

SENATE AMENDMENTS TO SENATE BILL 1534

By COMMITTEE ON NATURAL RESOURCES AND WILDFIRE RECOVERY

February 14

1 On page 1 of the printed bill, delete lines 4 through 20 and insert:

2 “Whereas Oregon’s forests and other natural and working lands are among the world’s most
3 productive net carbon sinks; and

4 “Whereas Oregon’s natural and working lands should be managed to be the most resilient and
5 robust net carbon sink we can achieve while maintaining the health of our economy and communi-
6 ties and enhancing social equity and quality of life for all Oregonians; and

7 “Whereas implementing climate-smart agriculture, forestry and conservation practices can in-
8 crease resilient net carbon stocks in vegetation and soils in Oregon’s natural and working lands and
9 through the products they produce; and

10 “Whereas climate-smart agriculture, forestry and conservation practices can provide significant
11 benefits, including improvements in soil productivity and moisture-holding capacity, improvements
12 in fish and wildlife habitat, protection of communities from storm surges and flooding, protection for
13 drinking water sources, a reduction of urban heat islands and improved air quality, creation of na-
14 tural resources jobs, climate mitigation, generation of increased revenue for private land managers
15 and improvements to people’s quality of life; and

16 “Whereas because there may be costs and a need for technical assistance for land managers
17 interested in adopting climate-smart agriculture, forestry and conservation practices, the state can
18 help through investments in incentives and technical assistance; now, therefore,”.

19 Delete line 22 and delete pages 2 through 5 and insert:

20 “**SECTION 1. As used in sections 1 to 5 of this 2022 Act:**

21 “(1) **‘Environmental justice communities’ means communities of color, communities ex-**
22 **periencing lower incomes, tribal communities, rural communities, communities with limited**
23 **infrastructure and other communities traditionally underrepresented in public processes and**
24 **adversely harmed by environmental and health hazards, including seniors, youth and persons**
25 **with disabilities.**

26 “(2) **‘Natural and working lands’ means:**

27 “(a) **Lands:**

28 “(A) **Actively used by an agricultural owner or operator for an agricultural operation,**
29 **including but not limited to active engagement in farming or ranching;**

30 “(B) **Producing forest products;**

31 “(C) **Consisting of forests, woodlands, grasslands, sagebrush steppes, deserts, freshwater**
32 **and riparian systems, wetlands, coastal and estuarine areas or the submerged and**
33 **submersible lands within Oregon’s territorial sea and marine habitats associated with those**
34 **lands;**

35 “(D) **Used for recreational purposes, including, but not limited to, parks, trails,**

1 greenbelts and other similar open space lands; or

2 “(E) Consisting of trees, other vegetation and soils in urban and near-urban areas, in-
3 cluding, but not limited to, urban watersheds, street trees, park trees, residential trees and
4 riparian habitats; and

5 “(b) Lands described in paragraph (a) of this subsection that are:

6 “(A) Held in trust by the United States for the benefit of any of the nine federally re-
7 cognized Indian tribes in this state;

8 “(B) Held in trust by the United States for the benefit of individual members of any of
9 the nine federally recognized Indian tribes in this state;

10 “(C) Within the boundaries of the reservation of any of the nine federally recognized In-
11 dian tribes in this state; or

12 “(D) Otherwise owned or controlled by any of the nine federally recognized Indian tribes
13 in this state.

14 “SECTION 2. The Legislative Assembly declares that it is the policy of this state:

15 “(1) To increase net carbon sequestration and storage in, and the resilience of, natural
16 and working lands of this state.

17 “(2) To invest in research to improve our understanding of the contributions of natural
18 and working lands and the products they produce to reducing greenhouse gas emissions and
19 increasing net carbon sequestration and storage.

20 “(3) To encourage state agencies, when implementing strategies to advance carbon
21 sequestration in natural and working lands and the products they produce, to:

22 “(a) Consider the benefits of net carbon sequestration and storage strategies for envi-
23 ronmental justice communities;

24 “(b) Incorporate the interests of landowners, land managers and communities, including
25 environmental justice communities;

26 “(c) Ensure that a diversity of landowners and managers are able to voluntarily partic-
27 ipate in incentive-based programs for net carbon sequestration and storage;

28 “(d) Identify resources to provide incentives to land managers interested in voluntarily
29 adopting practices that increase net carbon sequestration and storage in natural and working
30 lands;

31 “(e) Ensure that strategies and programs for net carbon sequestration and storage pro-
32 vide meaningful climate benefits; and

33 “(f) Seek societal and economic benefits, in addition to net carbon sequestration and
34 storage, as relevant to achieving other state goals.

