(This report will be presented to the membership for discussion and action on Friday, February 7, 1975.)

REPORT
ON
COLUMBIA REGION ASSOCIATION OF GOVERNMENTS (CRAG)


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"To inform its members and the community in public matters and to arouse in them a realization of the obligation of citizenship."
REPORT
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COLUMBIA REGION ASSOCIATION OF GOVERNMENTS (CRAG)

To the Board of Governors,
The City Club of Portland:

I. INTRODUCTION

Committee Mission

The City Club Research Committee for the study of the Columbia Region Association of Governments (CRAG) was formed in the fall of 1972. Its assignment was to analyze the accomplishments of CRAG in relation to its then goals and objectives and to present recommendations to the Club for future study. Also, the Committee was given discretion to ascertain the adequacy of the decision-making process within CRAG, to analyze its relations with other decision-making organizations in the Portland metropolitan area, and to state findings and recommendations for strengthening CRAG.

Your Committee met almost weekly during the fall and winter of 1972-73 pursuing its assignment, interviewing witnesses, reading pertinent written material, and acquainting itself with land use problems in general, and with those of CRAG in particular.

Early in the 1973 Oregon legislative session bills were introduced (principally Senate Bill 100 sponsored by Senators Hector Macpherson and Ted Hallock) which would have a profound effect on CRAG if passed. For that reason, your Committee made an interim report to the Club.

The purpose of the interim report was to present the results of the Committee’s deliberations even though its work was not complete. The interim report was discussed by the membership and accepted on March 23, 1973.

The recommendations in the interim report were:

"1. Legislation pertaining to comprehensive land use planning should be passed by the present Oregon Legislature.

"2. The State government should have authority to provide guidelines for all land use planning in Oregon and to specify that certain activities and geographical areas are of critical State concern. These activities and areas should be determined by the Legislature. The State government should have the legal means to ensure that such activities and the use of such areas are in the long-term public interest.

"3. Except for activities and areas of critical State concern, CRAG (or some other organization of regional scope) should have authority to develop integrated regional plans in the region wherein Portland is located. It should have authority to review plans and the implementation of programs developed at any level of government within the region or which affect the region. Review authority should include the right to approve, disapprove, and modify plans and programs as they affect the region.

"4. Similar organizations of regional scope with similar authority, duties, etc., should be established in other appropriate regions throughout the State.

"5. With reference to areas and activities of critical State concern, the State and the regional organizations should work together to coordinate regional and local plans with the State plans.

"6. The regional organizations should be recognized as more than simply voluntary organizations so they can perform the tasks indicated in Recommendation No. 3 as well as other regional functions. These organizations should have solid sources of funding beyond the contributions of members.

"7. Membership of Clark County and the cities therein in CRAG (or the regional organization wherein Portland is located) should be continued on a voluntary basis. More formal and permanent membership of these subdivisions through interstate compact should be sought."

After the interim report was accepted by the Club, your Committee became inactive pending legislative developments.

Senate Bill 100 was eventually passed by the 1973 Oregon Legislature (codified
starting at ORS 197.005, but referred to herein as SB 100) and became law on October 5, 1973. Senate Bill 769, which was being developed while the interim report was being written, was also passed (codified starting at ORS 197.705, but referred to herein as SB 769). It became law on July 1, 1973.

SB 100 is a general land use planning bill which affects the entire state. SB 769 is directed to planning efforts in Multnomah, Clackamas and Washington Counties, and the cities and agencies therein. Both bills are discussed below.

Your Committee was reorganized in the fall of 1973 and its assignment updated. It was asked to:

1. Investigate whether the purposes, goals, and objectives of CRAG had changed as a result of 1973 state legislation.
2. Investigate whether the new legislation would permit CRAG to attain its new purposes, goals and objectives.
3. Investigate whether further legislation was necessary.
4. Present recommendations for future areas of study.

In addition, the Committee was given discretion to:

1. Ascertain the adequacy of the decision-making process within CRAG.
2. Analyze the relationship between CRAG and other decision-making organizations in the Portland metropolitan area.
3. State findings and recommendations for (a) strengthening desirable features, (b) eliminating undesirable features, (c) revising the method of selecting staff and officials, and (d) funding requirements.
4. Analyze the conflicting interests being served by CRAG and its ability to meet its purposes, etc., as a result of those conflicts.

The purpose of this report is to respond to that assignment by: (1) reviewing the findings of the interim report with respect to the voluntary stage of CRAG's early existence, and (2) reporting on the beginning of the more advanced stage of activity of CRAG in its new dual role as council of governments and statutory regional planning agency.

Committee Membership

The Committee membership is substantially as stated in the interim report. George D. Dysart retired when he became City Club President-Elect. Roscoe E. Bell, Edmund L. Bolin and Paul Fellner were added. Clarke Brooke resigned early in 1974 because of other activities, and Rodney I. Page was inactive during 1973-74. Roy F. Bessey continued as special consultant. Arno Reifenberg was the research adviser during 1972-73. His place was taken by Boyd MacNaughton during 1974-75.

Scope of Study

After its reorganization in the fall of 1973, your Committee continued its earlier pattern of study. We interviewed local, regional and state officials and spokesmen, conducted our own research into legislation, plus the old and new CRAG charters, examined press coverage, and attended public meetings.

Persons interviewed are listed in Appendix A. References relevant to this study and to future studies are listed in Appendix B. A more extensive bibliography on urban and metropolitan conditions, needs and goals, citizen participation and related matters is included in the City Club's Report on the Need for Community Goals, June 1973.

