

## **West Linn Sustainability Advisory Board**

WebEx Virtual Meeting

**DATE: June 11, 2025, 6-7:30 p. m.**

**Attendance:** Mike Carlson, Greg Smith, Victoria Meier, Rob Kugler, Carra Sahlar (guest).

Absent: Roberto Baturoni, Daniel Reesor, Kate Jaspers

**Council Liaison:** Lou Groner (absent)

**Staff Liaison:** Dylan Digby (absent)

**Mission:** The Sustainability Advisory Board is committed to collaborating with government and residents to improve the quality of life in West Linn by advancing stewardship of our environment, social, and economic resources that is equitable for all present and future generations.

### **Public comment**

No comment. No members of the public in attendance.

### **Approval of May minutes**

This was delayed until the August meeting. Victoria will send minutes out to everyone again.

### **Check-ins**

Mike – Put in a public records request regarding energy usage in the city so he can develop a report similar to what he did two years ago. He and his wife will be hosting a visit of neighbors to check out their progress as well as that of two other neighbors in developing a backyard habitat consisting primarily of native plants.

Rob – Hopes to make progress on a similar effort in his own backyard. Greg mentions that there will be a meeting at the end of the summer featuring someone from Backyard Habitats.

Victoria – Suggested doing a tour of one another's backyards at some point. Will be happy to show anyone her property that is now mostly native.

### **Presentation about legal pathways to restrict natural gas in residences from Carra Sahler** (director of the Green Energy Institute at Lewis & Clark Law School)

Carra Sahler's work at the Green Energy Institute focuses on decarbonizing buildings and helping communities develop and implement climate action plans. She indicated that cities have a lot of power tied into their "home rule charter(s)" to create ordinances aimed at public safety, health, and the environment. These regulations, however, can be pre-empted by state and federal laws—something that happened with Berkeley, California's effort to regulate the use of natural gas appliances in that city. Finding ways to work within this system is essential. There are a number of ways to do this:

- (1) **Regulate the distribution system** (pipes) for natural gas within a city's boundaries. For example, a city could prohibit the construction of new gas lines. The city's licensing ordinance may allow this kind of action. The city could not, however, preclude the use of natural gas in a building where a gas line already exists (the outcome of the Berkeley decision). In West Linn, for example, an in-fill home constructed on a site that can access an already existing gas line would be allowed to use natural gas. If new homes were to be built in the new Waterfront Development Zone on a site above the river where no gas lines currently exist, an ordinance prohibiting the placement of pipes in this area could preclude the use of natural gas.
- (2) **Set stringent pollution standards.** In Oregon, it is allowable to set pollution standards for gas furnaces and gas water heaters but not other gas appliances like stoves. These standards however, must be written in such a way that it is possible to comply with them but be more expensive. Ashland decided against this route because it would be more difficult to implement.
- (3) **EPCA (Energy Policy Construction Act) Compliant Building Code.** States can include additional requirements on building code applications that will allow but potentially inhibit the use of natural gas as an energy source in new construction. States can write amendments to the EPCA to make the use of natural gas less attractive and then seek federal approval. In Washington State, for example, project approval requires developing plans that must meet a specified set of requirements. Not using natural gas can make it easier to meet those requirements.
- (4) **Pollution fee.** This is what the Ashland ordinance has done. Developers must pay an additional fee for a building that uses natural gas based on costs a community can anticipate paying because climate change. This strategy is most effective when coupled with other strategies. It is limited in its impact but is a starting point. The hope in Ashland has been that this measure will influence customer behavior. The fees in Ashland are then distributed to low-income residents to help with their energy bills.

## Discussion

Carra. Developing ultra-low-nox [noxious] appliance standards is a potential route to pursue if DEQ doesn't regulate these. Cities can do anything they want as long as DEQ is not doing it. The county could also adopt similar policies if it wants to; the county, however, has no capacity to pre-empt city ordinances.

Rob asked about the value of having two cities collaborating on this issue. This is of value in case a city is sued by a company like NW Natural; if two cities are named in the suit, they can be represented by one entity. Ashland was able to act independently in part

because they are not in NW Natural territory. The natural gas utility in Ashland is only one small part of a larger energy company, and NW Natural is not that company.

Greg asked about whether in a community where new housing construction will be limited it make sense to pursue something that is potentially so controversial. Carra agrees that the impact on carbon emissions will be minimal, but the discussion related to this topic is valuable. She suggested digging into the city's climate action plan with an eye on natural gas. It's difficult, however, to get rid of NW Natural because they are such a good community partner. There may be a way to play with furnace replacement—a climate fee could help with this.

Berkeley has a new ordinance that requires houses up for sale to be decarbonized. This might be an option that would be more appropriate for WL. Carra will send this information to Greg, who will then forward it.

Carra left the meeting.

Mike asked whether anyone on council has asked about this. Not that we know of. Victoria mentioned the difficulty of changing the code. Rob observed that if we work in conjunction with LO, this effort would get news coverage and help to educate the public about natural gas usage. Mike asked about whether the idea is to speak with City Council. Greg suggested having a conversation at the August meeting about this topic and then deciding where to go with it. Do we want to take this forward? Does it make sense to do this?

**Victoria reported on Dylan's response to a number of questions:**

- (1) The new tree canopy inventory will be available from METRO in October 2026.
- (2) Parametrix will be helping the city to explore grant possibilities.
- (3) A new EV charging station has been installed. When asked about helping to install more EV charging stations, local business owners were reluctant to pursue this without incentives from the city or help writing grants.
- (4) Using the last \$3,000 from Parametrix. They will be meeting with city on June 16 to help identify possible funding streams, and they have developed a plan for additional sustainability initiatives moving forward.

Greg mentioned that Roberto has spoken with a woman at the State Forestry Department about having students help with the tree inventory. This looks somewhat hopeful. Greg also went to a meeting of the landscaping committee of LOSN. They are not currently interested in doing landscaping tool fairs, but they did offer the name of someone who has spoken with people there about Stihl tools. We can see whether he might be interested in speaking at a public event in West Linn. The challenge is attracting enough people to make it worth his while. Greg mentioned similar efforts in Durham to regulate gas leaf blowers. On another note, Mike said that it might also be useful to inform the City Council that long-term use of natural gas in homes increases children's cancer rate later on in life.

## **TIMING OF OLD TIME FAIR SHIFTS**

### **PLEASE SIGN UP FOR A SHIFT WITH VICTORIA IF YOU POSSIBLY CAN**

To those not present at this meeting: Please sign up for a time slot on Sunday. Greg can bring the canopy and tables and chairs. He will come at the beginning of the day to set up and at the end of the day to take down. Rob can cover at the end of the day on Sunday and take down.

All three time slots are available, especially the 12-3. So far - - -

10-1 – Victoria (Greg for set-up plus an hour)

12-3 – Mike

2-5 – Rob (Greg last hour plus take-down)

Victoria will also bring a table. Greg will locate materials to distribute although we will need to find some more from relevant organizations before the fair.

**Adjourn** – The meeting adjourned at 7:30.