35 “(4) To encourage state agencies to use metrics designed to track progress in imple-
36 menting strategies to increase net carbon sequestration and storage in natural and working
37 lands and use metrics to measure the positive and negative effects of those strategies on
38 landowners, land managers and communities, including environmental justice communities.

39 “SECTION 3. (1) The Oregon Global Warming Commission shall appoint a natural and
40 working lands advisory committee to advise the commission in the performance of the
41 commission’s duties related to natural and working lands.

42 “(2) The advisory committee shall consist of at least 14 members, including but not lim-
43 ited to representatives of:

44 “(a) Tribal governments;

45 “(b) Local governments;

1 “(c) Forest products interests or organizations;

2 “(d) Agricultural interests or organizations;

3 “(e) Environmental justice interests;

4 “(f) Conservation interests; and

5 “(g) Technical service providers.

6 “(3) The Institute for Natural Resources shall provide staff support for the advisory
7 committee. The institute may contract with a third party to provide staff support services
8 under this subsection.

9 “SECTION 4. The State Forestry Department, the State Department of Agriculture, the
10 Oregon Watershed Enhancement Board and the Department of Land Conservation and De-
11 velopment shall monitor each respective agency’s progress in advancing the policies de-
12 scribed in section 2 of this 2022 Act and report the agency’s findings to the Oregon Global
13 Warming Commission no later than August 1 of each even-numbered year.

14 “SECTION 5. (1) The Institute for Natural Resources, in coordination with the State
15 Department of Energy and the Oregon Global Warming Commission, shall, in consultation
16 with the State Forestry Department, the State Department of Agriculture, the Oregon
17 Watershed Enhancement Board, the Department of State Lands, the Department of Land
18 Conservation and Development and federal land management partners, develop a natural and
19 working lands net carbon sequestration and storage inventory. The inventory must:

20 “(a) Be based on the best available field-based and remote sensing data on carbon
21 sequestration; and

22 “(b) To the greatest extent possible, be developed using methods consistent with methods
23 used to assess greenhouse gas fluxes related to land use, land change and forestry for the
24 United States Environmental Protection Agency’s Inventory of U.S. Greenhouse Gas Emis-
25 sions and Sinks.

26 “(2) The State Department of Energy shall update the inventory and submit a report
27 describing the inventory to the Oregon Global Warming Commission no later than August 1
28 of each even-numbered year.

29 “(3) The Oregon Global Warming Commission shall consult with the natural and working
30 lands advisory committee appointed under section 3 of this 2022 Act to aid the commission
31 in the performance of the commission’s duties under this section.

32 “SECTION 6. (1) As used in this section, ‘natural and working lands’ has the meaning
33 given that term in section 1 of this 2022 Act.

34 “(2) The Institute for Natural Resources, in coordination with the Oregon Global Warm-
35 ing Commission, shall jointly with the State Forestry Department, the State Department of
36 Agriculture, the Oregon Watershed Enhancement Board, the Department of State Lands and
37 the Department of Land Conservation and Development, and in consultation with federal
38 land management partners, develop:

39 “(a) Recommendations for a net carbon sequestration and storage baseline for natural
40 and working lands;

41 “(b) Recommendations for activity-based metrics in accordance with subsection (3) of
42 this section; and

43 “(c) Recommendations for community impact metrics in accordance with subsection (4)
44 of this section.

45 “(3) Activity-based metrics must be designed to evaluate progress toward increasing net

1 carbon sequestration and storage in, and resilience of, natural and working lands, as meas-
2 ured against the net carbon sequestration and storage baseline. Activity-based metrics may
3 include, but need not be limited to, acres of lands for which certain management practices
4 have been adopted.

5 “(4) Community impact metrics must be designed to evaluate the positive and negative
6 effects of strategies for net carbon sequestration and storage in natural and working lands
7 on landowners, land managers and communities, including environmental justice communi-
8 ties. Community impact metrics may include, but need not be limited to:

9 “(a) Metrics to measure the effects of net carbon sequestration and storage strategies
10 on jobs, local economies, environmental integrity and public health; and

11 “(b) Metrics to evaluate the accessibility of net carbon sequestration and storage pro-
12 grams.

13 “(5) The Institute for Natural Resources may contract with a third party to assist the
14 institute in performing its duties under this section.