Because of the vast scope of the Committee's assignment and because CRAG's main potential is in land use planning and related areas, the Committee limited itself primarily to that subject. It did not consider in depth CRAG's role in human services, an important and multi-faceted area.

Your Committee suggests that the Club create a new committee to study human service programs in the Portland metropolitan area and the CRAG role (current and desirable) in these programs. Commissioner Donald Clark of Multnomah County suggested such a committee when he spoke to the Club on July 19, 1974 on "Multnomah County—Service or Survival."
II. PREVIOUS CITY CLUB CONSIDERATIONS OF PROBLEMS BEING STUDIED

Interest in regional planning and decision-making is not new for the City Club. Through the years, speakers and committee studies have reflected a growing need for intergovernmental organization and cooperation in this community which encompasses parts of two states, four or more counties, and a multitude of local governments and agencies. Recent studies which illustrate this concern are:


The remoteness of the general public from government and the need for increased citizen involvement and governmental outreach also have been the subject of City Club studies in recent years. These studies include:

- Report on the Ombudsman (or Public Defender) Concept in Grievance Handling and Citizens' Services in Oregon, May 1970

In longer and wider perspective, the Club's 50-year historical review also shows its concern with metropolitan problems. See the Foreword (pages xi-xviii) to The Conscience of a City: Fifty Years of City Club Service in Portland (1966).

III. BACKGROUND

The problem of land use is a matter of serious, nationwide concern. State land use planning legislation exists or is under consideration in a number of states, including Oregon and Washington. The principal statutes in Oregon are SB 100 and SB 769, both noted above. Other important legislation in this field includes ORS 215.020 (1973) and ORS 227.020 (1973). These reaffirm city and county responsibility for comprehensive planning, require revision in zone change procedures to conform to the Fasano decision (Fasano v. Board of County Com'rs. of Washington Cty., 264 Or. 574, 507 P2d 23 (1973)), and establish conflict of interest standards for planning commissioners.

The Fasano decision (Oregon Supreme Court) is long and extremely complicated. It held that zone changes are judicial in nature rather than legislative. Under this decision, zone changes must meet several requirements:

1. Requested changes must be in conformance with comprehensive plans;
2. A public need (not defined in the decision) must be shown for the requested change; and
3. It must be shown why the particular requested change on the particular property involved serves the public need.

A federal land use bill to provide national guidelines and financial assistance in state land use planning has been approved by the Senate, but, in its most recent test in the House, was sent back to committee and probably killed for this session of Congress.

Under prior enabling legislation in Oregon, several Councils of Government (COGS) were formed to seek solutions to regional problems. Except for the COGS in the Eugene, Salem and Portland areas which were established prior to 1967, Oregon COGS were created under the impetus of the Governor's 1968 Executive Order setting up state administrative districts.

The COG movement is nationwide and is in response to mounting problems of metropolitan scope, coupled with fragmented and increasingly incompatible patterns of jurisdiction and responsibility in existing local governments. The justification for COGS is the realization that certain problems, such as mass transit, water-air-land pollution, social issues, and the like, do not end at the borders of a particular city or county. They end, if at all, at the borders of a metropolitan or regional area. Any workable solution must encompass the entire area.
The COG known as CRAG was originally formed in 1966 under the impetus of the Portland Metropolitan Study Commission and the requirement of the federal government that there be an area-wide body to review requests for federal grants and plans for the projects involved. At the time of enactment of SB 769, membership in CRAG consisted of: Clark County, Washington; Multnomah, Clackamas, Washington, and Columbia Counties, Oregon; three cities in Washington, including Vancouver; and 28 cities in Oregon, including Portland. Excerpts from the 1966 CRAG Constitution are in the interim report. That Constitution describes CRAG as a “permanent forum” and sets forth its basic functions as follows:

“(1) To study or cause to be studied problems of concern to its members;
“(2) To issue reports based on the studies;
“(3) To recommend, for purposes of solving or alleviating the problems of concern, action by public and private agencies, including legislation by governmental legislative bodies;
“(4) To render advice and technical assistance to governmental agencies upon their request; and
“(5) To prepare and adopt comprehensive metropolitan regional plans.”

Early in its life, the CRAG General Assembly adopted Resolution No. 5, which stated that the primary purposes of CRAG at that time were:

“1. To conduct a coordinated program of comprehensive metropolitan planning for the CRAG area;
“2. To adopt policies and programs to guide the conduct of such comprehensive planning; and
“3. To assure the proper scheduling of projects and facilities and the effective coordination and review of all proposals for implementation.”

The short-range program outlined in Resolution No. 5 stated that CRAG plans should “...recognize...the comprehensive...plans...of the member agencies...”. This phrase is quoted here because it reveals a basic weakness of the 1966 CRAG. The necessity of building CRAG's overall comprehensive plans predominantly on local plans precluded the preparation of an integrated regional plan which took into consideration both regional and local elements. Instead, the 1966 plan was not a truly regional comprehensive plan, but an amalgam of pre-existing plans, patchwork in nature and, in many respects, inconsistent with itself. For example, if a particular member community developed a certain plan with respect to a certain facet of land use planning and an adjacent community developed a conflicting plan, the CRAG comprehensive plan probably reflected the two conflicting plans instead of producing one consistent comprehensive plan with which all communities within CRAG would have to abide.

A second basic weakness of the 1966 CRAG was that membership was voluntary; 14 cities in the metropolitan area never joined CRAG. Moreover, members which objected to CRAG's comprehensive plans could refuse to follow them and still remain members.

A third basic weakness was that funding was handled by contracts between CRAG and its members. Since members could withdraw, or threaten to withdraw, at will, funding was uncertain. The 1966 CRAG obtained about two-thirds of its funds from federal programs (essentially for specific projects) and approximately one-third from its members. A small amount came from the State of Oregon.

