

SB 1534-2
(LC 240)
2/2/22 (STN/ps)

Requested by SENATE COMMITTEE ON NATURAL RESOURCES AND WILDFIRE RECOVERY

**PROPOSED AMENDMENTS TO
SENATE BILL 1534**

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
3 among the world’s most productive net carbon sinks; and

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

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

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

20 “Whereas because there may be costs and a need for technical assistance
21 for land managers interested in adopting climate-smart agriculture, forestry

1 and conservation practices, the state can help through investments in in-
2 centives and technical assistance; now, therefore,”.

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

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

5 **“(1) ‘Environmental justice communities’ means communities of**
6 **color, communities experiencing lower incomes, tribal communities,**
7 **rural communities, communities with limited infrastructure and other**
8 **communities traditionally underrepresented in public processes and**
9 **adversely harmed by environmental and health hazards, including**
10 **seniors, youth and persons with disabilities.**

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

12 **“(a) Lands:**

13 **“(A) Actively used by an agricultural owner or operator for an ag-**
14 **ricultural operation, including but not limited to active engagement**
15 **in farming or ranching;**

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

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

22 **“(D) Used for recreational purposes, including, but not limited to,**
23 **parks, trails, greenbelts and other similar open space lands; or**

24 **“(E) Consisting of trees, other vegetation and soils in urban and**
25 **near-urban areas, including, but not limited to, urban watersheds,**
26 **street trees, park trees, residential trees and riparian habitats; and**

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

28 **“(A) Held in trust by the United States for the benefit of any of the**
29 **nine federally recognized Indian tribes in this state;**

30 **“(B) Held in trust by the United States for the benefit of individual**

1 members of any of the nine federally recognized Indian tribes in this
2 state;

3 “(C) Within the boundaries of the reservation of any of the nine
4 federally recognized Indian tribes in this state; or

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

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

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

11 “(2) To invest in research to improve our understanding of the
12 contributions of natural and working lands and the products they
13 produce to reducing greenhouse gas emissions and increasing net car-
14 bon sequestration and storage.

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

18 “(a) Consider the benefits of net carbon sequestration and storage
19 strategies for environmental justice communities;

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

22 “(c) Ensure that a diversity of landowners and managers are able
23 to voluntarily participate in incentive-based programs for net carbon
24 sequestration and storage;

25 “(d) Identify resources to provide incentives to land managers in-
26 terested in voluntarily adopting practices that increase net carbon
27 sequestration and storage in natural and working lands;

28 “(e) Ensure that strategies and programs for net carbon
29 sequestration and storage provide meaningful climate benefits; and

30 “(f) Seek societal and economic benefits, in addition to net carbon

1 sequestration and storage, as relevant to achieving other state goals.

2 “(4) To encourage state agencies to use metrics designed to track
3 progress in implementing strategies to increase net carbon
4 sequestration and storage in natural and working lands and use met-
5 rics to measure the positive and negative effects of those strategies
6 on landowners, land managers and communities, including environ-
7 mental justice communities.

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

12 **“(2) The advisory committee shall consist of at least 14 members,**
13 **including but not limited to representatives of:**

14 **“(a) Tribal governments;**

15 **“(b) Local governments;**

16 **“(c) Forest products interests or organizations;**

17 **“(d) Agricultural interests or organizations;**

18 **“(e) Environmental justice interests;**

19 **“(f) Conservation interests; and**

20 **“(g) Technical service providers.**

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

24 **“SECTION 4. The State Forestry Department, the State Department**
25 **of Agriculture, the Oregon Watershed Enhancement Board and the**
26 **Department of Land Conservation and Development shall monitor**
27 **each respective agency’s progress in advancing the policies described**
28 **in section 2 of this 2022 Act and report the agency’s findings to the**
29 **Oregon Global Warming Commission no later than August 1 of each**
30 **even-numbered year.**

1 **“SECTION 5. (1) The Institute for Natural Resources, in coordi-**
2 **nation with the State Department of Energy and the Oregon Global**
3 **Warming Commission, shall, in consultation with the State Forestry**
4 **Department, the State Department of Agriculture, the Oregon**
5 **Watershed Enhancement Board, the Department of State Lands, the**
6 **Department of Land Conservation and Development and federal land**
7 **management partners, develop a natural and working lands net carbon**
8 **sequestration and storage inventory. The inventory must:**

9 **“(a) Be based on the best available field-based and remote sensing**
10 **data on carbon sequestration; and**