15 “(6) The Oregon Global Warming Commission shall accept or modify the draft net carbon
16 sequestration and storage baseline, activity-based metrics and community impact metrics
17 developed under subsection (2) of this section. The commission shall submit the final net
18 carbon sequestration and storage baseline, activity-based metrics and community impact
19 metrics, and recommendations for legislation, in a report to the interim committees of the
20 Legislative Assembly related to the environment, in the manner provided under ORS 192.245,
21 no later than September 15, 2023.

22 “(7) The Oregon Global Warming Commission shall consult with the natural and working
23 lands advisory committee appointed under section 3 of this 2022 Act:

24 “(a) To aid the commission in the performance of the commission’s duties under sub-
25 section (2) of this section; and

26 “(b) Before accepting or modifying the net carbon sequestration and storage baseline,
27 activity-based metrics and community impact metrics pursuant to subsection (6) of this
28 section.

29 “SECTION 7. (1) As used in this section:

30 “(a) ‘Climate-smart agriculture, forestry and conservation practices’ means practices
31 that:

32 “(A) Protect and restore resilient carbon stocks in native ecosystems and increase re-
33 siliant carbon stocks in vegetation and soils in natural and working lands;

34 “(B) Reduce carbon emissions; or

35 “(C) Increase carbon storage in the products produced by natural and working lands.

36 “(b) ‘Natural and working lands’ has the meaning given that term in section 1 of this 2022
37 Act.

38 “(2) The Institute for Natural Resources, in coordination with the Oregon Global Warm-
39 ing Commission, shall study the workforce and economic development potential of strategies
40 to increase net carbon sequestration and storage in natural and working lands. The study
41 shall include an evaluation of the need for expanding programs for climate-smart agriculture,
42 forestry and conservation practices, including but not limited to an assessment of:

43 “(a) Costs and benefits of different natural and working lands net carbon sequestration
44 and storage strategies;

45 “(b) Potential benefits to the state from expanding the adoption of climate-smart agri-

1 culture, forestry and conservation practices, including but not limited to improving social
2 equity, the economy, health outcomes, jobs, resilience to climate change, producer income
3 and fish and wildlife habitats;

4 “(c) Expansion of technical assistance provider capacity; and

5 “(d) Expansion or modifications of training programs for technical assistance providers.

6 “(3) The Institute for Natural Resources shall provide the results of the study, and may
7 include recommendations for legislation, in a report to the committees of the Legislative
8 Assembly related to the environment, in the manner provided under ORS 192.245, no later
9 than April 15, 2023.

10 “(4) The Institute for Natural Resources may contract with a third party to assist the
11 institute in performing its duties under this section.

12 “(5) The Oregon Global Warming Commission shall consult with the natural and working
13 lands advisory committee appointed under section 3 of this 2022 Act to aid the commission
14 in the performance of the commission’s duties under this section.

15 “SECTION 8. (1) Notwithstanding section 4 of this 2022 Act, the reports by agencies to
16 the Oregon Global Warming Commission under section 4 of this 2022 Act are first due no
17 later than August 1, 2024.

18 “(2) Notwithstanding section 5 of this 2022 Act, the report by the State Department of
19 Energy to the Oregon Global Warming Commission under section 5 of this 2022 Act is first
20 due no later than April 30, 2024.

21 “SECTION 9. Sections 6 and 7 of this 2022 Act are repealed on January 2, 2024.

22 “SECTION 10. ORS 468A.260 is amended to read:

23 “468A.260. (1) The Oregon Global Warming Commission shall submit a report to the Legislative
24 Assembly, in the manner provided by ORS 192.245, by [*March 31*] **September 15** of each odd-
25 numbered year that describes Oregon’s progress toward achievement of the greenhouse gas emis-
26 sions reduction goals established by ORS 468A.205. The report may include relevant issues and
27 trends of significance, including trends of greenhouse gas emissions, emerging public policy and
28 technological advances. The report also may discuss measures the state may adopt to mitigate the
29 impacts of global warming on the environment, the economy and the residents of Oregon and to
30 prepare for those impacts.

31 “(2) **The commission shall include in the report submitted under subsection (1) of this**
32 **section a description of the activities in furtherance of the policies for net carbon**
33 **sequestration and storage in natural and working lands described in section 2 of this 2022**
34 **Act that were taken by the commission or reported to the commission under section 4 of this**
35 **2022 Act.**

36 “SECTION 11. This 2022 Act takes effect on the 91st day after the date on which the 2022
37 regular session of the Eighty-first Legislative Assembly adjourns sine die.”