The foregoing is, in summary, the way in which regional land use planning in Oregon, and the statutes pertaining to regional land use planning, stood when this Committee commenced its deliberations in the fall of 1972.

The remainder of this BACKGROUND section will summarize SB 100 and SB 769, and touch briefly on changes expected to take place in land use planning throughout Oregon as a result of SB 100 and changes in CRAG as the result of SB 769. Although this Committee was not assigned to study statewide land use planning, an understanding of that subject is helpful to put metropolitan planning into proper perspective.
A. Senate Bill 100

SB 100 may be summarized as follows:

1. Objectives

SB 100 establishes a statewide planning process wherein planning efforts are coordinated by the establishment of state goals and guidelines, and review of the various local comprehensive plans to assure compliance with the goals and guidelines. Most planning decisions are left at the local level, but local governments and state agencies must conform to the state goals and guidelines. All local implementing ordinances with respect to land use planning must be in accord with the applicable comprehensive plan of the local jurisdiction adopted in compliance with the statewide goals and guidelines.

2. Structure

The Act creates a Department of Land Conservation and Development composed of the Land Conservation and Development Commission (LCDC), its director and employees. LCDC is composed of seven persons appointed by the Governor. Among the duties of LCDC are:

a. To adopt statewide planning goals and guidelines.
b. To issue permits for activities defined by the state as being of statewide significance.
c. To recommend to the Legislature areas of critical statewide concern in which the state, through LCDC, will supervise planning and implementation of plans.

Cities, counties, state agencies and special districts will continue to plan and carry out plans, but all implementation must be in accord with the Act.

3. Areas and Activities Having Statewide Significance

As originally introduced, SB 100 enumerated certain geographical areas over which the state could exercise development controls. These were deleted, but the 1975 Legislature will receive recommendations for designation of certain areas from LCDC. LCDC may, by statute, designate the following activities to be of statewide significance: (a) public transportation facilities; (b) planning and siting of public sewerage and water supply facilities and solid waste disposal sites; and (c) planning and siting of public schools. When so designated, such activities will require an LCDC permit in addition to any other permits.

4. Planning Goals and Guidelines

Planning goals and guidelines must be adopted by LCDC before January 1, 1975. Within one year thereafter, local comprehensive plans must comply or local governments must show substantial progress in developing plans that will comply. If compliance is unsatisfactory, LCDC may revise a county’s plan.

SB 100 makes no specific reference to the development of regional plans, but your Committee assumes, on the basis of its discussions with CRAG and other officials, that LCDC will in this respect treat CRAG as a county. This means that CRAG’s plans will have to meet state goals and guidelines.

B. Senate Bill 769

This is the “CRAG bill.” It is primarily a metropolitan regional land use planning bill pertaining to Multnomah, Clackamas and Washington Counties and, on an optional basis, adjoining counties, plus the cities and other agencies therein. It is designed to coordinate planning within the CRAG area and also to coordinate that planning with statewide planning under SB 100.

SB 769 may be summarized as follows:

1. Formation

SB 769 did not create a new CRAG automatically. It provides that “a district may be formed in a metropolitan area for the purpose of providing coordinated regional planning.” It also provides that the governing body of any county in a metropolitan area
or the largest city within such a county may propose formation of the district and transmit
the request for formation to the Governor.

The formation of the district authorized by SB 769 was proposed by the City of
Beaverton early in 1974 and approved by the Governor shortly thereafter. Thus, in effect,
a new CRAG came into existence.

The initial Board of Directors of the new district, as provided for in the statute,
was composed of one representative from each of the three counties (Multnomah, Wash-
ington and Clackamas), one from Portland, and one from the cities in each of the three
counties, seven members in all. This Board had but one task: within 120 days after its
formation it was to establish rules for the organization and conduct of business of the
district, including representation of members in a General Assembly and a Board of
Directors. The Act directs that the interests of the small members as well as the large be
adequately represented. These rules, called the Charter Rules, of the new CRAG went
into effect on April 25, 1974. They provided for a smooth transition from the old to the
new CRAG including the transfer of the physical properties and staff.

2. Duties and Powers

To understand the duties and powers of CRAG, two definitions must be kept
in mind. Section 3 of Senate Bill 769 defines:

"(1) 'District' as a 'regional planning district formed under this Act'; and

"(2) 'Region' as 'all the geographic area included within the boundaries of a
district.'"

Because the duties and powers of the new CRAG, as set forth in SB 769, are of
the essence of this report, they are set forth here in full:

"Section 9. The district shall:

"(1) Adopt by rule regional land use planning goals and objectives;

"(2) Prepare, maintain and modify as necessary a plan for the region in accord-
ance with the goals and objectives;

"(3) Designate areas and activities having significant impact upon the orderly
and responsible development of the region and establish rules and regula-
tions for the development, use and control of such areas and activities;

"(4) Review the comprehensive land use plans in effect on the effective date of
this Act or subsequently adopted by the members and associate members
of the district and recommend or require, as it considers necessary, changes
in any such plan to assure that the plan conforms to the goals and objec-
tives;

"(5) Coordinate the land use planning activities of its members and associate
members;

"(6) In the discretion of the board of directors, review the zoning, subdivision
and other similar ordinances and regulations of its members and associate
members and all actions taken pursuant thereto to assure conformity with
the goals and objectives; and

"(7) Coordinate its activities and the related activities of its members and asso-
ciate members with the land use planning and development activities of the
Federal Government, other local governmental bodies situated within this
state or within any other state and any agency of this state or another
state."