11 **“(b) To the greatest extent possible, be developed using methods**
12 **consistent with methods used to assess greenhouse gas fluxes related**
13 **to land use, land change and forestry for the United States Environ-**
14 **mental Protection Agency’s Inventory of U.S. Greenhouse Gas Emis-**
15 **sions and Sinks.**

16 **“(2) The State Department of Energy shall update the inventory and**
17 **submit a report describing the inventory to the Oregon Global Warm-**
18 **ing Commission no later than August 1 of each even-numbered year.**

19 **“(3) The Oregon Global Warming Commission shall consult with the**
20 **natural and working lands advisory committee appointed under sec-**
21 **tion 3 of this 2022 Act to aid the commission in the performance of the**
22 **commission’s duties under this section.**

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

25 **“(2) The Institute for Natural Resources, in coordination with the**
26 **Oregon Global Warming Commission, shall jointly with the State**
27 **Forestry Department, the State Department of Agriculture, the**
28 **Oregon Watershed Enhancement Board, the Department of State**
29 **Lands and the Department of Land Conservation and Development,**
30 **and in consultation with federal land management partners, develop:**

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

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

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

7 “(3) Activity-based metrics must be designed to evaluate progress
8 toward increasing net carbon sequestration and storage in, and
9 resilience of, natural and working lands, as measured against the net
10 carbon sequestration and storage baseline. Activity-based metrics may
11 include, but need not be limited to, acres of lands for which certain
12 management practices have been adopted.

13 “(4) Community impact metrics must be designed to evaluate the
14 positive and negative effects of strategies for net carbon sequestration
15 and storage in natural and working lands on landowners, land man-
16 agers and communities, including environmental justice communities.
17 Community impact metrics may include, but need not be limited to:

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

21 “(b) Metrics to evaluate the accessibility of net carbon
22 sequestration and storage programs.

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

25 “(6) The Oregon Global Warming Commission shall accept or mod-
26 ify the draft net carbon sequestration and storage baseline, activity-
27 based metrics and community impact metrics developed under
28 subsection (2) of this section. The commission shall submit the final
29 net carbon sequestration and storage baseline, activity-based metrics
30 and community impact metrics, and recommendations for legislation,

1 in a report to the interim committees of the Legislative Assembly re-
2 lated to the environment, in the manner provided under ORS 192.245,
3 no later than September 15, 2023.

4 “(7) The Oregon Global Warming Commission shall consult with the
5 natural and working lands advisory committee appointed under sec-
6 tion 3 of this 2022 Act:

7 (a) To aid the commission in the performance of the commission’s
8 duties under subsection (2) of this section; and

9 (b) Before accepting or modifying the net carbon sequestration and
10 storage baseline, activity-based metrics and community impact met-
11 rics pursuant to subsection (6) of this section.

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

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

15 “(A) Protect and restore resilient carbon stocks in native
16 ecosystems and increase resilient carbon stocks in vegetation and soils
17 in natural and working lands;

18 “(B) Reduce carbon emissions; or

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

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

23 “(2) The Institute for Natural Resources, in coordination with the
24 Oregon Global Warming Commission, shall study the workforce and
25 economic development potential of strategies to increase net carbon
26 sequestration and storage in natural and working lands. The study
27 shall include an evaluation of the need for expanding programs for
28 climate-smart agriculture, forestry and conservation practices, in-
29 cluding but not limited to an assessment of:

30 “(a) Costs and benefits of different natural and working lands net

1 carbon sequestration and storage strategies;

2 “(b) Potential benefits to the state from expanding the adoption of
3 climate-smart agriculture, forestry and conservation practices, in-
4 cluding but not limited to improving social equity, the economy,
5 health outcomes, jobs, resilience to climate change, producer income
6 and fish and wildlife habitats;

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

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

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

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

17 “(5) The Oregon Global Warming Commission shall consult with the
18 natural and working lands advisory committee appointed under sec-
19 tion 3 of this 2022 Act to aid the commission in the performance of the
20 commission’s duties under this section.

21 “SECTION 8. (1) Notwithstanding section 4 of this 2022 Act, the re-
22 ports by agencies to the Oregon Global Warming Commission under
23 section 4 of this 2022 Act are first due no later than August 1, 2024.

24 “(2) Notwithstanding section 5 of this 2022 Act, the report by the
25 State Department of Energy to the Oregon Global Warming Commis-
26 sion under section 5 of this 2022 Act is first due no later than April 30,
27 2024.

28 “SECTION 9. Sections 6 and 7 of this 2022 Act are repealed on Jan-
29 uary 2, 2024.

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

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

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

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

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