toughest on agriculture, were in ag, and came on the commission ready to "straighten out this LCDC that was being too tough on rural lands." So, over the years I've served with a lot of really very thoughtful commissioners and over time everybody got educated in what was possible, what wasn't, and what was really a core thing that was important to the state versus what could just be left to local people to deal with. That's all.

INTERVIEW: Okay. Well, thank you, very much, for your time today.

BILL BLOSSER: You're welcome.

INTERVIEWER: It was a pleasure to meet you and I'm sure everyone will enjoy the recording.

BILL BLOSSER: Yes.

INTERVIEWER: Thanks.

(Concluded)