3. Review

Section 9(4) of the Duties and Powers quoted directly above states that CRAG
may "require" that its members and associate members change their own comprehensive
plans if necessary to assure that those plans conform to the goals and objectives adopted
by CRAG under Section 9(1). The old CRAG had no similar authority.

If CRAG requires a member or an associate member to change its plans, the member
or associate member may seek a review by petition to LCDC.
4. Financing

CRAG may receive moneys from outside sources for carrying on its duties—for example, grants from the federal government. In addition, the General Assembly is to determine how much the CRAG activities will cost each year and then “assess each member of the district such portion of the total amount to be contributed as the population of the member city or member county bears to the total population of the region.” This decision with respect to assessments is binding upon CRAG’s “members.” “Associate members” (see below), on admission, must agree to follow the Charter Rules and contribute financially.

C. Charter Rules

A comparison of the old and the new CRAG charters appears in Appendix C. The new “Charter Rules,” which became effective on April 25, 1974, may be summarized as follows:

1. Membership

“Members” of CRAG (that is, those mandated as members by SB 769) are Clackamas, Multnomah and Washington Counties, and all incorporated cities within these counties. Associate members (that is, voluntary members) may include any county bordering a member county that agrees to join, and also any incorporated city within such a county that agrees to join. Other associate members may include the State of Oregon, the State of Washington, the Port of Portland, and the Tri-County Metropolitan Transportation District (Tri-Met), if they agree to join.

As of January 1, 1975, Tri-Met, the Port of Portland, Clark County, the cities of Scappoose, St. Helens and Columbia City in Columbia County, the city of Camas in Clark County, and the State of Oregon had become associate members. Columbia County, four of its outlying cities, and the city of Washougal in Clark County (all members of the old CRAG) had declined to join.

2. Purposes

“The purpose of CRAG is to provide for the properly coordinated regional planning in the Portland metropolitan area, to provide a method of organizing and managing a representative regional planning district in said area, and to perform such other duties as may be prescribed by law.” (Section 3 of Charter Rules)

3. Powers

“CRAG shall have all powers and perform all duties and functions granted to it by statute or rule of this state or the United States, interstate compacts, intergovernmental agreement or other authority as fully as though these Charter Rules specifically enumerated each of these powers and functions.” (Section 4 of Charter Rules)

4. Representation and Votes

The power to vote gives the power to control. For that reason, the section on this subject was the most controversial section of the new Rules. As finally adopted, it reads as follows:

“(1) Each member and associate member shall be represented in a General Assembly and shall have one vote.

“(2) In addition, each member and city or county associate member with a population greater than 25,000 shall have one additional vote for each increment of 25,000 (or a majority thereof) over the initial 25,000 population.

“(3) For the purpose of this section, the population of a county shall be considered as that portion of the population outside of the cities in the county, and all population figures shall be those determined by annual population estimate or census recognized for State purposes.” (Section 6 of Charter Rules)

The General Assembly referred to in the above quotation must meet at least twice a year.
5. Board of Directors

Section 16 of the new Rules, pertaining to the CRAG Board of Directors, reads as follows:

"SECTION 16. Member and Associate Member Representation. The Board of Directors shall consist of:
"
"(1) One director appointed from the governing body of each county that is a member or associate member, by the governing body.
"
"(2) One director appointed from the governing body of each member city over 300,000 population, by its governing body.
"
"(3) One director each, appointed by separate caucuses (called by the mayor of the most populous city within each county) of the mayors of all cities that are members or associate members from within the county. For the purpose of this subsection, city does not include cities over 300,000 population and the whole population of a city shall be deemed to be within only that county where the majority of the city's population reside.
"
"(4) One director from each of the other associate members, chosen in the manner specified for selection of their General Assembly representatives."

The Board of Directors referred to in the above quotation must meet at least once a month.

6. Executive Director

The Charter Rules provide that the Executive Director shall be chosen and removed under terms established by the Board. He performs such functions as provided by the Charter Rules and other rules of CRAG. He keeps the General Assembly and the Board of Directors advised about affairs of CRAG, appoints and removes employees, and prepares annual work programs and budgets.

7. Transition

The old CRAG had been in existence since 1966. The new Charter Rules have been in effect since April 25, 1974. To provide for an orderly transition, the Rules state that the new CRAG succeeds to all the rights and privileges, and is subject to all of the obligations of the old CRAG. It also provides that all rules and other provisions of the old CRAG not inconsistent with the new Rules remain in effect until modified or replaced.

D. Putting SB 100, SB 769 and Charter Together

Implementation of SB 100 and SB 769 is proceeding separately and simultaneously, but because the two are so intertwined, as they affect CRAG, it might be useful to attempt to see what the combined effect may be on CRAG. SB 100 places great emphasis on the LCDC establishing state goals and guidelines and identifying areas and activities of critical statewide concern. Once these goals and guidelines are established, CRAG, as a subdivision of the state, will be required to follow them. In the meantime, CRAG is handicapped in preparing its own regional plans because LCDC has not yet determined what will lie within its own jurisdiction. Therefore, the parameters of CRAG's jurisdiction have not been determined. CRAG's duties will be to identify areas and activities of regional concern, and to establish regional goals and guidelines (conforming to any state requirements) to be followed by local jurisdictions in preparing and carrying out their own plans.

SB 100 envisions extensive citizen involvement in the preparation of state goals and guidelines and in the recommendation to the Legislature of areas of state concern. SB 769 appears to call for more citizen involvement than was evident with the earlier CRAG, but it does not go as far in this area as SB 100. We assume that the citizen involvement principles of SB 100 will apply to planning by regional and local jurisdictions. Hopefully, the relationships among state, regional and local governments will become more clear as various plans are completed and the time comes for review and approval. Only then will CRAG know to what extent its plans must conform to state prerequisites, and counties and cities will know the limitations placed on them by CRAG. In this regard, CRAG is quite likely to act as a middleman or broker between state and local agencies.
IV. DISCUSSION

Public Attitudes

Your Committee concurs with *The Oregonian* (Editorial, July 5, 1974, p. 34) that CRAG “is still a stranger to the people it serves.” Too few people, politicians and others, are aware of what it does and how it operates.

Local officials and legislators, as indicated by their support of SB 769 and SB 100, appear to be much more supportive of CRAG and the need for a regional planning organization in the Portland metropolitan area than was true before these bills had been introduced.

The general public, however, has been unaware of CRAG or aware of it only in the most general sense. Until recently, vocal opposition to CRAG has come largely from a few groups operating on the perimeters of the metropolitan area. Much of this is of a personal nature and involves the economic problems which the opponents to planning fear will result from the planning. CRAG is often characterized by its more fanatical opponents as a “communist plot” and is viewed by many as simply “another layer of government.”

Your Committee is aware of an increase in opposition to CRAG. The refusal of Columbia County, a member of the old CRAG, to join the new organization is an example. This trend appears to be national, as is indicated by recent Congressional refusal to consider favorably a federal land use bill regardless of favorable publicity.

Among the reasons for the opposition are the increasing public awareness of the more important role given to CRAG under SB 769 and public reaction to the growing significance of land use control.

Further, as more and more planning is undertaken, certain personal freedoms are lost; farmers cannot always subdivide as freely as before, developers cannot always build as freely as before. There is also the underlying and traditional resistance to change, particularly on the part of well-established governmental, institutional, and citizen interests. Some critics feel that CRAG is “another layer of government” and that it is more remote from the people than the established local units.

A different viewpoint was expressed in an editorial in the *Oregon Journal* of September 23, 1974:

“To set the record straight, CRAG is indeed a local governing apparatus, made up of officials elected to local governments, performing a local function that no other local government is equipped to perform by itself. Its creation by legislative act is little different from counties, all of which are legislative creations, or cities, most of which were established by law years ago.”

*The Oregonian*, in an editorial of October 7, 1974, further emphasizes CRAG as an agency of local control rather than a “supergovernment.”

CRAG also faces opposition from city and county planning agencies which arises from conflict or competition in goals and projects. Very fundamental philosophical and professional differences of opinion as to proper regional planning goals lie at the roots of this opposition.

Your Committee feels that the increasing opposition to CRAG must be expected as people become increasingly aware of the impingement of CRAG on their personal freedoms. However, for the common good, this should not be allowed to hamper the land use planning process.

CRAG has suffered from lack of citizen input. The importance of this was recognized by the creation of a number of CRAG advisory committees three years ago, and by provisions in SB 769 and the new Charter Rules. It was also recognized by the provision for a citizen participation program in the 1974-75 CRAG budget. According to the editorial in *The Oregonian* cited above, pressure by the Portland City Council led to the elimination of this new program. However, the Council action may have been motivated by its concern about the persons involved as much as by the program.
If CRAG is to develop citizen support for its new legislation and make the public aware of the significance of its role and activities, it must continue to search for the means to develop a stronger program of citizen participation.

**CRAG General Performance**

Our Interim Report noted CRAG’s progress and shortcomings during the first voluntary-council phase of its existence. The Committee then believed that CRAG’s most significant and fundamental weakness was in the area of comprehensive regional planning. It lay in the fact that CRAG’s regional planning was merely an aggregation of more or less independent plans of the constituent jurisdictions. It was attempting to make a master plan from a series of smaller plans uncoordinated with each other.

However, one Interim Report stated that CRAG was taking a new look at the planning situation and need. CRAG’s 1972 report, *Planning in the CRAG Region: An Appraisal and New Direction*, indicates that this is being done. It is also significant that the plan of that time was adopted as an interim plan, and that a new comprehensive plan would be prepared not only with its individual members, but with the entire area in mind. This is required by SB 769 and indicates that the perspective of CRAG is shifting to a more regional view.

Your Committee has been aware of criticisms of CRAG leadership and staff. When the Committee first met in 1972, these criticisms were more apparent than now. It is the Committee’s considered opinion that weakness in this area was, and continues to be, largely due to inherent limitations and difficulties in a COG-type jurisdiction and in the stage of development of CRAG aims, guiding principles, organization and procedures, rather than in the personnel.

The staff frequently feels that it is not sufficiently supported by CRAG’s governing body. This problem may be caused by the ex-officio nature of the organization; that is, city and county officials generally appoint one of their number to sit on the CRAG board. This creates potential problems. Similar arrangements, for example in the metropolitan community of Toronto, have come in for increasing criticism because of time limitations, divided loyalties, and removal from the direct electoral process.

There is criticism that the CRAG staff does not spend enough time with the officials and staff of the participating local governments. This is caused at least in part by the limited number of staff members. On the one hand, if working arrangements between the CRAG staff and the staff of the member units become too close, local planning might tend to take precedence over regional planning unless the CRAG staff is strongly committed to the regional concept. On the other hand, if insufficient cross-fertilization is not achieved, local needs and objectives will not receive full evaluation and accommodation in developing regional plans.

The reorganization of CRAG is proceeding under the Charter Rules. This will alter the character and role of the organization. A new director, Larry Rice, has been appointed and some staff augmentation and reorganization is under way.

The situation of the new CRAG is still unfolding and formative. For this reason, the basis for definitive judgment by your Committee is incomplete. It is clear that the new CRAG offers enlarged opportunities for guiding metropolitan improvement and services and evolving regional plans of augmented comprehensiveness and effectiveness. On the other hand, because of CRAG’s increased authority, there are also more opportunities for criticism and for difficulties of various kinds.

**Associate Membership, Representation, and Funding**

SB 769 and the new Charter Rules contain important provisions pertaining to associate membership.

There is strong sentiment within the CRAG organization for treating associate members, particularly those which were members of the old CRAG, as equivalent to the members designated by the statute (SB 769). This may not be possible. It is questionable whether the organization can exercise the same authority over local units of government.
outside the three mandatory counties (Multnomah, Clackamas and Washington) as it can over those within. Associate members may request some reduction in their financial contribution compared to that provided by mandated members. Associate membership may prove to be a difficult concept to perfect.

However, direct participation in the review for federal grants and the setting of priorities for federal and state funds, such as in the areas of transportation and law enforcement, should prove sufficiently attractive to keep at least the major associate members within CRAG. Further, entities which are eligible to become members may wish to do so in order to have some voice in CRAG programs and policies which may affect them.

As stated in III above, the CRAG General Assembly consists of a representative of each of the members and the associate member agencies, with voting power of each city and county member augmented by one vote for each 25,000 increment of population over the initial 25,000. This voting arrangement is obviously a compromise and seems reasonable in the circumstances. However, there are those who strongly believe that a municipal corporation, as CRAG is designated under the law, must operate under a “one man, one vote” arrangement. This issue probably will be a continuous bone of contention.

General Assembly responsibilities include those of assessments on members and of approval of annual program and budget. Although CRAG has legal authority to enforce its assessments on members, it is not clear what this authority would mean in fact if a member determined not to pay an assessment. Would CRAG take the recalcitrant member to court? While at first blush SB 769 seems to have improved the financial stability of CRAG, this is yet to be proved.

CRAG Policies and Goals
CRAG's guiding policies, goals and procedures have been under continuing clarification and improvement since its establishment. The continued definition of goals and the goal-forming and implementing process is a matter of special importance in CRAG operations and regional development.

CRAG has recognized the importance of metropolitan community goals formulated with effective governmental and general public participation, cooperation and understanding. Through staff and special committee action, it has drafted a set of preliminary comprehensive goals as a basis and guide for its planning. Further advancement and refinement of goal formulation and implementation, with maximum feasible citizen initiative and participation, is now in order and a clear necessity. This was pointed out by the City Club's Community Goals report referred to in II above.

LCDC was required to adopt a system of statewide goals and guidelines by January 1, 1975. To obtain public views with respect to statewide goals and guidelines, it held 66 public meetings or hearings throughout the state. These were attended by almost 10,000 interested people. CRAG is similarly required to adopt regional planning goals. It jointly sponsored the meetings which were held in the CRAG area so that it might capitalize on this citizen participation in the formulation of its own goals and objectives.

As the new phase of planning gets under way, it is essential that state and regional efforts be well correlated among concerned agencies and the general public. Unfortunately, however, there are ambiguities in SB 100 and SB 769, and in the meshing of the two pieces of legislation. For example, the respective planning roles of the state, CRAG, and the local governments in the CRAG region are not clear. CRAG is considered a county for coordinating purposes, but what does this mean? Must LCDC deal directly with CRAG as it does with the counties in the area of the state outside the Portland metropolitan area, or is it free to deal directly with the counties within the CRAG area? If it deals directly with these counties, will it impair the role intended for CRAG under SB 100 and SB 769? The 1975 Legislature may need to respond to this problem.
Interagency Relations and Planning Coordination

Significant improvement has been shown in the last year or two in the relationships and patterns of cooperation between CRAG and constituent agencies, including geographic jurisdictions (cities and counties), between CRAG and functional agencies (Port, Tri-Met, Metropolitan Service District, Boundary Commission, etc.), and between CRAG and state and federal agencies. For example, there are close working relationships between the staffs of CRAG and the Boundary Commission. Also, CRAG has provided the staff for the Metropolitan Service District under contract with the District. However, further definition and clarification of interagency and intergovernmental relations and coordination are essential to assure effective regional planning.

The Port and Tri-Met are new associate members of CRAG. It is expected that this will improve relationships which have been characterized as non-existent (at least at the policy level) or not consistently active.

CRAG can be effective only if it has a close relationship with its constituent units and with the many state and federal agencies which have planning or planning-related responsibilities. There is always the danger that CRAG will operate in a vacuum. This could happen if the opposition to CRAG increases and other agencies and units of government disassociate themselves from it.

Special attention looking to the improvement of arrangements spanning the Columbia River is in order. Interstate compacts should be explored carefully in the interest of cooperative planning for and development of the interstate metropolitan community. The CRAG staff has indicated that it has a specific item in its 1974-75 work program on this issue.

V. CONCLUSIONS

The conclusions of your Committee's Interim Report are still valid.

State legislation passed in 1973 (SB 769 and SB 100) strengthened CRAG and provided for state participation and leadership in land use planning. The "new" CRAG was created under SB 769 and has been organized.

Although it is too early for this Committee to conclude very much about the new CRAG and its organization, the following further conclusions have been reached:

1. The planning roles of LCDC, CRAG, and the constituent units within CRAG are unclear in some respects because of ambiguities in SB 100 and SB 769, and because insufficient time has elapsed to permit them to evolve.

2. The funding provisions of SB 769 have improved the financial situation of CRAG, but additional firm sources of revenue may be needed.

3. Federal assistance in the form of revenue and technical help is important to the success of state and regional land use planning.

4. CRAG and its operations have insufficient citizen input. A strengthened, innovative program is needed in this field.

5. The CRAG staff suffers from a sense of isolation and insufficient support and guidance from the organization's governing boards.

6. Many of CRAG's problems are caused or aggravated by the ex-officio nature of the organization; that is, the CRAG board is composed of persons who are there because of their official connection with one of CRAG'S members. This creates the possibility of divided loyalty. While this is not in itself a defect, it becomes one when the ex-officio representatives cannot, or at least do not, adequately balance regional and local planning roles.

7. Public opposition to CRAG has become increasingly apparent, probably because of increasing public awareness of the authority of the new CRAG and its possible impingement on personal freedoms. For the common good, some impingement may be unavoidable if the region is to have effective land use planning.

8. Further study of the human services aspect of CRAG may be desirable.
VI. RECOMMENDATIONS

The recommendations of the Interim Report are repeated at the beginning of this report. Except as to the proposed formal membership in CRAG of Clark County and its cities, these recommendations have been fulfilled or recognized substantially through enactment of SB 100 and SB 769.

At this point, your Committee submits the following additional recommendations:

1. CRAG should have the opportunity to pursue its responsibilities and activities under the enlarged authority provided by SB 100 and SB 769 without legislative or administrative dilution of that authority.

2. If the State Legislative Assembly seeks to remove ambiguities in SB 100 and SB 769 and to clarify the planning roles of the state, CRAG, and the local governments in the Portland metropolitan area, the regional role to be played by CRAG should be unequivocally indicated in that legislation.

3. The State Legislative Assembly should examine the possibility of a more stable funding base for CRAG.

4. Every effort should be made by state, regional, and local authorities to increase citizen input and support to CRAG. If additional staff is needed to develop and operate an arm of CRAG to encourage citizen input and support, it should be provided.

5. The members of the CRAG governing boards and the CRAG staff should develop closer working relationships.

6. Consideration should be given to legislation which would provide for CRAG governing boards composed partially of ex-officio representatives of constituent local governments and partially of directly elected members. Such an arrangement would provide for some officials experienced in local government, and some who may not be so experienced but who are highly committed to regional needs. It would enhance board-staff relationships and hopefully would be instrumental in developing greater public awareness of CRAG and increasing citizen support.

7. The development of an interstate compact between Oregon and Washington which would authorize full participation in CRAG by Clark County and its cities should be encouraged.

8. Legislation in Washington consistent with that in Oregon on state and regional land use planning is desirable and should be encouraged.

9. Legislation should be considered whereby associate members may become full members.

10. To the extent that land use planning necessarily extends beyond state lines (for example, planning for the Columbia River basin), federal land use planning, and federal support of state land use planning, should be encouraged. Such legislation would greatly enhance the ability of Oregon and Washington, both financially and technically, to develop and carry out a program of land use at the state and regional levels.

Respectfully submitted,
Roscoe E. Bell
Edmund L. Bolin
Ronald C. Cease
Don A. Ellis
Paul Fellner
Baird M. French

Lloyd G. Hammel
Marc D. Kelley
James Pizza
Kenneth Rystrom
John E. Huisman, Chairman
Roy F. Bessey, Special Consultant

Approved by the Research Board November 21, 1974 for transmittal to the Board of Governors.
Received by the Board of Governors December 16, 1974 and ordered printed and submitted to the membership for consideration and action.
APPENDIX A
PERSONS INTERVIEWED

During 1972-73
Lloyd Anderson, then Portland City Commissioner, representing City of Portland on CRAG Executive Board
Jill Barron, Oregon Student Public Interest Research Group (OSPIRG)
Arnold N. Bodtker, member, CRAG Action and Direction Committee
Homer C. Chandler, then Executive Director, CRAG
Don Clark, Multnomah County Commissioner, representing Multnomah County on CRAG Executive Board
Stephen Hawes, Lawyer, Oregon Legislative Council, Salem, involved in drafting of Senate Bill 100
Richard A. Granger, Clark County Commissioner and Chairman, CRAG Executive Board
Eldon Hout, Washington County Commissioner, then representing Washington County on CRAG Executive Board
Paul Pintarich, writer, *The Oregonian*
A. McKay Rich, Associate Director, CRAG

During 1973-74
James Allison, President, Washington County Landowners’ Association
Lloyd Anderson, former Commissioner, City of Portland; then Deputy Executive Director, Port of Portland
Victor Atiyeh, Minority Leader, Oregon State Senate
Lyle Balderson, Area Development Director, CRAG
Phil Balsiger, Mayor, City of Wilsonville, and CRAG Board Representative of Clackamas County cities
Don Barney, Legislative Representative, the City of Portland
Adrienne Brockman, Principal Planner, Washington County Planning Commission
Donald Carleson, Executive Officer, Portland Metropolitan Area Boundary Commission
Jane Cease, Research Consultant, Land Use Planning, DMJM/Hilton, Portland
Arnold Cogan, then Director, LCDC
Martin Crampton, Planning Director, Washington County Planning Commission
Donald Drake, contractor and developer, Portland
Gerard Drummond, Board Chairman, Tri-Met
Eldon Hout, Executive Director, Legislative Standing Committee on Land Use Planning, Salem
Charles Kemper, Program Manager, Metropolitan Service District
Lawrence Rice, present Executive Director of CRAG
A. McKay Rich, Acting Director, CRAG
Harold Ruecker, former Mayor of Hillsboro
Steven Schell, Vice-Chairman, LCDC
Art Schlack, Senior Planner, Washington County Planning Commission
William Young, Mayor of Beaverton and Chairman of Board of CRAG
APPENDIX B
SUGGESTED BIBLIOGRAPHY

SELECTIVE LIST OF REFERENCES, WITH PARTICULAR REGARD TO CURRENT MOVEMENTS IN COMPREHENSIVE METROPOLITAN AND LAND USE PLANNING, INTERGOVERNMENTAL ORGANIZATION AND COOPERATION, AND CITIZEN INVOLVEMENT. Note also, extended bibliography of Appendix B of City Club Report on *The Need for Community Goals*, 1973.

[NOTE: Not all of this material was read by the Committee. It is gathered here for use by other committees or students of the subjects discussed.]

U.S. Advisory Commission on Intergovernmental Relations, Reports:
- *Alternative Approaches to Governmental Reorganization in Metropolitan Areas*, 1962.

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- *Metropolis in Ferment*, November 1957.
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City Club of Portland:
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Committee for Economic Development:

H. W. Eldredge, editor:
- Taming Metropolis, 1967.

Scott Greer:
- Governing the Metropolis, 1962.

et al., editors:

JOURNAL OF URBAN LAW, L. Leiken:

League of Women Voters, Inter-League Committee:
- A Tale of Three Counties—One Metropolitan Area, 1960.
- Land Use: Chaos, Conflict or Coordination, 1972.
- Patching or Planning, 1970.

LIBRARY, QUARTERLY, John C. Bollens:
- Local Government Linkages in the Metropolis.

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- A Consideration of Man, and of Man and Community, 1968.

Metropolitan Study Commission:
- The Dilemma of Local Governments in Urban Areas, with Special Reference to the Portland Metropolitan Area, 1968.

Resources for the Future:

State of Oregon:
- Legislative Interim Committee on Local Government, Metropolitan and Local Area Problems in Oregon, 1967.
- Dept. of Environmental Quality, The Quiet Revolution in Land Use Control.

Anthony G. White:
## APPENDIX C
### Comparison of Old CRAG Charter with New CRAG Charter

<table>
<thead>
<tr>
<th>Provision</th>
<th>Old CRAG</th>
<th>New CRAG</th>
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<tbody>
<tr>
<td>Statement of Purpose</td>
<td>Preamble—Primarily discussion, study and recommending.</td>
<td>Art. II, § 3—“To provide for properly coordinated regional planning in the Portland Metropolitan area, to provide a method of organizing and managing a representative regional planning district... and to perform such other duties as may be prescribed by law.”</td>
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<td>Powers</td>
<td>§§ 1.1, 1.2 and 1.3—Study, issue reports, recommend, render advice and technical assistance, publicize, seek and accept contributions and grants and aid, and such other functions and powers as the General Assembly may prescribe.</td>
<td>Art. II, § 4—“CRAG shall have all powers and perform all duties and functions granted to it by statute or rule of this State or the United States interstate compact, intergovernmental agreement or other authority.”</td>
</tr>
<tr>
<td>Where Power Vested</td>
<td>§ 1.4—In the General Assembly except as delegated by bylaws.</td>
<td>Art. II, § 5—All powers of CRAG shall reside in its General Assembly and its Board of Directors except as otherwise provided in the Charter.</td>
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<td>How to Become a Member</td>
<td>Art. II, § 2.1—Membership was voluntary on the part of any county or city in or near the Portland-Vancouver standard metropolitan statistical area. Membership was based upon agreement with CRAG to comply with the constitution and bylaws and to make financial contributions as required. Termination of membership was upon dissolution of the organization, withdrawal or failure to comply with bylaws concerning financial contributions.</td>
<td>Art. I, § 2—Membership of Clackamas, Multnomah and Washington counties and all incorporated cities in those counties is required by law. Associate membership may be obtained by agreeing to abide by the rules and make financial contributions. Associate membership is extended to any city or county “bordering” the three primary counties, the State of Oregon, Washington, Port of Portland, and Tri-Met. The Metropolitan Service District may not be an associate member without a charter amendment. There is no provision in new CRAG for termination of even associate membership, but such provisions have been included in the agreements signed by associate members.</td>
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<tr>
<td>Representation</td>
<td>General Assembly, §§ 3.1, 3.2 (as amended), 3.4 (alternates); Bylaws Art. III. Voluntary. (Each jurisdiction had one vote except counties had two votes and Portland had three.)</td>
<td>Art. I, § 2, Art. III, §§ 6, 7 and 8 (alternate). Within the General Assembly each member and associate member shall have one vote and in addition each city or county (meaning the area in a county outside the cities therein) with a population greater than 25,000 shall have one additional vote for each increment of 25,000. The governing body of each member</td>
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**Provision**

<table>
<thead>
<tr>
<th>Old CRAG</th>
<th>New CRAG</th>
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<tr>
<td><strong>Quorum</strong></td>
<td>§ 3.8—A majority of the members—with action taken only by a majority of both the county representatives and the city representatives voting on the question.</td>
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<td><strong>Membership</strong></td>
<td>§ 4.2 (as amended)—see last page of this Appendix C for comparison.</td>
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<tr>
<td><strong>Quorum</strong></td>
<td>Not defined.</td>
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<tr>
<td><strong>Finance and Assessments</strong></td>
<td>§ 6.1—Budget and assessments initially approved by Executive Committee and finally approved by General Assembly.</td>
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**NUMBER OF VOTES ON EXECUTIVE BOARD—OLD AND NEW CRAG**

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<td>Tri-Met</td>
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*The votes shown for the cities of Clark and Columbia Counties are based upon present membership. Since membership for those cities is voluntary, the figures may change.*